

Sinead McEvoy

From: Chris Tinsley [REDACTED]
Sent: 18 May 2020 15:38
To: DevelopmentPlan@midulstercouncil.org
Subject: LDP Re-Consultation Correspondence
Attachments: QP Correspondence.pdf

Importance: High

Dear Sir/Madam

Further to the letters received from Mid Ulster District Council (MUDC) dated 12th March 2020 in relation to the Re-Consultation on Local Development Plan 2030- Draft Plan Strategy and accompanying Sustainability Appraisal incorporating Strategic Environmental Assessment Report, please find enclosed correspondence from Quarryplan confirming that our previous joint and individual representations may be considered as our Clients' representations to the DPS.

Please see attached for reference, with hard copy to follow in the post.

If you have any queries please don't hesitate to let me know,

Regards
Chris

Chris Tinsley MRTPI
Senior Town Planning Consultant
Quarryplan Limited
10 Saintfield Road
Crossgar
BT30 9HY



Michael McGibbon

From: Chris Tinsley <[REDACTED]>
Sent: 18 April 2019 15:34
To: DevelopmentPlan@midulstercouncil.org
Subject: MUDC LDP Draft Plan Strategy- LD Aggregates Representation
Attachments: Representation-Form.pdf; LD Aggregates Representation ISSUE.pdf

Importance: High

Dear Sir/ Madam

Please find enclosed representation to MUDC Local Development Plan 2030- Draft Plan Strategy, made on behalf of LD Aggregates.

If you have any queries, please do not hesitate to contact me.

Regards
Chris

Chris Tinsley MRTPI
Senior Town Planning Consultant
Quarryplan Limited
10 Saintfield Road
Crossgar
BT30 9HY
T: 028 44 832904
Mob: [REDACTED]



Submission of a Representation to Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Local Development Plan
Representation Form
Draft Plan Strategy

Ref:
Date Received:
(For official use only)

Name of the Development Plan Document (DPD) to which this representation relates

MID ULSTER DC DRAFT PLAN STRATEGY

Representations must be submitted by 4pm on 19th April 2019 to:

Mid Ulster District Council Planning Department
50 Ballyronan Road
Magherafelt
BT45 6EN

Or by email to developmentplan@midulstercouncil.org

Please complete separate form for each representation.

SECTION A

1. Personal Details

Title

First Name

Last Name

Job Title
(where relevant)

Organisation
(where relevant)

2. Agent Details (if applicable)

Address Line 1	<input type="text" value="C/O AGENT"/>	<input type="text" value="QUARRYPLAN LTD
10 SAINTFIELD ROAD
CROSSGAR
CO. DOWN"/>
Line 2		
Line 3		
Line 4		
Post Code	<input type="text"/>	<input type="text" value="BT30 9HY"/>
Telephone Number	<input type="text"/>	<input type="text" value="028 44 832904"/>
E-mail Address	<input type="text" value="REDACTED"/>	

SECTION B

Your comments should be set out in full. This will help the independent examiner understand the issues you raise. You will only be able to submit further additional information to the Independent Examination if the Independent Examiner invites you to do so.

3. To which part of the DPD does your representation relate?

- (i) Paragraph
- (ii) Objective
- (iii) Growth Strategy/
Spatial Planning Framework
- (iv) Policy
- (v) Proposals Map
- (vi) Site Location

4(a). Do you consider the development plan document (DPD) is:

Sound Unsound

6. If you consider the DPD to be unsound, please provide details of what change(s) you consider necessary to make the DPD sound.

Please note your representation should be submitted in full and cover succinctly all the information, evidence, and any supporting information necessary to support/justify your submission. There will not be a subsequent opportunity to make a further submission based on your original representation. After this stage, further submissions will only be at the request of the independent examiner, based on the matters and issues he/she identifies at independent examination.

SEE ACCOMPANYING LETTER

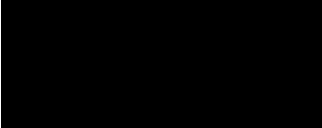
(If not submitting online and additional space is required, please continue on a separate sheet)

7. If you are seeking a change to the DPD, please indicate if you would like your representation to be dealt with by:

Written Representation Oral Hearing

Please note that the Department will expect the independent examiner to give the same careful consideration to written representations as to those representations dealt with by oral hearing.

Signature:



Date:

File ref: CST/MUDC/DraftPlanStrategy/Loughdoo



Quarryplan Limited
10 Saintfield Road
Crossgar
Downpatrick
Co. Down
BT30 9HY

T: 028 44 832904
E: info@quarryplan.co.uk
W: www.quarryplan.com

Mid Ulster District Council
Planning Department
50 Ballyronan Road
Magherafelt
BT45 6EN

18th April 2019

Via email: developmentplan@midulstercouncil.org

Dear Sir/ Madam

Re: LD Aggregates representation to Mid Ulster Local Development Plan 2030- Draft Plan Strategy

Further to the joint representation made on behalf of a consortium of mineral operators, of which LD Aggregates Ltd are a contributor, within Mid Ulster, Quarryplan is instructed by its Client, (LDA) to prepare and submit an individual representation to the Draft Plan Strategy (DPS) which is currently the subject of a public consultation. For the avoidance of doubt and to streamline individual submissions we will not reiterate the points made in the joint submission, however, it is confirmed that the points made in the submission are the views of the Loughdoo and should be recognised as such.

Background

LDA started trading in 1991 with just three part-time staff. From these humble beginnings the Company has continually expanded and the Company now employ 25 people with 14 directly employed within the Mid Ulster District Council area.

LDA supply sand, gravel and decorative stone and their quarry is renowned for its hard-wearing stone and its sand is sought after in the precast concrete industry in which the Company has built up a reputation for supplying excellent products with a fast and efficient client service. As the business grew more land for quarrying was acquired and in 2005, Loughdoo and Crocknawarke production base was rationalised and expanded and the Company installed a new screening system and CDE treatment plant.

The business operates sites across Northern Ireland, three of which are located within the Mid Ulster District:

- Crocknawarke Quarry. Loughdoo Road, Cookstown
- Murphy's Pit, Knockaleery Road, Cookstown
- Crockadoo Pit, Keenaghan Road, Cookstown

Value added products produced by the Company include: ready mixed concrete, screed, concrete blocks and bricks, washed sand and gravel supplies, decorative stone and coloured pebbles for driveways and patios, all grades of sand, to include specialist application for the sports industry.

Mineral Reserve

LDA currently own and operate the three sand and gravel pits named above. Crocknawarke Quarry produces sand and gravel, which is screened and employed in the Company's concrete manufacturing and block making processes. As detailed in the accompanying table, the quarry has an extraction rate of c. 150,000 tonnes per annum, with an estimated remaining permitted reserve of c. 400,000 tonnes.

The business has identified demand of some c. 2.6 million tonnes of sand and gravel over the course of the plan period and as such, an extension of existing quarry operations will be required or an alternative site to be opened, in order to allow for continuation of the business and to meet the anticipated demand over the plan period.

Given the anticipated demand, it is the Company's intention to submit a full planning application in order to increase the permitted reserve at the quarry, the proposed development will include a lateral north easterly extension (Figure 1). Alternatives currently being considered are the opening of a new development site to win and work minerals off the A505 Drum Road (Figure 2) and or lands north of the Cavanoneill Road (Figure 3). It is therefore considered prudent that these areas are protected from any surface development which would prohibit the future extraction of this mineral, with the extension proposals identified and assessed within the Council's evidence base and reflected within the LDP.

The final design and extent of the proposals have not yet been established with technical studies ongoing, however in order to facilitate the development of the quarry, Figures 1 and 2 are enclosed which highlights lands which should be protected from surface development and acknowledged within the LDP as a future extension area (presumption in favour of future mineral development), required to facilitate the supply of mineral from the site.

Regarding Crockadoo the site is currently opened with 50, 000 tonnes of mineral excavated, however dependent upon market conditions, it is anticipated that the site will see output levels increase in line with those considered under the terms of the planning permission (50, 000tpa over 7 years). The site should therefore be identified in the LDP with its environs protected from future development which would conflict with the operations at site. The Company have acquired additional lands to the west of the existing Crockadoo site which should be protected and a presumption in favour of mineral development provided within the LDP (Figure 4).

Finally, Murphy's Site at Knockaleery Road this site is current operational feeding mineral into the Company's value added products and it is likely that the Company will seek an extension to this site within the LDP period. Mineral extracted from this site is processed at the Loughdoo processing site, certified as lawful by the Council under LA09/2016/0975LDE. The sand and gravel site and resources should therefore be identified in the LDP with its environs protected from future development which would conflict with the operations at site (See Figure5).

Economic Contribution

As detailed above and in the accompanying table, operations from the client's sites provides employment for c. 14 employees within the Mid Ulster district. Whilst the Company's annual turnover is undisclosed, it has been trading over 25 years and provides an economic contribution to the Council area in terms of annual turnover, wages and rates.

It is considered that the company, therefore, makes a significant contribution to the Mid Ulster Economy. As demonstrated in the joint representation, the evidence base presented by the Council which identifies the contribution of the industry to district has been grossly undervalued. The policies contained within the plan are therefore not based upon a robust evidence base and as such, the plan is considered to fail to comply with Soundness Test CE2.

Proposed Mineral Policies

Policy MIN 1 states that:

"Within a Mineral Reserve Policy Area (MRPA), surface development which would prejudice the future extraction of minerals, shall not accord with the Plan".

The DPS states that the aim of MRPA's is to protect minerals which have important economic benefits ...and which support an ongoing business in very close proximity. As outlined above, the policies within the plan are not based upon a robust evidence base, therefore the economic contribution of the areas identified as MRPA's (apart from the Limestone deposit at Cookstown) is questionable.

No consideration has been provided within the plan or as an alternative within the SA/SEA as to how this mineral resource, which clearly generates economic benefits, will be protected from surface development which could impact its future likelihood to deliver this important resource. As detailed above, it is the intention to extend the existing quarries at Crocknawarke, Crockadoo and Murphy's and as such, the potential extension lands should to appropriately identified and safeguarded within the LDP. Furthermore, the Company has a vested interest in additional lands and these lands should also be considered as alternatives within the LDP and identified and safeguarded within the LDP.

Given the economic contribution, the safeguarding of the resource is considered to be a reasonable alternative to the proposed policy however no assessment of the same has been undertaken within the Council's Sustainability Appraisal/ Strategic Environmental Assessment (SA/SEA).

Furthermore, the Council has utilised its discretionary powers in order to take an approach whereby no areas at all have been identified as potentially suitable for future minerals development. Given the restricted availability of supply, given the locational constraints of minerals, surface development, designated sites and habitat constraints and the predicted demand over the plan period, it is considered that these areas could be identified for such as designation. No assessment of such an alternative has been considered within the SA/SEA, specifically for this site or indeed on a Council wide basis has been undertaken for areas suitable for mineral development despite similar zoning for other forms of development that are less restricted by location.

As detailed in the joint response, the Council's approach to not designating such areas is considered to be insular and prohibitive, particularly in light of the fact that mineral can only be worked where it is found and that the district is by far the single biggest sand and gravel producer in Northern Ireland.

As a result of the above, the policy is considered to fail to comply with Soundness Tests P3, CE1 and CE2.

Policy MIN 2 states that:

"In Areas of Constraint on Mineral development ('ACMD') the extraction and processing of hard rock and aggregates will conflict with the Plan...elsewhere, extraction and processing of hard rock and aggregates will conform with the Plan, subject to environmental and transportation considerations".

Our client welcomes the fact that its sites at Crocknawarke, Crockadoo and Murphy's sites have not been identified within the proposals maps as falling inside an ACMD. As detailed within the joint response, our client is opposed to the designations of ACMD's until such times as the Council has robust evidence upon which to base any future designations upon. As detailed in the joint response, the existing evidence base is inadequate.

As outlined separately within the joint submission LDA have asked us to emphasises their concerns regarding the contradictory wording of the policy which indicates that such development will conform with the plan and therefore a presumption in favour of mineral development exists, whilst setting a higher bar than is prescribed in the SPPS which seeks a balanced approach to mineral

decisions whereas the policy introduces the requirement for a precautionary approach. This approach is unjustified, and no assessment has been provided as to the introduction and why the Policy should run contrary to the SPPS.

Furthermore, the introduction of the term "significant biodiversity loss" under MIN 2 has no basis or definition in guidance and is considered will add confusion rather than clarifying the existing difficulties encountered in interpretation of PPS2 and in particular NH5 policies. The Local Development Plan Strategy provides an opportunity to provide clarity of interpretation and the introduction of undefined tests without justification or assessment within the supporting SEA is unsound.

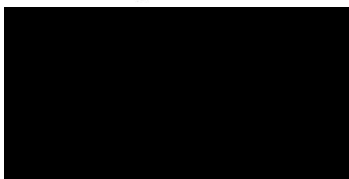
As a result, the policy is considered to fail to comply with Soundness Tests CE1 and CE2.

To conclude further consideration of the true value / contribution to the Mid Ulster Economy by the Council is encouraged before moving on to the next stage, given that the figure of £13.2M quoted is so far removed from the reality that it cannot reasonably be relied upon as being evidentially sound. Upon establishing an accurate picture regarding Value / Contribution of the Mineral Industry within Mid Ulster the Council are encouraged to consider extending proposed designations to protect against alternative forms of surface development and the proposition of Area Suitable for Mineral Development commensurate with the actual contribution derived from the resource, from which all subsequent prosperity is derived.

For the reasons set out within this individual representation and detailed within the joint representation, submitted under sperate cover, our clients consider the plan to be unsound, based upon its failure to comply with a number of the soundness tests, specifically Tests P3, CE1 and CE2.

I trust that the above is acceptable, however, if you wish to discuss any of the same please do not hesitate to contact me.

Yours sincerely,



Chris Tinsley MRTPI
Senior Town Planning Consultant
Enc

Mid Ulster Local Development Plan 2030- Draft Plan Strategy
Mineral Supply Form



Site Address	Operator Name & HQ	Aggregate Extracted since commencement	Yearly Extraction rate	Remaining Reserves	Demand up until 2030 (2019-30)	Time remaining on Existing Planning	Extension Potential	Do You intend to expand this site before 2030
Crocknawarke Sand and Gravel Loughdoe Road, Cookstown	Loughdoe Aggregates Ltd Loughdoe Road Cookstown	c. 2 million tonnes	Average of 150, 000 tonnes per annum	Landownership issues Reduction to c. 400, 000 tonnes	1.65million tonnes of saleable(processed sand and gravel)	2.6 years	Yes, lands north east of the existing quarry site.	Yes. Planning permission was granted in 2004 for mineral development at this site. The site is nearing exhaustion and landownership issues will result in an extension application in 2019/2020.
Crockladoo Sand and Gravel Keenan Road, Cookstown	Loughdoe Aggregates Ltd Loughdoe Road, Cookstown	50, 000 tonnes	Average of 50, 000 tonnes per annum	450, 000 tonnes	550, 000 tonnes of saleable sand and gravel	c. 7 years	Yes – adjacent lands	Yes. 2020 – 2021.

Mid Ulster Local Development Plan 2030- Draft Plan Strategy
Mineral Supply Form



Murphy's Site Knockaleery Road	Loughdoo Aggregates	Unknown – acquired in 2007	50,000	300,000	550,000	€	Yes	Yes
	Loughdoo Road, Cookstown	Circa 1/2 million tonnes of sand and gravel since 2007						

Other Info

Turnover: Undisclosed

No. of staff employed: (Extraction) 2 -4
(Manufacturing) & Haulage 10


Annual Wage Bill: Undisclosed

Annual Rateable Value: Undisclosed

Signed:

 On behalf of: Loughdoo Aggregates
 Date: 16 April 2019

Figure 1: Crocknawarke Sand and Gravel Pit - Existing Operations
Proposed Safeguarding and Proposed Economic Mineral Resource Area
Loughdoo Aggregates


Proposed Safeguarding/
Resource Area



© 2018 Google
Image © 2019 DigitalGlobe

Google Earth

Source: Google Earth

Figure 1A : Proposed Safeguarding and Proposed Economic Mineral Resource Area

Proposed Safeguarding/Sand and Gravel Resource Area

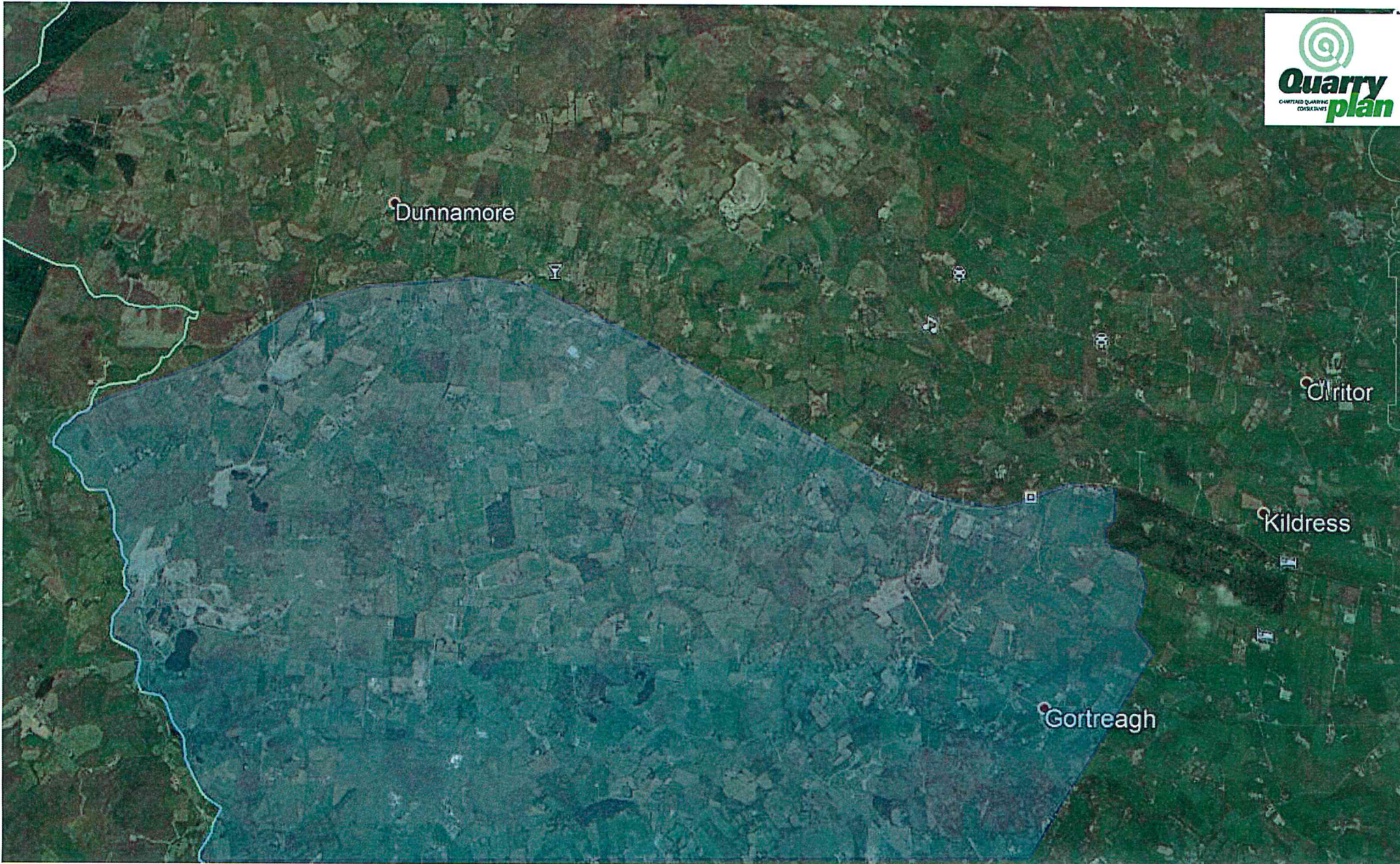


Figure 2: Drum Road Sand and Gravel Alternative Site
Proposed Safeguarding and Proposed Economic Mineral Resource Area
Loughdoe Aggregates

Proposed Safeguarding/
Resource Area



Figure 3: Cavanoneill Road, Alternative
Proposed Safeguarding and Proposed Economic Mineral Resource Area
Loughdoo Aggregates


 Proposed Safeguarding/
Resource Area



Figure 1: Crockadoo and Gravel Pit - Existing Operations
Proposed Safeguarding and Proposed Economic Mineral Resource Area
Loughdoo Aggregates

Proposed Safeguarding/
Resource Area

Consented Mineral Extraction
I/2011/0156



Figure 5: Murphy's Pit - Existing Operations
Proposed Safeguarding and Proposed Economic Mineral Resource Area
Loughdoo Aggregates

Proposed Safeguarding/
Resource Area

Consented Mineral Extraction
I/2000/0170/F

