

Sinead McEvoy

From: Liam Ward [REDACTED]
Sent: 19 April 2019 15:11
To: DevelopmentPlan@midulstercouncil.org
Subject: Representation WD10 - Minerals
Attachments: WD 10 - Minerals ACMD.pdf

Sirs

See attached representation

Regards,

Liam Ward



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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

Draft Plan Strategy & background papers

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	10 Main Street	
Line 2	Castledawson	
Line 3		
Line 4		
Post Code	BT45 8AB	
Telephone Number	028 7946 9000	
E-mail Address	[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 Areas of Constraint on Mineral Development
- (v) Proposals Map _____
- (vi) Site Location _____

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

Sound Unsound

4(b). If you consider the DPD to be unsound, please identify which test(s) of soundness your representation relates, having regard to Development Plan Practice Note 6 (available on the Planning Portal Website at https://www.planningni.gov.uk/index/advice/practice-notes/development_plan_practice_note_06_soundness_version_2_may_2017_-2a.pdf.pdf).

Soundness Test No. C2 CE1 CE2 CE3 CE4

5. Please give details of why you consider the DPD to be unsound having regard to the test(s) you have identified above. Please be as precise as possible.

If you consider the DPD to be sound and wish to support the DPD, please set out your comments below:

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

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 attached sheets

(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:

19th April 2019

Minerals

It is acknowledged that the extraction of minerals has potential to do environmental harm. It must also be noted that minerals can only be extracted from where they have been deposited. Well planned, and properly restored quarries can often offer positive outcomes for the environment.

The narrative in the Draft Plan Strategy speaks of the importance of the minerals industry to the district, and forms policy, without a robust evidence base.

Minerals Mapping

The latest Annual Mineral Report, 2017 published by the Department for the Economy reports that the output of sand and gravel from Mid-Ulster was about half of the entire output for NI.

Table 1

SAND AND GRAVEL	QUANTITY PRODUCED (tonnes)	VALUE (£million)
ARMAGH, BANBRIDGE AND CRAIGAVON	325,210	1.36
ANTRIM AND NEWTOWNABBEY, DERRY AND STRABANE, CAUSEWAY COAST AND GLENS	313,539	1.38
FERMANAGH AND OMAGH	227,571	0.86
LISBURN AND CASTLEREAGH	405,692	2.13
MID-ULSTER	1,313,365	4.50
NEWRY, MOURNE AND DOWN	20,895	0.04
TOTAL	2,606,272	10.28

The earlier years referenced in the Background Paper on Areas of Constraint for Minerals Development, which informs the DPS, tell a similar story about the importance of Mid Ulster's sand and gravel production to the whole of Northern Ireland.

It is fair to say, as the Background Paper does, that there are a number of factors which might limit, or prevent a resource of minerals from being developed.

Research Outputs from Quarry Operators

The responses from local quarry operators, reported in the Background Paper, but not supported by detailed evidence, raises some questions, which undermine the apparent reliance upon these responses.

The official figures for sand & gravel output, submitted by all operators to the Department for the Economy, shown that Mid Ulster's output is around **1.3 million** tonnes per year. The response from 14 operators (not known what % of district outputs they make), recorded at paragraph 6.5 of

the Background paper says that they produced **2.3 million** tonnes per annum. These two numbers cannot both be correct.

If the larger figure is right, and if the respondents to the Council's survey represented say 50% of the output from the district's active quarries (14 responding quarries, out of circa 100 active in the district, marked on Appendix 2 map of the Background Paper), then the annual output might be as much as 4.6 million tonnes. Over the Plan period, assuming a constant demand, that could mean a true need of **73.6 million** tonnes.

Similarly, the survey respondents are recorded as saying that have 43 million tonnes of reserves. There is no commentary on whether these are reserves with planning approval. It seems very unlikely that they could be. 43 million tonnes, from operators claiming to produce 2.3 million tonnes annually would be a 19 year reserve. For any sand & gravel quarry to have a reserve that large would be very unusual.

The most recent known planning approval was granted to Creagh Concrete, at Brackagh Quarry. The application forms suggest that it will produce 500,000 tonnes per annum, and has a lifespan of 6 years.

The largest known sand and gravel quarry, for Tobermore Concrete, also near Lough Fea, won approval in 2016 for a variation to some planning conditions. It's submission documents include mention of the remaining reserves, in 2016, of 7.7 million tonnes.

The figure reported in the Background Paper for a single operator holding a reserve of 28 million tonnes seems not to be credible.

Reduction of Resource

The Background Paper, which informs the extent of Areas of Control on Minerals Development, includes tables which consider how the application of restrictions on the surface areas of the geological resource might reduce the amount of that resource which remained available for extraction. The most benign of the matrixes considered reduces the potential extractive resource in Mid Ulster by over 60%. That alone, before following commentary, could reduce the NI resource by something like a third.

Lough Neagh Sand Traders

There is a case before the High Court which could determine the future of dredging of sand from Lough Neagh. If that judgement allows the Lough Neagh extraction to continue, all of the arguments above continue to be relevant. If the judgement is that dredging should cease, the need for sand sourced from quarries will increase dramatically.

The strategy, policies and allocations are unrealistic and inappropriate

The discussion in the Minerals Position Paper and in the DPS appears to define Areas of Constraint on Minerals Development, without a robust analysis of current outputs and approved reserves. If Lough Neagh extraction is forced to stop, the need to extract from quarries will increase.

The blanket application of expansive Areas of Constraint on Minerals Development is not necessary. Other policies, and legislation require most quarry planning application to be accompanied by Environmental Impact Assessment. Such assessments can, case by case, examine the potential harm to be caused by any proposed extraction. There is no need to use ACMD.

Changes Sought

The Draft Plan Strategy should omit reference to Areas of Constraint of Minerals Development.

Omit Areas of Constraint on Minerals Development

**Revisit the assessment of alternative approaches to controlling matters of concern,
including application of existing law and policy**

Collate and maintain a more robust and realistic evidence base