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**RE – MPANI response to the Consultation on the Newry Mourne and Down Local Development Plan 2035, Draft Plan Strategy June 2025.**

The Mineral Products Association (MPANI) represents approximately 95% of Northern Ireland construction materials suppliers delivering to and supporting the local construction industry. Employing almost 5000 people in mainly rural areas and contributing millions of pounds to the local economy we are a key essential industry supporting the quality of life of every man, woman and child in Northern Ireland.

MPANI are pleased to submit comments to the Consultation on the Newry Mourne and Down Local Development Plan 2035, Draft Plan Strategy June 2025. However, our comments are solely confined to the Minerals Section of the Draft Plan Strategy.

MPANI very much welcomes the Councils recognition of the economic and social importance of the mineral and construction materials sector in terms of;

- The LDP Minerals Strategy promotes the sustainable development of mineral resources in such a way that protects the environment and supports economic growth.
- Minerals are an important natural resource which are principally needed for the construction, manufacturing and energy industries. An adequate and available supply of minerals is therefore needed to support sustainable economic growth of the Northern Ireland economy and within local council areas.
- Recognises that the extraction of minerals across Northern Ireland requires a regional approach and that the issue of supply and demand means that the need for mineral development may extend beyond the geographical boundary of any one council area.
- The extraction of minerals is essential to maintain the ability of the Northern Ireland economy to sustain and grow and to maintain the quality of life of its residents.

## Comments on Minerals Section

### Policy MIN5 Mineral Safeguarding Areas

Draft Policy MIN 5 states:

*“Mineral Safeguarding Areas (MSAs) may be defined around mineral reserves in Newry, Mourne and Down that are considered to be of economic or conservation importance”.*

The use of the word “**may**” in the above sentence avoids any commitment to defining such areas.

### Strategic Policy MS1 of the Draft Plan states that:

*“The Council, in consultation with the Department for the Economy (DfE), recognises that the extraction of minerals across Northern Ireland requires a regional approach and that the issue of supply and demand means that the need for mineral development may extend beyond the geographical boundary of any one council area”.*

Given the importance that the Minerals Industry has to the regional economy as outlined earlier in this representation and in light of the above statement, it is considered appropriate that the Council make a confirm commitment to protecting important mineral resources and therefore it is proposed that the word “**may**” in the policy, be proposed with the word “**will**” to state:

*“Mineral Safeguarding Areas (MSAs) **will** be defined around mineral reserves in Newry, Mourne and Down that are considered to be of economic or conservation importance”.*

In order to provide reasonable flexibility to the policy, wording may be included within the justification and amplification text that explains that the safeguarding of such areas will be dependent upon suitable information being supplied by mineral operators. I can confirm that MPANI would we happy to assist the Council with this matter in terms of liaising with its members.

### Policy MIN7 Restoration and Aftercare

The final Paragraph of Draft Policy MIN 7 states that:

*“The Council will require a restoration and aftercare bond or other financial provision to ensure full restoration and reinstatement of the site should the developer fail to implement the previously agreed restoration plan. Restoration proposals should make use of materials from within the site, wherever practicable”.*

The Justification and Application text states that:

*“The Council will normally secure restoration proposals through the requirement for a management plan, underpinned by conditions and/or a Section 76 Planning Agreement.*

*A financial guarantee will be considered necessary where the implementation of a restoration scheme is in doubt".*

The wording of the policy therefore appears contradictory to the wording of the policy, with the policy wording appearing to suggest that a restoration and aftercare bond will be required in all instances, whereas the justification and amplification text appears to be saying that such a financial guarantee will only be necessary where the implementation of a restoration scheme is in doubt.

In order to accord with Development Plan Practice Note 6, Coherence and effectiveness test CE1, part of which is to set out a coherent strategy, it is recommended that the policy wording be revised in order to make clear that restoration proposals will normally be secured via planning condition / section 76 Agreement and that a financial guarantee will only be required in exceptional circumstances.

We would recommend that examples of exceptional circumstance when a financial guarantee may be required could be provided within the justification and amplification text with reference to Paragraph: 048 Reference ID: 27-048-20140306 of the National Planning Practice Guidance for England which states:

*"A financial guarantee to cover restoration and aftercare costs will normally only be justified in exceptional cases. Such cases, include:*

- *very long-term new projects where progressive reclamation is not practicable, such as an extremely large limestone quarry;*
- *where a novel approach or technique is to be used, but the minerals planning authority considers it is justifiable to give permission for the development;*
- *where there is reliable evidence of the likelihood of either financial or technical failure, but these concerns are not such as to justify refusal of permission".*

MPANI would welcome further engagement with the Council and offer our support in engaging with the wider mineral / construction supply chain in the NMD Council area.

Yours sincerely



 Regional Director MPANI