



Minerals

Policy Position Statement

Introduction

The Campaign for National Parks is the independent voice for National Parks; a charity that campaigns to protect and promote National Parks in England and Wales as beautiful and inspirational places to be enjoyed and valued by all. It has been in existence for over 75 years.

National Parks are our finest landscapes which have been granted the highest level of protection. The statutory purposes of National Parks are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks.
- To promote opportunities for the public understanding and enjoyment of the special qualities of the National Parks.

In those cases where these two purposes are in conflict and reconciliation is impossible, the first purpose takes precedence.

The Broads Authority has a third purpose which is to protect the interests of navigation. All purposes carry the same weight in the Broads.

In pursuing these purposes, National Park Authorities (NPAs) also have a statutory duty to seek to foster the economic and social wellbeing of communities living within the National Park.

Many of our members have wider concerns about the protection and enhancement of the countryside, however our charitable purposes relate specifically to National Parks so that is the main focus for this policy statement. Most of the issues covered are equally applicable to Areas of Outstanding Natural Beauty (AONBs) and some are relevant to the wider countryside.

Context

Nearly 200 million tonnes of minerals are produced in the UK each year. These are used as raw materials for a range of energy, construction, manufacturing and agricultural purposes. Both the availability of minerals and the landscape are influenced by an area's geology, so the highest quality minerals are often found in places with high landscape value and there is a concentration of scarce and valuable mineral deposits in our National Parks. As minerals can only be worked where they naturally occur, this often leads to a conflict between quarrying and National Park protection.

Mineral extraction has a range of environmental impacts on both the landscape and local communities including noise, dust, blast vibration, heavy lorry traffic, landscape character change and visual intrusion. Quarries are generally long-term developments projects, expected to be in operation for decades, and their impact on the landscape can last even longer. Even when restoration is undertaken at former quarry sites, it is difficult to recreate the character of the countryside which has developed over millennia, although it is acknowledged that many restored quarries become havens for flora and fauna.

Most National Park Authorities (NPAs) are Mineral Planning Authorities (MPAs)¹ and are expected to identify areas where mineral resources are known to exist. However, unlike other MPAs, they are not expected to identify areas where planning permission might reasonably be expected (known as Areas of Search or Preferred Areas).

Any planning application for minerals development², whether a new quarry proposal or an extension in area to an existing quarry, or a variation of the existing conditions, is considered to be a major development proposal. Therefore, the proposal would be subject to the major development test³. The test only allows developments of this scale in a National Park in exceptional circumstances and

¹ Norfolk and Suffolk County Councils are the MPAs for the Broads.

² The Town and Country Planning (Development Management Procedure) (England) Order 2015 definition of major development includes 'the winning and working of minerals and use of land for mineral-working deposits': <http://www.legislation.gov.uk/ukxi/2015/595/contents/made>

³ See paragraph 116 of the National Planning Policy Framework: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

when they can be demonstrated to be in the public interest. Any minerals-related proposals not considered to be major, such as buildings within an existing quarry, must still be assessed in line with national planning policy which places great weight on conserving landscape and scenic beauty in National Parks. MPAs for adjacent areas are also expected to take account of the impact on the National Park when considering applications for minerals sites.

Government policy emphasises the importance of making the best use of minerals as they are a finite natural resource and of ensuring that high quality restoration and aftercare of minerals sites takes place. MPAs are also expected to plan for the provision of most types of minerals from outside National Parks and other protected areas.

Despite the high level of protection, there are a number of minerals operations in National Parks, primarily as a result of old minerals permissions which date back to before or slightly after these areas were first protected in the 1950s. The number of minerals permissions has declined in the years since the National Parks were created. For example, in the Peak District National Park, there were 109 permitted mineral working sites in the mid-1950s and currently there are around 45 mineral sites, of which 14 sites are in the restoration/aftercare period.

In addition to quarries that are already in operation, there are some dormant sites, where permission was granted in the past but mineral working has not taken place for a number of years. Extraction can only resume at sites listed as dormant under the Environment Act 1995 regulations, if the MPA can agree modern working conditions with the operator⁴. Alternatively, if working is considered by the MPA to have 'permanently ceased', a prohibition order can be served which removes the permission with no liability for compensation. A prohibition order may also be served where a review of conditions has stalled because appropriate environmental information has not been supplied in a timely manner. MPAs have a range of other powers to suspend, modify or revoke planning permission. However these usually attract a liability to compensate the site owner for any loss incurred.

The Mineral Products Association (the organisation which represents mineral operators) has made a commitment to reduce the impact of their members' operations in National Parks. They have committed to a four-point plan (set out in Annex 1) which is designed to resolve current uncertainties over the extent of quarrying in National Parks and to reduce the impact of such quarrying.

⁴ Further information on this is available in:

<http://planningguidance.planningportal.gov.uk/blog/guidance/minerals/review-of-minerals-planning-conditions/dormant-sites/>

What is our position?

The Campaign for National Parks aims to protect and enhance National Parks by strengthening the support they receive and challenging the threats to them. We also want to promote a greater understanding of National Parks by demonstrating the benefits they can bring to society.

The overall aims of our minerals policy are:

- To prevent, or at least minimise, the damaging impact of minerals extraction on National Parks;
- To reduce the pressure for new minerals development by encouraging the more efficient use of minerals, greater use of recycled and substitute/secondary materials and managing demand; and
- To support small scale, sensitively sited minerals developments, such as those which provide building stone for conserving and enhancing the local built environment.

Our position is that:

- a. National policy should be based on an approach which places **a greater emphasis on encouraging more efficient use of minerals** including managing demand for new minerals, recycling, use of appropriate alternative products and significantly reducing waste in construction.
- b. A **stronger version of the major development test** should be included in legislation to enhance the protection against major minerals development in National Parks.
- c. There should be **no new large-scale minerals developments in National Parks**.
- d. There should be **a programme of gradual withdrawal from National Parks** of all types of minerals extraction for which alternatives are widely available in other areas.
- e. The **remaining sites should be linked to the rail network** where it is feasible to do so and the benefits to the environment and local communities resulting from reduced HGV

movements outweigh the impacts of the new infrastructure required. In the Broads, there could be benefits in using the waterways to transport material.

- f. The Government should enable and encourage MPAs to impose **end use conditions on mineral planning permissions** and MPAs should seek to ensure that no mineral leaves a National Park quarry without a specified end use. This would enable trends to be monitored and limit extraction in National Parks to minerals that require a National Park location.
- g. **Reviews of old minerals permissions** should meet the highest environmental standards and dormant permissions should be relinquished, wherever possible.
- h. The Mineral Products Association's commitments to National Parks as set out in **the Four Point Plan should be retained and enhanced** to ensure they reflect the current situation and the British Aggregates Association should sign up to a similar set of commitments.
- i. The **Aggregates Levy Sustainability Fund should be reinstated**, or a similar fund created, to ensure that minerals operators and/or consumers are covering the true costs of minerals extraction on the environment and to support projects which deliver environmental benefits to areas suffering the disbenefits of aggregates extraction.
- j. Former quarry sites in National Parks should be **restored to a high quality** and managed for biodiversity, geodiversity, landscape, recreation and amenity benefits, not solely for agricultural use.
- k. Each NPA in consultation with the developer, statutory and voluntary sector consultees, should decide on the final form that each quarry in its area would take and the period and most environmentally satisfactory method for achieving this intended end state. A condition of any planning permission should be that adequate funds are set aside to achieve this.
- l. Appropriately sited **small scale quarrying for building stone**, normally for local use, should be supported as long as there is a proven need for the material, there is no alternative site

outside the National Park and the permission is of limited duration and includes specific and detailed restoration plans.

How can we make this happen?

There are two main ways that the Campaign for National Parks can influence quarrying in National Parks – through the planning system and through the policies and strategies which impact on quarrying and the minerals industry. We will continue to take up opportunities to influence policy and practice in these areas, focusing particularly on national policy and strategy.

In particular, we will:

- Respond to consultations on changes to national planning policy in England and/or Wales which have implications for mineral extraction and its planning in National Parks.
- Play an active role in meetings of the UK Minerals Forum to ensure that the work of the group takes full account of the extra protection afforded National Parks.
- Support National Park Societies in their work to ensure that National Park Management Plans and Local Plans include strategies and policies which support our position.
- Respond to planning applications for large-scale minerals developments in line with our planning casework criteria. This could also include large-scale proposals outside National Parks if they have significant impacts on a National Park.
- Encourage the Minerals Products Association to enhance their existing commitments to National Parks beyond those set out in the Four Point Plan.
- Encourage the British Aggregates Association to work with us to develop a similar set of commitments.
- Maintain ongoing dialogue with relevant Corporate Forum for National Park members (Hanson, Tarmac).

Case studies of minerals good practice in National Parks

Tarmac (formerly known as Lafarge Tarmac), a member of the Corporate Forum for National Parks, is funding a £5 million project to connect two of its quarries in the Yorkshire Dales National Park with the rail network. The works involve the installation of a new railway embankment and associated railway infrastructure and will reinstate a rail link which was removed from operational use in the 1960s. The reinstatement of the link between Dry Rigg and Arcow Quarries near Horton in Ribblesdale and the Settle to Carlisle rail line will remove more than 16,000 lorry journeys from the local road network each year. Network Rail expect to connect the new section to the mainline in late 2015.

<http://www.networkrailmediacentre.co.uk/news/work-starts-to-reinstate-rail-link-to-arcow-and-dryrigg-quarries>

Whitlingham Quarry in the Broads was in operation from 1990 until 2008, producing an average of 200,000 tonnes of sand and gravel each year for the local market. The quarry was operated by Lafarge who undertook extensive restoration and landscaping of the site once excavation had been completed. The site has now been transferred to the Whitlingham Charitable Trust under long-term leases and the Trust is responsible for its maintenance and management as a Country Park working in partnership with the Broads Authority. The site, which is close to the centre of Norwich, is now much appreciated as a location for various water activities – canoeing, sailing and rowing – as well as walking and other land-based activities. It is also considered to be an excellent educational resource.

<http://www.whitlinghamcharitabletrust.com/history.html>

The Peak District has served a large number of prohibition orders, all of which were subsequently confirmed by the Secretary of State. This includes two prohibition orders which were appealed and considered at a hearing or written representations. Prohibition orders have also been served successfully in Dartmoor and Yorkshire Dales National Parks. There is more information about the importance of prohibition orders in the 'Ticking Time Bombs' report on old minerals permissions produced jointly by CNP and the Friends of the Peak District:

http://www.friendsofthepeak.org.uk/files/public/Annual_Reviews_and_plans/Ticking_Timebombs.pdf

In 2008, Stancliffe Stone voluntarily gave up, without compensation, a 1952 planning permission for Lees Cross and Endcliffe quarry on the edge of Stanton Moor in the Peak District National Park in exchange for planning permission to extend their quarry at Dale View nearby. Stanton Moor has a significant landscape, archaeological, ecological and amenity value and the extended quarry, Dale View, is further away from sensitive bronze age sites such as Nine Ladies Stone Circle.

<http://www.peakdistrict.gov.uk/learning-about/news/archive/2008/news/welcome-for-end-to-quarry-wrangle-on-stanton-moor>

Annex 1: The Minerals Products Association Four-Point Plan for National Parks

The industry will:

1. Work with the Government and National Park Authorities to identify dormant planning permissions which will not be reactivated and respond positively to initiatives to seek prohibition orders. This goes further than the present statutory position that they should not be re-opened without imposition of modern planning conditions.
2. Work with National Park Authorities to identify and clarify current permissions which are uncertain in scope or extent. Every effort will be made to resolve any areas of uncertainty without recourse to the courts.
3. Not submit any application for new workings in a National Park unless there is a national need in terms of mineral supply or where the proposal has benefits for the park concerned.
4. Only propose the extension of existing sites in National Parks where there is a national need in terms of mineral supply or where the proposal has benefits for the environment, landscape and wellbeing of the park.

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