

Review of SG Rural Development4: Minerals

1. Introduction

- 1.1 The purpose of this paper is to review SG RD4: Minerals and identify whether or not the policy is required to be updated to conform with new national and regional legislation. This policy aims to ensure mineral resources are being used more efficiently and effectively, whilst ensuring that our valued environmental assets are protected and improved in doing so.

2. Policy Approach

- 2.1 The current policy within the Aberdeenshire Local Development Plan 2012 that governs mineral development requires proposals to satisfy seven criteria. To outline briefly, mineral development will currently be approved if it can satisfy the following:
- A full assessment of the development's impact on the surrounding area has been provided;
 - A Transport Assessment has been submitted;
 - A buffer distance has been agreed;
 - The market area's construction aggregate mineral landbank will not exceed 15 years;
 - Adverse cumulative impacts can be suitably mitigated;
 - Secondary material from mineral workings will be reused wherever possible and;
 - A waste management plan has been prepared.
- 2.2 SG RD4 realises the importance of mineral working and aims to ensure that the detrimental impact on the natural and historic environment and surrounding communities is limited as a result. Mineral development and associated working requires strict governance by the local authority.
- 2.3 This policy coincides with SG Safeguarding7: Areas of search for minerals which offers protection for the mineral rich areas within Aberdeenshire.

3. Background

National context

- 3.1 Scottish Planning Policy sets out a positive approach to minerals planning for Scotland. It understands the importance of the mineral industry and the intricacies between the continuity of supply meeting the volatile demands of the construction industry. SPP identifies that "an adequate and steady supply of minerals is essential to support sustainable economic growth". Minerals are paramount for the construction and development industries to proceed and therefore, their extraction must be strictly governed.
- 3.2 The continuity of construction aggregates is important and should be ensured by local authorities by retaining certain landbanks of mineral reserves. SPP states that "planning authorities should ensure a landbank of permitted reserves for construction aggregates of a minimum 10 years extraction is available at all times in all market areas". Again, striking the balance between supply and

demand is the important factor. Where areas for construction aggregates cross local authority boundaries, authorities should form a partnership in governing the supply of minerals. In Aberdeenshire, this principally relates to Aberdeen City, Angus and the Cairngorms National Park.

- 3.3 With regards to waste and sustainability, SPP encourages the recycling and re-use of material that otherwise would be disposed of in waste tips, and construction and demolition wastes at appropriate general industrial locations or mineral sites.
- 3.4 Development plans should aim to ensure that any adverse impacts on the surrounding community and environment from mineral extraction are minimised and sensitive working practices should be encouraged. Once it is demonstrated how impacts will be controlled or mitigated then extraction will potentially be permitted. SPP states that transport routes should avoid settlements and should primarily take the form of rail or coastal/inland shipping transport modes where possible. More generally, a transport assessment should be carried out where a change of use or new development is likely to result in a significant increase in the number of trips which will also identify the general cumulative impacts of the new development.
- 3.5 Contrary to previous Scottish planning policy, current SPP has now stated that standard buffer zones between sites and settlements are unnecessary and local authorities should not impose them. Each planning proposal for the extraction of minerals will have to take into account distances for each case and ensure that any environmental impacts can be mitigated.
- 3.6 SPP urges that conditions which are attached to planning permission must be monitored every 15 years, ensuring that the operating and environmental measures remain current.
- 3.7 SPP requires planning authorities to request applicants to submit their intentions for phased working and, if relevant, the procedure for the progressive restoration of the site. When the land is going to be reinstated, it is encouraged that this restoration incorporates an element of cultural, recreational or environmental value to the area and should be done so to the highest design standard. Unless the submitted plan for phasing, financing and restoration of the site is adequate, planning authorities should ensure the consent is associated with an appropriate financial bond.
- 3.8 The National Planning Framework for Scotland 2 understands that former sites of mineral workings present a strategic opportunity to provide open space, enhance green networks and increase biodiversity once they have become obsolete. The sites will have particular benefits if located on the periphery of settlements where they can help promote an open and natural landscape setting.
- 3.9 NPF2 demonstrates that for infrastructure and housing needs to be met there must be a supply of minerals readily available to the construction industry. Obtaining these resources locally is the most sustainable method as it reduces the need for the materials to be transported long distance.
- 3.10 Planning Advice Note 50 (*Controlling the Environmental Effects of Surface Minerals*) previously accompanied SPP4 which has now been superseded by SPP but the PAN remains to hold some material consideration. The document and its associated annexes provide guidance on a variety of sensitive issues (e.g. noise, visual intrusion, blasting, dust, traffic).

- 3.11 Planning Advice Note 64 (*Reclamation of Surface Mineral Workings*) provides advice on how planning authorities and operators can improve the reclamation of surface mineral workings. The management of soil resources (handling and storage), landform, drainage and aftercare is covered in the PAN. The PAN also suggests development plan policies could provide advice on the type of information required for reclamation of surface mineral workings.
- 3.12 Circular 3/2011 supersedes guidance previously given in Circular 1/2003 which is referred to in the current LDP policy. This Circular gives guidance on EIA assessments and their association with the review of old mineral permissions (ROMP applications). Circular 3/2011 also supplements the procedural guidance for ROMP applications detailed in SODD 34/1996.
- 3.13 The Scottish Aggregates Survey 2005 identifies Scotland most important sources of aggregates as being crushed rock (from sand and limestone) and sand and gravel. The survey gathered information on the production, distribution and reserves of material produced and available from Scottish quarries as at 2005.
- 3.14 Table 1 demonstrates the aggregate production of the North East Region as of 2005. The North East Region in the study is inclusive of Moray, Aberdeen City and Aberdeenshire. A total of 28 active and new sites were identified in the North East; 15 crushed/ hard rock and 13 sand and gravel quarries. This survey is now 8 years old however so they results may not be entirely indicative of current statistics.

Table 1: Aggregate Production

<i>Region</i>	<i>Crushed Rock</i>	<i>Sand and Gravel</i>	<i>Total</i>	<i>Production %</i>	<i>Population %</i>
North East	1321	926	2247	8	10.4
Scotland	21952	7512	29513	100.00	100

Strategic/regional context

- 3.15 The Aberdeen City and Shire Structure Plan 2009 and the current draft of the Aberdeen City and Shire Strategic Development Plan refer to mineral extraction briefly within the 'Local growth and diversification areas' section. Mineral extraction may need to be located within these identified areas, even although they are not necessarily meeting the local needs of the neighbouring settlement. For justification however, mineral extraction can help attain regeneration needs of the region as a whole.

4. Drivers of Change

- 4.1 Since the last policy review, SPP was published in February 2010 which replaced SPP4: Planning for Minerals. SPP is currently being reviewed by the Scottish Government and SPP2 is expected to be published in the latter part of 2013. SPP however continues to promote mineral development with a positive approach SG Rural Development 4 to a large extent reflected the changes implemented by SPP, particularly in relation to buffer zones and the extent of the marketable area.
- 4.2 Environmental and sustainable issues continue to be a key priority for planning with the Scottish Government. Both SPP and NPF2 reiterate how important restoration of mineral extraction sites can be for the natural environment. SPP

particularly emphasises the overall value these obsolete sites can bring to the environment and the surrounding community. It is particularly emphasised that the restoration - whether it be cultural, recreational or environmental – is carried out conforming to the highest design standards.

- 4.3 SPP makes no reference to the cumulative impacts of 3 or more mineral or landfill developments within a 5km radius of a settlement. The numerical value in Criterion 5 of the policy holds no significance. However, this element provides a clear and measurable indication of when cumulative impacts may occur and should be retained
- 4.4 The latter section of paragraph 6 in the Reasoned Justification is now unnecessary as SPP makes no reference to specific 'market areas' and there is no requirement to define the area and distance between these market areas. The conclusion of that section, that the whole of Local Development Plan Area can be considered the landbank for the market areas of the City Region, remains valid.

5. Recommendations

- 5.1 Since the Structure Plan and Proposed Strategic Development Plan both have minimal reference to mineral development, paragraph 1 within the Reasoned Justification must be adapted. The following reference to the Structure Plan should be deleted:
“to contribute to the objectives of the Structure Plan”.
- 5.2 The reference to SEDD Circular 1/2003 in the seventh paragraph within the Reasoned Justification should be adjusted as this has now been superseded by SEDD Circular 3/2011.
- 5.3 SG RD4 should make reference to the restoration of obsolete mineral working sites in more detail within the Reasoned Justification. In line with SPP, applicants should be encouraged to enhance the appearance and use of the site once work has been completed. Cultural, recreational or environmental uses are promoted and these should be done to the highest design standards. In relation to criteria 1 following statement should be inserted into the Reasoned Justification:
“The restoration of mineral extraction sites should be beneficial to the natural environment (i.e. include enhancement measures) and surrounding communities, and be completed to the highest design standards. Depending on the location and characteristics of the site, its restoration may also provide recreation and/or cultural benefit.”
- 5.4 To supplement criterion 2 the following should be inserted into the Reasoned Justification:
“Road transportation of minerals is the least preferred option and wherever possible haulage should be by rail or coastal or inland shipping. Where it is anticipated that the transport impacts will be significant on local communities, it is encouraged that routes avoid settlements”.
- 5.5 Within the Reasoned Justification it has been stated that a Planning Advice will be prepared regarding the process for reclaiming surface mineral workings. It is suggested that this statement be deleted as it is anticipated that there is no immediate need for Planning Advice during the lifetime of the next LDP.

6. Summary of Main Points

- 6.1 This supplementary guidance provides a clear policy approach for mineral development within Aberdeenshire. Minerals are a high value economic resource and their extraction must be tightly governed by the local planning authority. Minerals are a fundamental resource for any region and any workings with them must ensure that any detrimental effects they have on the environment are suitably mitigated. There have been various changes regarding mineral development within both the national and regional context since this policy was last reviewed and these should be reflected with in minor revision of this supplementary guidance. The national policies, mainly SPP, have been discussed and the changes applied as recommendations to SG RD4. In the regional context, both the Structure Plan and Proposed Strategic Development Plan have limited reference to mineral development although minerals will have an important role to play in the regeneration of the region as a whole. The policy remains a sound tool for assessing mineral development applications although a few minor alterations are recommended to adhere to changes in overarching policies.

References

- Aberdeen City and Shire Strategic Development Planning Authority (2009) *Aberdeen City and Shire Structure Plan*
- Aberdeen City and Shire Strategic Development Planning Authority (2013) *Proposed Aberdeen City and Shire Strategic Development Plan*
- Aberdeenshire Council (2012) *Aberdeenshire Local Development Plan 2012*
- Scottish Executive (2002) *Planning Advice Note 64: Reclamation of Surface Mineral Workings*
- Scottish Government (2011) *Circular 3/2011: The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011*
- Scottish Government (2009) *National Planning Framework for Scotland 2*
- Scottish Government (2007) *Scottish Aggregates Survey 2005*
- Scottish Government (2010) *Scottish Planning Policy*
- Scottish Office (1996) *Planning Advice Note 50: Controlling the Environmental Effects of Surface Mineral Workings*