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Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>14 December, 2010</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Subject:	<b>Proposed South Lanarkshire Minerals Local Development Plan</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to:-

- Inform Committee of the work undertaken to prepare the Proposed South Lanarkshire Minerals Local Development Plan.
- Seek Committee approval to publish and consult on the Proposed Minerals Local Development Plan.
- Inform Committee of the next steps to progress the South Lanarkshire Minerals Local Development Plan.

## 2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) That Committee approve the Proposed South Lanarkshire Minerals Local Development Plan and agree to a six week period of public consultation.
- (2) That the Head of Planning and Building Standards Services be authorised to modify the South Lanarkshire Minerals Local Plan to take account of minor drafting and technical matters.
- (3) Note that a further report will be presented to the Committee to advise of the outcome of the public consultation exercise and any proposed modifications to the plan.

## 3. Background

3.1 Minerals development is currently the subject of the South Lanarkshire Minerals Local Plan (MLP) which was adopted on 12<sup>th</sup> September 2002. This plan has formed the policy basis of the Council's decisions relating to new mineral operations and has reflected the Council's desire that minerals developments should be properly planned, operated and restored. The MLP policies were designed to assist in achieving sustainable minerals development, prevent the sterilisation of mineral resources and protect the environment and communities from the effects of mineral extraction.

3.2 Eight years on from the MLP's adoption the plan is being reviewed in light of new national planning policy and legislation, and the Council's ongoing experience in dealing with minerals development, using the current MLP as a basis for decision making.

3.3 This intervening period has also seen the introduction of the Planning etc. (Scotland) Act 2006. This introduced a new development planning system for Scotland. The

Local Plan process has been replaced by the Local Development Plan (LDP) and there are a number of differences to the process of plan preparation. The first stage in the preparation of the new Minerals Plan was therefore the publication of a Main Issues Report. (MIR)

#### **4. The Main Issues Report**

- 4.1 The MIR was published in March 2010 following its approval by the Planning Committee 23 March, 2010. It focused on consultation and engagement and, on the basis of early consultation with the community and stakeholders, set out the main considerations and issues for minerals policy and development. The document went on to identify the Council's preferences for dealing with these issues and described, where possible, alternative ways of addressing these matters.
- 4.2 Following its publication in March 2010 the MIR was placed on deposit for public consultation till May 2010. A total of 315 comments were received from 37 consultees to the MIR and a number of minor comments to the associated Strategic Environmental Assessment (SEA).
- 4.3 A summary of the comments made to the MIR and the Council's response are included as a background paper to this report. The assessment and consideration of all these comments has contributed to the development of the spatial and policy framework as set out in the Proposed Plan.

#### **5 Proposed Minerals Local Development Plan**

- 5.1 The proposed MLDP requires to be consistent with the Glasgow and Clyde Valley Strategic Development Plan (SDP). The SDP is currently being prepared to replace the Glasgow and Clyde Valley Joint Structure Plan 2006. The first stage in the preparation of the SDP, the publication of a Main Issues Report was reported to Committee on the 16 November, 2010. The Council, as a partner in the preparation of the SDP, will ensure that the LDP and SDP strategies for minerals complement each other.
- 5.2 Taking account of the above, the proposed plan sets out a spatial framework and associated policies for minerals. The spatial framework recognises that minerals can only be worked where they are found. Consequently as an alternative to identifying specific "Area of Search" for minerals the Plan highlights that there are areas within South Lanarkshire which are particularly sensitive to mineral developments. In some cases, therefore, either no mineral development should take place (if they affect Special Areas of Conservation, the World Heritage Site, Special Protection Areas) or extra care needs to be taken if minerals are to be successfully extracted (if they affect Special Landscape Areas, a SSSI, 'A' listed buildings, settlements or their buffers, etc.) These areas of protection are clearly set out in policy within the plan and shown on the proposals maps.
- 5.3 The plan continues by setting out policies aimed at dealing with the impact mineral developments can have on:-
- People
  - The environment
  - The local economy and,
  - Infrastructure.

In addition, policies have been included:

- to ensure operators use the best possible working methods when the site is both operating and being restored; and

- describing how the community benefits that can be provided by developers will be dealt with.

5.4 The proposed plan has been available in Members' areas prior to Committee. Its preparation has already been informed by consultation, and by work to review the performance of the adopted Minerals Local Plan.

## **6 Next Steps and Timescales**

6.1 Following Committee approval the Proposed MLDP will be published and made available for public comment during January and February 2011.

6.2 Following consideration of the comments received the Proposed Plan can be modified and further consultation will be undertaken if necessary. If any of the objections received to the plan are not subsequently withdrawn there would be an Examination of the Proposed Plan conducted by a Reporter appointed by Scottish Ministers.

6.3 The timescale for this part of the process is not yet known and will depend on the number of objections received and the timing of the examination process. Prior to any examination by the Scottish Ministers, the Planning Committee will be informed of progress and any modifications required to the plan.

## **7 Employee Implications**

7.1 There are no implications for staff resources within this Service.

## **8 Financial Implications**

8.1 All publications and staffing costs arising from the recommendations of this report are accounted for within established budgets.

## **9 Other Implications**

9.1 The Proposed MLDP has been assessed in terms of the Environmental Assessment (Scotland) Act 2005 for Strategic Environmental Assessment of Council plans, programmes, policies and strategies. An Environmental Report has been prepared and is available as a background document

## **10 Equality impact assessment and consultation arrangements**

10.1 An equality impact assessment has been carried out with respect to the MIR and does not require any modification. The assessment is that the proposals do not have any adverse impact on any part of the community covered by equalities legislation, or on community relations.

10.2 The Proposed MLDP and its supporting documents will be made available on the Council's web site and at Council planning offices, libraries and Q&As. Copies will also be available for purchase. Comments can be made online or using a consultation form. The consultation period will last for six weeks.

**Colin McDowall**  
**Executive Director (Enterprise Resources)**

30 November, 2010

**Link(s) to Council Objectives/Improvement Themes/Values**

- Improve the quality of the physical environment
- Support the local economy by providing the right conditions for growth, improving skills and employability
- Improve health and increase physical activity

**Previous References**

- Report to Planning Committee 23<sup>rd</sup> March 2010

**List of Background Papers**

- Proposed Minerals Local Development Plan
- Strategic Environmental Assessment Update
- Main Issues Report Consultation Summary and Responses
- Habitats Assessment

**Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

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