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**CAIRNGORMS NATIONAL PARK  
AUTHORITY  
LOCAL PLAN INQUIRY**

**WRITTEN SUBMISSIONS  
STATEMENT  
POLICY 14  
MINERALS AND SOIL / EARTH  
RESOURCES**

APRIL 2009

On behalf of Glenmore Properties Ltd  
Objector ref 453f



**HALLIDAY | FRASER | MUNRO**  
PLANNING

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## 1. INTRODUCTION

This Written Submissions Statement has been prepared by Halliday Fraser Munro on behalf of our Client – Glenmore Properties Ltd. Halliday Fraser Munro Planning are a professional planning consultancy covering the north east of Scotland. All of our Consultants are Members of the Royal Town Planning Institute with the majority of those having been employed within a Local Authority Planning team. We have significant experience of policy formulation, the interactions of these policies with local authority development control functions and their effect on development scenarios.

Our aim, during this process, is to create policies and land allocations that are realistic and work for everyone. We will, therefore, identify both relevant issues and potential solutions within this Statement. The following Statement will summarise our objection, the Cairngorms National Park Authority's (CNPA) position including any Modifications or Agreement on particular issues, and then set out what we believe to be the key issues. We will conclude by recommending a course of action that would enable the objection to be resolved.

## 2. OBJECTION SUMMARY

**Policy Reference & Title:** Policy 14: Minerals and Soil / Earth Resources  
**Objector Reference:** 453f

### **Objection Summary:**

Our Client's objection raised concerns about the Policy not allowing extensions of existing mineral extraction, processing or recycling facilities unless the products were for a market within the Cairngorms National Park (CNP). It was suggested that such extensions would be preferable to creating new facilities elsewhere. The CNP requires sources of raw construction

materials and the ability to process or recycle materials locally for sustainability purposes.

### **3. THE CAIRNGORMS NATIONAL PARK AUTHORITY'S POSITION**

#### **3.1 DEPOSIT LOCAL PLAN (Document CD6.11)**

In July 2007, the Cairngorms National Park Authority published its Deposit Local Plan (**Document CD6.11**). Policy 14 Earth Resources within the plan provided guidance on mineral extraction, processing and recycling developments. The policy stated that new proposals, or extensions to existing developments will only be permitted where:

- The developer can demonstrate the market within the CNP where the extracted or processed material will be used or provide other social or economic benefits; and
- No suitable and reasonable alternatives to the material are available.

Policy 14 also referred to the potential requirement for Bond and S75 agreements and restrictive development that would prevent the future viable extraction of a workable mineral reserve.

#### **3.2 RESPONSE TO OBJECTION - PROPOSED MODIFICATIONS**

In response to our objections, the Cairngorms National Park Authority stated (**Document GP 1**):

- Policy wording will be reviewed to ensure it is clear and supported by necessary detail;
- Issue of local materials for local use in conservation and restoration projects is an interesting issue – the wording of the policy will be reviewed to ensure provision is made for such extraction.

The following Modification was Proposed:

‘Include an additional point in b) to reflect opportunities for sustainable use of materials while also realising the need for economies of scale.’

### 3.3 DEPOSIT LOCAL PLAN – FIRST MODIFICATIONS (Document CD6.12)

In June 2008, the Cairngorms National Park Authority produced the Deposit Local Plan – First Modifications (**Document CD6.12**). Policy 14 was amended to additionally consider Soil and Minerals, in addition to a more negatively worded approach to proposals for new mineral extraction. The Policy stated:

#### *b) Minerals*

*There will be a presumption against proposals for new mineral extraction, processing or recycling developments, or extensions to existing mineral developments unless:*

- i) the developer can demonstrate the market within the Cairngorms National Park where the extracted or processed material will be used or provide other social or economic benefits; and*
- ii) no suitable and reasonable alternatives to the material are available; or*
- iii) the material furthers conservation or restoration of the distinctive landscape character and built environment of the Park as set out in the National Park Plan.*

The amended policy wording referred to the role of mineral extraction in contributing to the CNP's character, but still limits such development to markets within the CNP. Our objection was therefore maintained.

### 3.4 FURTHER MODIFICATIONS

No further modifications to Policy 14 were proposed in the Deposit Local Plan – Second Modifications (**Document CD6.13**).

No further modifications to Policy 14 were proposed in the Officer Proposed Post Inquiry Modifications (**Document CD7.28**).

As the first Modifications did not fully address our objection, and the Policy has not been altered further, our objection still stands.

### 3.5 CNPA STATEMENT OF CASE

The CNPA Statement of Case on Policy 14 (**Document GP 2**) provides further clarification on the Authority's position. This states that extensions to mineral extraction operations are not favoured over any other method of extraction.

The Statement also advises that mineral workings to meet the needs of markets outwith the CNP are considered contrary to objective d) of the National Park Plan (**Document CD7.1**).

#### **4. PLANNING ISSUES AND PROPOSED SOLUTIONS**

The modifications to Policy 14 suggested by the CNPA do not fully address the issues raised in our client's objection. The following issues remain unresolved:

- Extensions to mineral working operations should be favourably considered over proposals for new operations and not presumed against in the same way;
- In the interests of economic development, extensions to existing mineral operations should be considered where they will meet the need of a market outwith the CNP.

Extensions to existing mineral working operations should be permitted within the CNPA, in the interests of sustainability and economic development. An extension to an existing mineral operation is much more sustainable than establishing a wholly new operation, and would have much less impact on the environment. Such extensions should not be confined to supplying markets within the CNP. Although it is appreciated that markets within the CNP are important due to conservation and heritage interests, extended mineral working operations that supply markets outwith the CNP should also be supported, to allow local businesses to successfully continue and grow, and create local employment opportunities within the CNP.

#### **PROPOSED SOLUTION**

Amend the wording of Policy 14 to permit extensions to existing mineral working operations that will supply markets outwith the CNP.