

Local Development Plan - Position Paper
Minerals



**Ards and
North Down**
Borough Council

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Executive Summary

This Position Paper provides the Council with an overview of Minerals development in the Ards and North Down Borough Council area, to consider the current status and potential for future protection and enhancement.

Any future decision making will need to be made within the context of a Sustainability Appraisal under the provision of Planning (Northern Ireland) Act 2011. This paper is therefore intended to generate ideas on how planning can best balance the needs within the council area.

It is important to stress that in compiling the Position Paper the best information available has been used however it may need to be revised in light of the release of any new data.

The paper will provide a foundation upon which work can commence on a Preferred Options Paper as part of introducing the new Plan Strategy for Ards and North Down Borough Council. This will replace that contained in the draft existing Belfast Metropolitan Area Plan (BMAP) and Ards and Down Plan 2015.

The aims of the paper are:

- To build the capacity of members to make informed planning decisions, particularly within the plan making context;
- To provide baseline information which will inform Development Plan policy making at local level;
- To assess the current status of the environmental assets within the Council area; and
- To link with important ongoing work in relation to the development of a Community Plan and other strategic work being undertaken by the Council.

Introduction

- 1.1 This paper examines the mineral assets within the new Ards and North Down Borough Council area.
- 1.2 The paper sets out the regional context for mineral development, which allows members to consider how policy may be formulated within the context of the Regional Development Strategy (RDS) and other regional planning policy.
- 1.3 This is followed by an assessment of the existing Development Plan context and potential for future policies or enhancement of existing policies.
- 1.4 Information has been derived from the former Department of the Environment (DOE), the Northern Ireland Statistics and Research Agency (NISRA), the Department of Enterprise Trade and Investment (DETI), Geological Survey Northern Ireland (GSNI), and the Directory of Mines and Quarries 2014.

Regional Planning Policy Context

[Regional Development Strategy 2035 \(RDS\)](#)

- 2.1 In relation to mineral development Policy RG11¹ is the key policy within the Regional Development Strategy (RDS) 2035. The policy aim is to protect and manage important geological and geomorphological features. It states that Northern Ireland has a remarkably diverse range of rocks and geomorphological features. While selected sites require protection for their scientific, educational and research value, other topographical and geological features, if sensibly managed, can play an active role in economic development.

¹ RDS Pages 47-50

2.2 Policy RG11 also states that landscape character is what makes an area unique. It is defined as “a distinct, recognisable and consistent pattern of elements, be it natural (soil, landform) and/or human (for example settlement and development) in the landscape that makes one landscape different from another, rather than better or worse”. We can only make informed and responsible decisions on the management and planning of sustainable future landscapes if we pay proper regard to their existing character. By understanding how places differ we can also ensure that future development is well situated, sensitive to its location, and contributes to environmental, social and economic objectives.

[Strategic Planning Policy Statement \(SPPS\)](#)

2.3 The RDS is complimented by the [Strategic Planning Policy Statement \(SPPS\)](#) published in September 2015. The SPPS² recognises that whilst mineral development can make an essential contribution to the economy there are a number of challenges arising from this type of development. The contribution to the economy must also be balanced against the importance of respecting the limits of our natural resources and ensuring a high level of protection and improvement of the quality of our environment.

2.4 The regional strategic objectives for minerals are to:

- facilitate sustainable minerals development through balancing the need for specific minerals development proposals against the need to safeguard the environment;
- minimise the impacts of minerals development on local communities, landscape quality, built and natural heritage, and the water environment; and
- secure the sustainable and safe restoration, including the appropriate re-use of mineral sites, at the earliest opportunity.

² SPPS Pages 76-79

- 2.5 The policy approach for minerals development, including peat extraction from bog lands, must be to balance the need for mineral resources against the need to protect and conserve the environment.
- 2.6 Whilst a general presumption against the granting of Planning Permission for the extraction and/or processing of minerals will apply in areas protected from minerals development in the LDP, planning authorities may consider whether particular proposals should be justified as exceptions to the LDP provisions.
- 2.7 Such exceptions will not be applied to unconventional hydrocarbon extraction (Unconventional hydrocarbons refers to oil and gas which comes from sources such as shale or coal seams which act as the reservoirs.), until there is sufficient and robust evidence on all environmental impacts. Hydraulic fracturing is the process of opening and/or extending existing narrow fractures or creating new ones (fractures are typically hairline in width) in gas or oil-bearing rock, which allows gas or oil to flow into wellbores to be captured.
- 2.8 In particular, LDPs should:
- ensure that sufficient local supplies of construction aggregates can be made available for use within the local, and where appropriate, the regional market area and beyond, to meet likely future development needs over the plan period;
 - safeguard mineral resources which are of economic or conservation value, and seek to ensure that workable mineral resources are not sterilised by other surface development which would prejudice future exploitation;
 - identify areas which should be protected from minerals development because of their intrinsic landscape, amenity, scientific or heritage value (including natural, built and archaeological heritage). There should be a general presumption against minerals development in such areas. However, where a designated area such as an Area of Outstanding Natural Beauty (AONB) covers expansive tracts of land, the LDP should carefully consider the scope for some minerals development that avoids

key sites and that would not unduly compromise the integrity of the area as a whole or threaten to undermine the rationale for the designation.

Relevant Operational Planning Policy

Planning Strategy for Rural Northern Ireland

- 2.9 Current planning policies for Minerals are contained within the Planning Strategy for Rural Northern Ireland (PSRNI). The PSRNI³ outlines that Minerals are an important natural resource and their exploitation makes an essential contribution to the nation's prosperity and quality of life. The mineral extraction industry provides employment often in rural areas and produces a wide range of products for a variety of purposes in construction, agriculture and industry.
- 2.10 The PSRNI indicates that whilst there is a general presumption in favour of development the environmental impact of mineral development requires consideration because mineral working cannot be entirely reversed. The PSRNI outlines the 'polluter pays principle,' which means that the cost of meeting acceptable environmental standards falls on the mineral industry. The PSRNI further refers to the principle of sustainable development, meaning that the rate of use of the natural resource consumption should be reduced by encouraging the use of renewable and recycled alternatives.
- 2.11 The Minerals Policies contained within the PSRNI are as follows:

Policy MIN 1 - ENVIRONMENTAL PROTECTION

To assess the need for the mineral resource against the need to protect and conserve the environment.

Policy MIN 2 - VISUAL IMPLICATIONS

³ https://www.planningni.gov.uk/index/policy/rural_strategy/psrni_regional_policies/psrni_minerals.htm

To have regard to the visual implications of minerals extraction

Policy MIN 3 - AREAS OF CONSTRAINT

To identify Areas of Constraint on Mineral Developments.

Policy MIN 4 - VALUABLE MINERALS

Applications to exploit minerals, limited in occurrence and with some uncommon or valuable property, will be considered on their merits.

Policy MIN 5 - MINERAL RESERVES

Surface development which would prejudice future exploitation of valuable mineral reserves will not be permitted.

Policy MIN 6 - SAFETY AND AMENITY

To have particular regard to the safety and amenity of the occupants of developments in close proximity to mineral workings.

Policy MIN 7 - TRAFFIC

To take account of the safety and convenience of road users and the amenity of persons living on roads close to the site of proposed operations.

Policy MIN 8 - RESTORATION

To require mineral workings to be restored at the earliest opportunity.

Environmental Directives

[Environmental Impact Assessment \(EIA\)](#)

- 3.1 The impact of mineral extraction and associated development is further considered through the application of Environmental Impact Assessment Northern Ireland 2017 (EIA) Regulations⁴. The need for formal assessment in compliance with the EIA Regulations requires consideration of likely environmental impacts and mitigation where appropriate.

⁴ <http://www.legislation.gov.uk/nisr/2015/74/contents/made>

- 3.2 Likely environmental impacts from mineral extraction include noise, dust, impact on flora, and fauna. The EIA Regulations prescribe screening of a proposal, scoping and direction on the content of an Environmental Statement and the processing procedures for a planning application submitted with an Environmental Statement.

[Mining Waste Directive](#)

- 3.3 The Mining Waste Directive⁵ sets out requirements for the management of waste from extractive industries and the workings of quarries. The aim of the Mining Waste Directive is to prevent or reduce as far as possible the production of mineral waste and the management of waste from mineral extraction. Specific Guidance provided specifies that operating quarries require the submission of an exemption waiver, reduced mining waste management plan or a full management plan. Express written consent is required from the mineral planning authority for documentation submitted.
- 3.4 There is also a requirement for Councils to maintain an Inventory of Closed Mines. The DOE Commissioned GSNI/BGS to prepare the Inventory for Northern Ireland. The Inventory⁶ indicates closed quarries using a range of sources and examines any risk from closed sites using risk analysis.

Existing Local Development Plan Context

[North Down and Ards Area Plan 1984-1995 \(NDAAP\)](#), [Belfast Urban Area Plan](#) and [Belfast Metropolitan Area Plan 2015 \(BMAP\)](#)

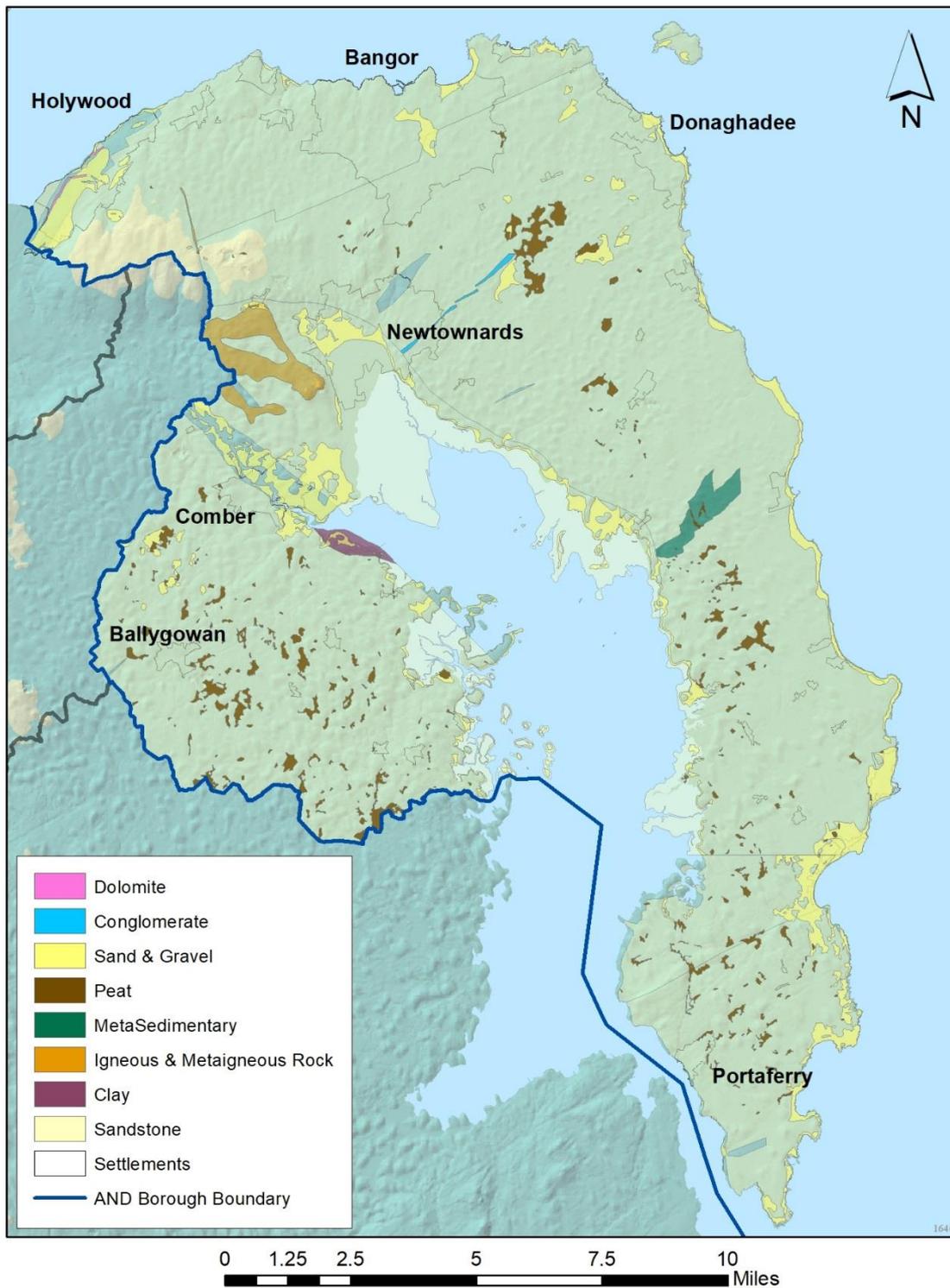
- 4.1 It should be noted that BMAP was adopted in September 2014 but was subsequently quashed as a result of a judgment in the Court of Appeal delivered on 18 May 2017. As a consequence of this, the North Down and

⁵ <http://www.legislation.gov.uk/nisr/2010/64/contents/made>

⁶ [Inventory of Closed Sites NI BGS](#)

Ards Area Plan 1984-1995, the Belfast Urban Area Plan, and Bangor Town Centre Plan 1995 are now the statutory Development Plans for the North Down area with draft BMAP remaining a material consideration.

- 4.2 These plans remain extant until replaced by the new Local Development Plan (LDP) for the Borough. The existing plans are an important consideration in the LDP process, as they provide a starting point for the review of our spatial planning options.
- 4.3 Volume 1 of draft BMAP states that some parts of the Plan Area have been despoiled by previously unregulated and unrestored mineral workings. Where there are proposals to develop further mineral deposits, the Council will take into consideration opportunities to achieve the restoration and rehabilitation of despoiled land.
- 4.4 Volume 7 of draft BMAP states that the Borough is characterised by a number of different landscape types including a rocky coastline along Belfast Lough, an inland belt of gently rolling farmland, the wooded slopes of the Holywood Hills and the Craignantlet Escarpment.
- 4.5 There are a number of important areas of nature conservation within the Borough including Belfast Lough, which is recognised internationally as a Special Protection Area (SPA), a Ramsar Site and an Area of Special Scientific Interest (ASSI). Other important sites in the Borough include Outer Ards (Helen's Bay to Bangor Marina and East of Bangor Marina) which are designated as Ramsar and SPAs and ASSIs.
- 4.6 Ballymacormick Point is also an ASSI and there is also an Area of Scientific Interest (ASI) at Cultra.
- 4.7 Draft BMAP 2015 designated several Areas of Constraint for Mineral Development.



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Map 1: Geology of Ards and North Down Borough

[Ards and Down Area Plan 2015 \(ADAP\)](#)

- 4.8 The **Ards and Down Area Plan 2015 (ADAP)** is a development plan prepared under the provisions of Part 3 of the Planning (Northern Ireland) Order 1991 by the Department of the Environment. ADAP outlines the following with respect to Minerals in the Borough:
- 4.9 Part 2 of Volume One of the Ards and Down Plan 2015 states that the Mineral resources within the legacy Ards Borough Council area comprises of sandstone/gritstones which are quarried at a number of locations between Newtownards and Ballynahinch.
- 4.10 **Policy MN01** - Hydrocarbon Exploration, states that in the event that hydrocarbon exploration identifies the possibility of commercially viable reserves of oil or gas, applications for planning permission to sink wells for the purpose of appraising the nature or extent of the discovery will be considered in the context of the long term suitability of the site for production purposes.
- 4.11 While no hydrocarbon exploration is currently taking place within the Borough, future exploration under licence may identify deposits of oil, gas, or minerals, which are particularly valuable to the Northern Ireland economy.
- 4.12 At present there have been no prospecting licences issued for either minerals or petroleum within the Borough. Exploitation may create environmental effects that are particular to the methods of extraction or treatment of that mineral. The Council will not therefore operate a general presumption against their exploitation in any part of the Plan area including Areas of Constraint on Mineral Developments. Rather, applications will be treated on their individual merits having regard to impact of the specific development on nearby residents, and sites or features designated for their scientific, landscape or heritage interests.
- 4.13 **Policy COU 8** - Areas of Constraint on Mineral Developments states that Areas of Constraint on Mineral Developments are designated as indicated on

the relevant Countryside and Settlement Maps, and include areas designated for their nature conservation importance and/or scientific value within the Plan area. Within the Borough these areas include the whole of the Peninsula to the south of Newtownards, the area between Newtownards and Comber, as well as the western shore of Strangford Lough

- 4.14 Areas of Constraint on Mineral Developments have been identified in order to safeguard the most valuable and vulnerable areas of the environment within the Ards Borough District from the detrimental effects of mineral extraction. Their identification has taken account of nature conservation interests, the archaeological and built heritage, landscape quality and character as identified in the Northern Ireland Landscape Character Assessment 2000, visual prominence, amenity value, geological interest and beaches in the coastal zone
- 4.15 In view of their nature conservation importance and/or scientific value, designated Areas of Constraint on Mineral Developments also include sites such as Ramsar, ASSI, ASI, SPA, SAC, Nature Reserves, and SLNCIs.

Mineral Extraction in Ards and North Down Borough

- 5.1 The Borough is underlain by rock which is predominantly sedimentary, sandstone. The geology of the Ards and North Down Borough does not contain high value minerals or rock that has the potential for to result in the drilling for natural gas i.e., through hydraulic fracturing (fracking) or through conventional drilling for gas.
- 5.2 Extraction of rock in this Borough has played an important role in the economy, environment and local and wider architecture. As stated above, the Geological Survey of Northern Ireland have records of closed extraction sites. Historically limestone, sandstone and greywacke (a variety of sandstone) were extracted within the Borough for use as building stone. Quarries in the

Borough now extract greywacke primarily for use in the construction industry as aggregate. The sites of sandstone quarries at Scrabo are now a National Nature Reserve, and one of the former limestone extraction sites is Castle Espie bird reserve.

- 5.3 Many of Northern Ireland's finest buildings were constructed with rock from Scrabo quarries, buildings such as Castles, Churches, Schools and monuments throughout Northern Ireland. These quarries provided considerable resource and income in the past.

Examples of Mineral Development in Ards and North Down Borough

- 5.4 The information below, sourced from The Natural Stone Database of Northern Ireland, illustrates some of the historic quarrying within Ards and North Down Borough.
- 5.5 Castle Espie Carboniferous limestone was quarried outside Comber, County Down and mainly used for lime production. It is occasionally seen as dressing stone on older buildings and monuments, and as headstones in local graveyards. It is distinctively pink to red in colour, often with visible fossils. This stone type is only seen in County Down and the only quarry for this stone closed in the late 1800's and was flooded to form the ponds for Castle Espie Wildfowl and Wetlands Trust Centre. It is part of the Strangford Lough Ramsar Site. It provides an early wintering site for almost the entire Nearctic population of pale-bellied Brent geese.
- 5.6 Cultra limestone was quarried along the shoreline at Cultra, County Down. It is pale yellow in colour and may contain some fossils. It was used in County Down as dressing on Holywood Priory and across Belfast Lough at Carrickfergus Castle
- 5.7 Sandstone has been quarried at Scrabo since at least Anglo Norman times. The attraction of this particular sandstones to stonemasons was its variety of

colours – white, buff and pink – and its relative ease of working. The stone was found to split relatively easily along bedding planes and the effect of the metamorphism had hardened some areas of the formation. Scrabo was found to be particularly suitable for intricate sculpture and carved detail.

- 5.8 One of the earliest examples of use was the ancient monastery at Greyabbey where the oldest structures date from the thirteenth century.
- 5.9 There are several quarries from which Scrabo Sandstone was extracted. The best known are the quarries below Scrabo Tower, the South and North Quarries. The peak period of the quarries was the nineteenth century when railway links were developed.
- 5.10 Many of the Borough's landmark buildings and monuments, including Market Cross and Town Hall, Newtownards; and McKee Clock, Bangor, were constructed with locally sourced building stone.
- 5.11 Other sandstone quarries that operated in the area were:
- Ballycullen Quarry- producing very uniform sandstone and the best performing of the Scrabo types in terms of durability, a good example being the Robinson and Cleaver building in Belfast.
 - Ballyalton Quarry- a very pale variety of sandstone, this quarry was re-opened and used most recently in the early 1990's for the restoration of Newtownards Town Hall
- 5.12 Greywacke is referred to as an immature sandstone, consisting of poorly sorted, angular, sand to gravel sized particles. It has long been used as a building stone, for rubble walling, and occasionally split for roofing. It is also widely used as road stone and aggregate.
- 5.13 Greywacke is characterised by its grey colour and hardness. It can have quartz veins and can be high in iron (limonitised) to give an orange-red colour. Greywacke is very durable and weathers little over time.

- 5.14 Greywacke is still quarried extensively throughout County Down and the larger material is often used for rubble walling. All the quarries currently operating in Ards and North Down Borough extract greywacke and process and sell the aggregate produced.
- 5.15 The extraction of Minerals is often accompanied by processing on site to reduce transportation costs. The introduction of additional Permitted Development for the processing of Minerals for “Development Ancillary to Mining Operations” was introduced in The Planning (General Permitted Development) Order (Northern Ireland) 2015⁷. This means that certain developments do not require the submission of planning applications where they meet the tests specified in Part 17 of the Order. Examples of such development include sheds and some mineral processing machinery.

Active Quarries within the Borough

- 6.1 At present there are six active quarries within the Ards and North Down Borough. These produce building stone, bitmac, aggregate, road stone and concrete products. According to the 2011 Census figures there are 78 persons living in the Borough who work in Mining or Quarrying. Commercial sensitivity consequently means that precise information on the nature of employment and revenue per quarry is not available.
- 6.2 The Department for the Economy has produced information in the most recent Annual Mineral Statement 2016 on the quantity and value of rock extracted in Ards and North Down Borough. The table below shows that Ards and North Down Borough produced 38.4% of the overall sandstone extracted in Northern

⁷ <http://www.legislation.gov.uk/nisr/2015/70/schedule/made>

Ireland in 2016. The extraction of sandstone across Ards and North Down Borough Council contributed nearly £7 million to the local economy in 2016.

Table 1: Sandstone production and sales within Ards and North Down Borough 2016

Sandstone 2016	Quantity produced (tonnes)	Selling Value (£)
Northern Ireland	5,042,617.83	19,187,972.39
Ards and North Down	1,933,748.00	6,691,242.15

Source: Annual Mineral Statement 2016 (Department for the Economy)

- 6.3 There are also a number of quarries in the Borough with existing planning permission for extraction but which are no longer operating. Some of these such as the quarry in Carrowdore, have ceased operating relatively recently.
- 6.4 The Minerals Industry provides income and employment opportunities within the Borough. Quarrying may also produce opportunities through appropriate restoration and aftercare following extraction. Examples of restoration which have benefited tourism are Castle Espie, and Scrabo. There is further potential for the development of the Borough's mining history in areas such as Whitespots.
- 6.5 Restoration provides an opportunity for an increase in biodiversity where natural restoration of a site is achieved through the use of planning conditions. This involves the regrading of an extraction area and replacement of topsoil that had been retained on site from the commencement of development. The planting mix can be specified through consultation with the Council's Biodiversity Officer and the Department for Infrastructure.

Review of Old Mineral Permissions (ROMPs)

- 7.1 The legislation known as the Review of Old Mineral Permissions (ROMPs) provides a mechanism to review all existing planning conditions on extant mineral planning permissions, thereby providing an important opportunity to secure improved operating and environmental standards within the quarrying industry. The onus will be on the landowner or mineral operator to submit a scheme of conditions which will result in operations in an environmentally sustainable manner.
- 7.2 In line with the rest of the UK, the Department of the Environment introduced legislation through The Planning Reform (Northern Ireland) Order 2006 to require the initial Review of Old Mineral Permissions (ROMPs). This legislation has been carried forward within The Planning Act (Northern Ireland) 2011. The commencement of ROMPs is however delayed due to need for the Department of Infrastructure to produce further legislation.
- 7.3 The ROMPS process, as defined within Schedule 2 of the Planning Act, prescribes the time periods for the submission and consideration of Mineral Planning Conditions.
- 7.4 The ROMPS procedures include the publication of lists. If an operator or owner of a site with planning permission for mineral extraction is not advertised on a list and the owner of a quarry does not request its inclusion, the site ceases to have planning permission for quarrying.
- 7.5 ROMPS operates a 6 month deemed consent period. This means that if an operator/owner submits planning conditions and the Mineral Planning Authority does not determine the conditions to be acceptable or otherwise within 6 months, the suggested conditions are deemed approved.
- 7.6 Given the nature of mineral extraction, the Environmental Impacts need be considered in line with Environmental Impact Assessment Regulations, thereby the EIA Regulations need to be amended to allow for the ROMPS process before ROMPs can be commenced by Councils in Northern Ireland.

- 7.7 The absence of modern standards of extraction practices can cause difficulties for the neighbours of some quarries. The application of ROMPS would alleviate many concerns but would have resource implications for Local Councils, including the need for potential compensation where conditions applied justified compensation.

Key Findings

- 8.1 The new Local Development Plan should safeguard mineral resources which are of economic or conservation value, and seek to ensure that workable mineral resources are not constrained by other forms of development.
- 8.2 Data will be compiled by the GSNI and DFI on the supply and demand of minerals at a regional level and Council level where appropriate. This information is needed to guide both mineral exploration and environmental protection.
- 8.3 The commencement of ROMPS is determined by The Department of Infrastructure. The Minerals Industry in Ards and North Down Borough Council will need resource available to comply with ROMPS at such time.
- 8.4 The Local Development Plan will consider the locally appropriate policies for Mineral Development within Ards and North Down Borough.

Glossary

Aggregate

Sand, gravel, crushed rock and other bulk materials used by the construction industry.

Area of constraint for mineral development

Within these areas there will be a presumption against the granting of planning permission for the extraction and/or processing of minerals. Exceptions to this policy may be made where the proposed operations are short-term and the environmental implications are not significant. In such cases, on-site processing of the excavated material is unlikely to be permitted.

Areas of Constraint may form all or part of an Area of Outstanding Natural Beauty (AONB) or be outside an AONB altogether. They may include or be part of areas designated, listed or otherwise protected for their scientific value or archaeological or historic interest.

EIA

This can be summarised as the process by which information about the environmental effects of a proposed activity is collected, analysed and presented to decision makers.

Mitigation

Measures to avoid, reduce or offset significant adverse effects.

Mineral

This has two definitions. a) A naturally formed chemical element or compound with characteristic form or structure and definite composition (geological).

b) A naturally occurring mineral material with foreseeable use (industrial).

Minerals resource map

This shows mineral deposits (the basic raw materials of the Earth) that have a value to society and are capable of being extracted economically, or that may be viable in the foreseeable future.

Mining waste directive

The Directive's overall objective is to provide for measures to prevent or reduce as far as possible any adverse effects on the environment quarry sand and gravel definition as well as any resultant risk to human health from the management of waste from the extractive industries.

Planning strategy for Rural NI

Published in 1993, this covers all of the towns, villages and countryside of Northern Ireland outside Belfast (and adjoining built up areas) and Derry. The Strategy establishes the objectives and the policies for land use and development appropriate to the particular circumstances of Northern Ireland and which need to be considered on a scale wider than the individual District Council Area.

Restoration

Steps to restore land affected by mineral extraction to a high standard suitable for an agreed after-use and including the carefully managed replacement of subsoil, topsoil or soil-making material.

Sand and gravel

Construction aggregate is a broad category of coarse to medium grained particulate material used in construction, including sand and gravel.

Safeguarding of mineral resources

A key aspect of sustainable development is the conservation and safeguarding of non-renewable resources, such as minerals, for future generations.

Review of Old Mineral Permissions

This DoE legislation provides a mechanism to review all existing planning conditions thus providing an important opportunity to secure improved operating and environmental standards within the quarrying industry. It seeks to secure a continuous and ongoing supply of construction materials to meet society's needs while protecting the environment and safeguarding the amenity of those living close to mineral extraction sites. The onus is on the landowner or mineral operator to submit a scheme of conditions which will result in operations in an environmentally sustainable manner.

Winning and working of minerals

Winning is the removal of earth to gain access to the mineral and working is the extraction of the rock from the ground.