

Ards and North Down Borough Council
2 Church Street
Newtownards
BT23 4AP



5th December 2025

Re: Miskelly Bros Ltd (T/A Conexpo (NI) Limited) Representations to Draft Plan Strategy

Dear Sir/Madam,

Introduction:

Conexpo welcomes the opportunity to make representations on the Ards and North Down Borough Council (ANDBC) Draft Plan Strategy. This response focuses mainly on Chapter 13: Mineral Development.

The role and importance of mineral products throughout modern society is exhibited in almost every aspect of everybody's daily lives. Whether it is in the built environment, transport links or the wider infrastructure which we all rely upon, aggregates are one of the fundamental ingredients of creating and sustaining a safe and prosperous society for everyone. In order to improve the lives of those living in Northern Ireland (NI) and beyond, it is imperative that the contribution of the local quarrying and minerals industry is fully understood and protected by those with the power to influence it.

The mineral products industry in Northern Ireland directly employs over 5,000 people, produces 24 million tonnes of aggregates per year and has a turnover of around £650 million per annum (2% of NI GDP). The mineral products sector is a varied industry with the majority of NI businesses being family owned, alongside a number of large multinational companies. It is primarily a rural industry which supports jobs in areas identified by Government as targets for social need. The full economic impact of the geoscience industry to the wider NI economy is calculated to be 83,700 jobs, £3.7 billion in gross value added and £1.8 billion in wages. More information on the economic value of the geoscience sector to the NI economy can be viewed at: <https://www.ulster.ac.uk>

ANDBC correctly states, minerals are essential to many forms of development and makes a significant contribution to the local and wider economy. On average in NI each person uses nearly 14 tonnes of aggregates per year. Local industry offers sustainable solutions to the challenges of creating and maintaining our built environment, coping with climate change and providing resources to support a growing population. However, it must be noted, there are mineral deposits in County Down which are unique, even in the global supply chain.

NI's single largest export, by volume, is aggregates for highway surface courses produced from County Down gritstone deposits. The geology in north and mid Down is a fine-grained sandstone which is particularly hard/durable and resists polishing when subjected to wear from vehicle tyres. When aggregates, produced from County Down gritstone are included in asphalt mixes the road surface become less prone to skidding vehicles, and ultimately saves lives. A huge global demand has resulted, as governments and road authorities strive to make roads safer and reduce accident

rates. Along with other technical advancements, road deaths in NI alone have fallen from 1 per day in the mid 1970s to approximately 1 per week in 2024 on average (the benefit to a global network of highways is immeasurable).

Today, Conexpo produces and exports over 1 million tonnes per annum of gritstone aggregates from its purpose-built 7.5ha export terminal at Belfast Harbour. Conexpo owns and operates 1 quarry site within the Borough. This site in Ballygowan (Miskelly Bros Ltd.) has produced aggregates for export for more than 20 years and has been a significant stream of export revenue for NI during this time.

Neighbouring quarry operators within ANDBC also supply the global export market.

Comments on the DPS:

Conexpo welcomes the recognition of mineral extraction as an essential land use, the commitments to safeguarding the important resources from unnecessary sterilisation by other forms of development and the inclusion of restoration and after-use guidelines to ensure long-term environmental and landscape benefits. However, there are some areas which should offer additional clarity and flexibility to ensure the policies are found to be consistent, coherent and effective, and therefore sound. Our recommendations for the relevant policies are explained in further detail below.

1. Chapter 13 – Mineral Development

For further clarification on the context and value of mineral development in the Borough to the wider market the final sentence in paragraph 13.5 could be improved to say *'The Borough contains quarries that extract rock which displays world leading qualities in hardness (durability) and Polished Stone Value (resistance to polishing by tyres). Aggregates produced from the rock in these quarries are widely specified to be included in road surface materials to help reduce accident rates and fatalities. The roads maintenance industry in the UK and Europe has become reliant on the export of these aggregates through the Port of Belfast for over 40 years.'*

2. Policy MIN 1 – Environmental Impact

Criteria (a) states that *"the need for such development"* (mineral exploration and working) is to be demonstrated for the grant of planning permission. There should be further explanation in paragraph 13.20 to support what the Council considers to be effective in demonstrating need. This should be done in a manner that is non-restrictive, i.e. using terminology such as 'will/may include but is not limited to'. This will offer more security to the landowners about expectations of the type of environmental information to be provided and therefore provide more certain mechanisms for implementation as required by the Planning Appeal's Commission (PAC) soundness test CE3.

Conexpo appreciates the balance that must be struck between the need for mineral resources and the need to protect and conserve the environment. However, modern quarrying operations already implement extensive environmental management systems. The policy should recognise this and avoid duplication of existing regulatory controls administered by Department for Agriculture Environment and Rural Affairs (DAERA), NI Environment Agency (NIEA) and other agencies. Adopting an approach which integrates these already existing controls into planning policy will

provide landowners with clear mechanisms for implementation and therefore ensure the policy is compliant with the PAC test CE3.

Paragraph 13.14 states that “*consideration of environmental impacts will include...*” the marine environment and seascape character (own emphasis). Conexpo acknowledges the need to protect marine environments however, it is unrealistic for the Council to propose a blanket environmental protection in this instance. Inland sites should not be required to produce reports and evidence of impacts on the marine environment and on seascape character. A differentiation should therefore be made between coastal and inland sites, and therefore the paragraph should be amended to say, ‘*the consideration of environmental impacts may include*’. This will make the policy more realistic to differing site locations in accordance with PAC soundness test CE2 and more flexible in accordance with PAC soundness test CE4.

Similarly, Paragraph 13.15 states that “*In all circumstances proposals will be assessed in accordance with normal planning criteria...*”. Whilst this list is helpful in advising landowners of the assessments that are to be expected, as mentioned in the paragraph above, each proposal site will have different characteristics and specific locational issues. It would be beneficial for the policy to adopt the application of tests for determining if each of these assessments are relevant to the proposal, and therefore if it is proven that an assessment is not relevant, it can be avoided. This will reduce the administrative burden otherwise caused by the policy and improve the flexibility of the plan in accordance with PAC test CE4.

Paragraph 13.16 should also provide a test which determines the relevance of the environmental information required to determine the potential impact of a proposal in order to demonstrate a flexible approach in accordance with PAC test CE4.

Paragraph 3.22 is concerned with visual impact from long range views and at proximity. The topography of the Borough is such that long range views can be held from several miles away or more. A realistic and evidence-based limit or measure of what is considered a long range view should be stated and this should take account of the size (hectares) of the proposed development. This would provide more clarity for the implementation of visual impact assessments in accordance with PAC test CE3 and it will remove the burden of assessing visual impact at an unreasonable distance from the proposal.

3. Policy MIN 2 – Areas of Constraint on Mineral Developments (ACMD)

Conexpo supports the identification of sensitive areas where mineral development may be limited, however the criteria for designation of ACMD’s must be proportionate and evidence based, whilst based on the tests laid out in the Strategic Planning Policy Statement (SPPS) paragraph 6.155. The policy should clarify that blanket restrictions are to be avoided and instead, site specific assessments should consider the potential for mitigation through modern operational practices. This will ensure the policy is reasonably flexible to deal with changing circumstances and therefore compliant with the PAC soundness test CE4.

4. Policy MIN 4 – Mineral Safeguarding Areas

Conexpo supports the safeguarding of mineral resources from sterilisation. However, the extent and boundaries of the MSA's should be clearly defined and based on robust geological evidence to ensure the MSA's are workable, which may otherwise unnecessarily constrain other necessary development. As per the PAC soundness test CE2.

ANDBC have stated that extensions to existing mineral developments are preferred to new mineral developments and to demonstrate consistency in this regard appropriate MSA's could be clearly defined as part of this process.

The policy should define what ANDBC considers as "*acceptable standards*" when proving reserves have economic or conservation value. This would remove uncertainty for landowners and therefore make the policy more robust.

A transparent review process for MSA's should also be established to ensure policy is flexible and has the ability to deal with changing circumstances and therefore is compliant with PAC soundness test CE4.

Conexpo requests publication of detailed maps of MSA's, supported by geological data and a clear review mechanism in accordance with PAC soundness test CE3.

5. Policy MIN 5 – Safety and Amenity

Conexpo understands that regard must be given to the safety and amenity of occupants of neighbouring land uses to a minerals site. However, similar to the recommendations for MIN 1, there are existing regulatory controls which are administered by DAERA, NIEA and other agencies which should be taken account of in policy to avoid unnecessary duplication. Integrating these into planning policy will help to explicitly define what is to be considered a 'compromise to safety' and 'adverse impact'. Without this the policy creates uncertainty for landowners and operators and will cause an unnecessary administrative burden.

Furthermore, the policy should explicitly define what ANDBC considers to be "*standards of amenity acceptable to the Council*" to provide clarity to landowners.

Providing definitions and further detail on the ANDBC expectations for each of these will assist with compliance to PAC test CE3 as they will provide a clear mechanism for implementation across the Borough.

Paragraph 13.40 is concerned with proximity of residents to mineral workings. This should, acknowledge the guidance on blasting in NI as an existing regulatory document, which each local Council had opportunity to contribute to it's publication. Again, this will integrate existing controls into planning policy and therefore provide a clear mechanism for implementation as per PAC test CE3.

Paragraph 13.41 should quantify what is considered acceptable and unacceptable and this should be categorised by each type of operation including for example blasting, crushing and screening, precast concrete works (with vibratory compaction) and temporary and operational earthworks. These 'buffer zones' will provide landowners clarity and certainty about how near to residential amenity works can

take place and therefore provide a clear mechanism for implementation as per PAC test CE3. These limits or buffer zones should be realistic and based on robust evidence.

6. Policy MIN 6 - Traffic

Conexpo is mindful that mineral developments have the potential to impact traffic generation and that this needs to be managed in a safe manner. However, the term 'associated access' used within this policy should be explicitly defined to ensure that this matter is handled with clarity and to remove any ambiguity in the interpretation of this.

Paragraph 13.42 states that mineral resources can often occur where the public road is unsuitable. The addition of wording which asserts that, due to reasons of safety, planning permission will not be granted for new mineral developments proposing access onto an unclassified road, unless the developer is proposing to upgrade the road to a minimum standard of a class B road according to the National Networks Standard and includes an acceptable entrance should be considered to provide further clarification or an additional policy requirement within MIN 6. This will improve the safety of proposals for both users, operators and local communities going forward.

Paragraph 13.43 should additionally pay 'particular attention' to the importance of maintaining good transport links to ensure efficient movement of materials for the industry.

7. Policy MIN 7 - Restoration

Conexpo fully supports the high-quality restoration of mineral sites. However, the policy states that "*Section 76 Agreements may be required*". More detail should be provided to demonstrate the criteria for what would cause or trigger the requirement for a Section 76 Agreement. This will provide clarity to the landowners about the implementation mechanism on this matter and will bring the policy into accordance with PAC test CE3.

The policy should reflect the need for restoration to be agreed on a case-by-case basis, reflecting local circumstances and viable after use. This is asserted in SPPS paragraph 6.161 which states that the "*preferred types of reclamation and after use depend on a number of factors...*". By reflecting this the policy will be held in accordance with PAC soundness test C3.

Furthermore, the policy should recognise progressive restoration as a best practice approach rather than a prescriptive one. The policy should include that this is to be provided "*unless doing so would be likely to adversely affect the standard of reclamation achieved or be impractical in regard to the type of operation or nature of the site*" as per UK guidance. This will help achieve flexibility within the policy in accordance with PAC soundness test CE4.

8. Policy MIN 8 – Water Resources and Flood Risk

This policy states that a Section 76 Agreement may be required to secure suitable arrangements. Again, the circumstances which would render this to be a requirement should be provided to improve the clarity of the mechanism for implementation as per PAC soundness test CE3.

Further detail within the Justification and Amplification section should be provided to acknowledge that quarry voids and pumping schemes are extremely beneficial to floodwater attenuation and therefore are considered a valuable asset to the Borough in this light.

Additionally, the Justification and Amplification should acknowledge that the geological sandstone in the Borough is such that groundwater levels are not affected by dewatering of deep excavations into such mineral deposits.

9. Policy GP1

Policy MIN 1 states that “*proposals must also comply with General Principles Policy GP1...*”. Given this, wording in the seventh bullet point in part a) Furthering Sustainable Development of GP1 should be amended to provide a more realistic requirement for landscaping schemes. These should not be a requirement when it is evidenced that there will not be unacceptable loss or damage to existing vegetation. Conexpo suggests the wording be amended to say ‘*the proposal will not cause the unacceptable loss of, or damage to existing vegetation, including trees or specified landscape features which contribute positively to the uniqueness and quality of the local environment. Where this cannot be reasonably achieved, a landscaping scheme must be included in the proposal that compensates by a minimum factor for any losses and is timebound for a set period from the date of approval.*’ The Council should create a realistic compensation factor and time period for compensation based from robust evidence and level of loss within the specific proposal. Should the Council proceed with their current wording, clarification of what constitutes a ‘landscape feature’ should be given.

Bullet points 4 and 5 of part c) Safeguarding Residential Amenity and bullet point 4 of part e) Safety and the Safeguarding of Human Health and Wellbeing within GDP1 should all make specific reference to the regulatory controls already in place in relation to these by other statutory bodies or agencies. Integration of already existing controls into planning policy will provide landowners with clear mechanisms for implementation in accordance with PAC test CE3 and it will remove an otherwise unnecessary administrative burden.

An additional bullet point should be added to GDP1 section d). This should address the need for a development limit (suggested 50m) to be established to prevent development adjacent to the edge of class A roads and B roads. This will allow for adaptability to changing circumstances (PAC test CE4) which may include for example, future realignment, utility corridors, traffic management systems, cycle routes and pedestrianised zones. All of which are necessary and contribute to the decarbonisation of the transport network.

10. Other – Environmental Consideration

The minerals policy should acknowledge the contribution local mineral extraction makes in reducing the transport-related emissions, and therefore carbon footprint, compared with long-distance transportations. The local minerals industry should be encouraged to continue yielding material and to modernise quarry sites in line with the principles of sustainability.

11. Other – Housing Consideration

The minerals policy should integrate a specific policy which minimises the sterilisation of a mineral safeguarding area caused by housing demands and proposals to meet housing supply. This should be clear and provide certainty to landowners and operators and could be incorporated into Policy MIN 4.

12. Other – Transport Consideration

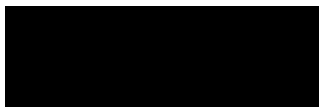
The minerals policy should reflect the requirement for transport assessments to be proportionate to the scale of development and the extent of the transport implications if any. Consideration should also be given to an operators' existing investments in infrastructure.

Conclusion

ANDBC's draft minerals policy is a welcome approach to seeking a balance between the need for this important natural resource and the responsibility of the planning system to facilitate a sustainable approach to development and appropriate restoration after working has ceased. Improvements to minimise duplication of statutory controls, provide clarity to landowners, recognise the industry's role in sustainability and carbon reduction and encourage progressive restoration will promote a positive planning environment for responsible mineral operators and improve the Plan's consistency, coherence and effectiveness and therefore improving its overall soundness.

Thank you again for the opportunity to review and provide comment on the DPS.

Please contact myself if you require clarification of any of our comments or explain further our concerns.



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