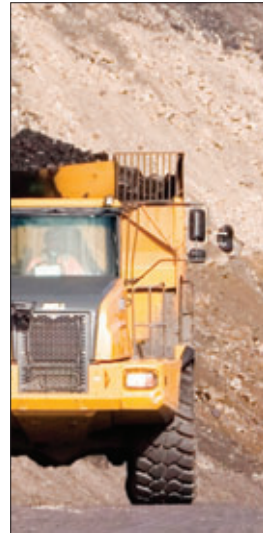
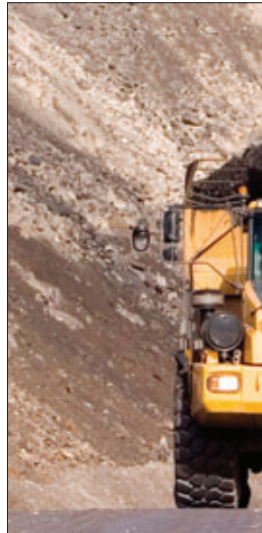
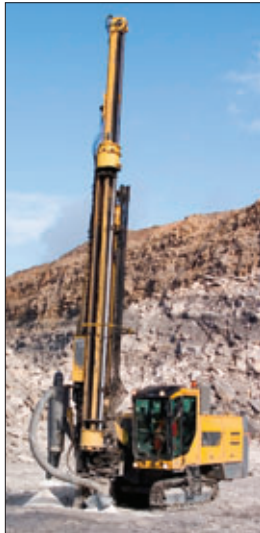
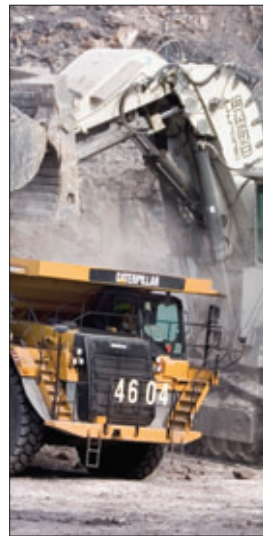


South Lanarkshire Non-statutory Planning Guidance Minerals



July 2017





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1 Introduction

Statutory context

1.1 South Lanarkshire has a long history of mineral workings and significant mineral resources remain to be worked. Mining operations lead to the creation of employment and support economic development and infrastructure activity in our society. At the same time it is fully recognised that mining workings can affect communities and the environment. The consideration of these, often, competing issues underpinned the preparation of the Non-Statutory Planning Guidance - Minerals. Therefore the guidance promotes the sustainable development of mineral resources in a way that protects the environment and communities, and at the same time seeks to ensure a constant supply of mineral resources to support power generation, the construction industry, employment and in doing so contribute to sustainable economic growth.

1.2 The Town and Country Planning (Scotland) Act 1997, as amended, sets out the legal requirement for planning authorities to prepare development plans. Development plans are the basis for decision making on planning applications, containing policies for the future development and use of land. South Lanarkshire is covered by three tiers of planning policy:

- National Planning Policy
- Strategic Development Plans (SDP's); and
- Local Development Plans (LDP's) and Statutory Supplementary Guidance.

1.3 The Development Plan must reflect national planning policies and guidance prepared by Scottish Government in the form of Scottish Planning Policy (SPP) and Planning Advice Notes (PAN's).

- South Lanarkshire Council area is covered by:
- **The National Planning Framework for Scotland 3 (NPF3)**, sets out strategic development priorities to support sustainable economic growth and **Scottish Planning Policy (SPP)** provides a statement of the Scottish Government's policy on nationally important land use planning matters.
- **The Glasgow and the Clyde Valley Strategic Development Plan 2012 (GCVSDP)**. This provides the strategic context for the development of minerals in the wider strategic plan area through a Spatial Development Strategy and devolves specific guidance for mineral development to Local Development Plans. The GCVSDP 2012 will be replaced by the Clydeplan (the next GCVSDP). The examination of the proposed GCVSDP – Clydeplan commenced in August 2016.
- **South Lanarkshire Local Development Plan 2015 (SLLDP)** and associated **Statutory Supplementary Guidance**. This provides planning policy and guidance for all land use issues relating to the area of South Lanarkshire. This plan should be used for policy guidance on issues relating to archaeology, cultural heritage, natural heritage and general environmental considerations, which may be associated with minerals development. This will be replaced by the South Lanarkshire Local Development Plan 2 (SLLDP2).
- **South Lanarkshire Minerals Local Development Plan 2012 (MLDP)** - In June 2017 it will be five years since the adoption of the current South Lanarkshire Minerals Local Development Plan (SLMLDP). The Council, however, has decided not to replace the current SLMLDP but rather to include policy guidance on minerals within the new South Lanarkshire Local Development Plan (SLLDP2). This policy would also be supported by statutory Supplementary Guidance for Minerals. Work has recently started on the preparation of SLLDP2 and it is currently anticipated that the Main Issues Report should be published early in 2017 and thereafter a Proposed Plan prepared

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and approved by September/October 2017. With the Plan and its associated Supplementary Guidance adopted in 2020.

- **Non-Statutory Planning Guidance (NSPG) 2017** - In lieu of opting not to replace the SLMLDP when it expires and pending the approval of the Proposed Plan, the Council proposes to produce non-statutory planning guidance on minerals developments which would also be a material consideration in the determination of relevant planning applications within the interim period between June and October 2017. This document is the NSPG.

Legislation, policy and guidance

1.4 The Council has a statutory duty under the Planning etc. (Scotland) Act 2006 to prepare a local development plan. This must contain the planning policies which provide the basis for assessing and determining planning applications and which guide and shape future land use. Supplementary Guidance (SG) can also be prepared in association with the Local Development Plan (LDP) on topics associated with that LDP in order to provide more detailed information and policies and allow the LDP to focus on the key policies and proposals. However, 'where an issue arises during the lifecycle of the plan, and there is therefore not the appropriate hook in the plan to allow the supporting guidance to form statutory Supplementary Guidance' (paragraph 147 Circular 6/2013 Development Planning) the Council can produce non-statutory planning guidance.

1.5 The adopted South Lanarkshire Minerals Local Development Plan 2012 will fall in June 2017 and the adopted South Lanarkshire Local Development Plan 2015 and associated Supplementary Guidance make no provision for mineral policy. The proposed South Lanarkshire Local Development Plan 2 and associated Supplementary Guidance will include policy on minerals. However it will not be prepared before the SLMLDP 2012 falls and the proposed SLLDP2 is prepared. Therefore non-statutory planning guidance on mineral development is required during this intervening period.

1.6 The Non-Statutory Planning Guidance - Minerals has been prepared to extend the life of policy guidance and advice contained within SLMLDP 2012 and does not introduce any new policies. It takes cognisance of policies and Supplementary Guidance within the adopted SLLDP as well as government legislation, national, strategic and other relevant specific Council policies.

1.7 The Legislation and Policy Context is shown in Figure 1.1 below.



Figure 1.1 Legislative and policy context





Technical studies

A number of technical studies were used to inform the original preparation of the MLDP.

South Lanarkshire Landscape Character Assessment

1.8 The South Lanarkshire Landscape Character Assessment (LCA) 2010 updates the 1999 Glasgow and Clyde Valley Regional LCA and provides greater detail on the local landscape character. This was used to inform the preparation of the document entitled “Validating Local Landscape Designations”.

South Lanarkshire Validating Local Landscape Designations

1.9 Validating Local Landscape Designations draws on the South Lanarkshire LCA to review the existing extensive local landscape designations in the former SLLP, as advocated by SNH and Historic Environment Scotland in 'Guidance on Local Landscape Designations (2005)'. The designations were updated in 2010 to focus on the areas of highest landscape quality and value in South Lanarkshire. The document identifies six Special Landscape Areas (SLA's) in South Lanarkshire. This document was approved by South Lanarkshire Council in 2010 and these designations remain relevant.

Strategic Environmental Assessment

1.10 The SLMLDP 2012 was subject to the Environmental Assessment (Scotland) Act 2005 which requires SEA of all policy and programme making activity of local authorities. The requirements introduced by this Act and previous Regulations, necessitated the preparation of an Environmental Report (ER). A final SEA Environment Report was prepared and a Post Adoption Statement submitted.

1.11 In accordance with the Environmental Assessment (Scotland) Act 2005, the Council prepared and submitted a strategic environmental assessment (SEA) screening report to the statutory consultation authorities for the Non-Statutory Planning Guidance – Minerals. This summarised its view that this non-statutory planning guidance is unlikely to have significant environmental effects. The consultation authorities agreed with the Council's view and the Council made a formal determination that a SEA is not required. The Council reached this view because the SLMLDP 2012 was subject to a full SEA and the Non-Statutory Planning Guidance – Minerals will not introduce any new policies.

Habitats Regulations Appraisal 2010

1.12 A Habitats Regulations Appraisal (HRA) screening exercise, was undertaken in compliance with the Conservation (Natural Habitats, &c) Regulations 1994 (the Habitats Regulations). This concluded that there will be no adverse effects on the integrity of Natura sites in the area. The Council reached this view because the SLMLDP 2012 was subject to a full HRA and the Non-Statutory Planning Guidance – Minerals will not introduce any new policies.

What the Non-Statutory Planning Guidance – Minerals Comprises

1.13 The Non-Statutory Planning Guidance – Minerals (NSPG – Minerals) comprises the Spatial Strategy and Proposals Maps. The Spatial Strategy establishes the planning and land use policies for mineral development in the South Lanarkshire area. Policies are statements of the Council's attitude towards the use or development of land. The Proposals Maps illustrates the NSPG's policies spatially and indicates the location of known mineral resources alongside the areas of environmental sensitivity.



How to use the Non-Statutory Planning Guidance

1.14 Every part of the South Lanarkshire area is covered by a land use policy. Depending on the location and nature of a minerals proposal, consideration should be given to the adopted SLLDP and associated Statutory SG and the NSPG. It is generally the case that more than one policy can affect an area.

1.15 In order to determine which minerals policies are relevant the following steps should be taken:

- Identify the property or land on the NSPG Maps.
- Note the colour, lines or symbols and the policy reference which covers the property or land.
- Compare these colours, lines and symbols against the plan key and this will indicate which policy affects the property or land.
- Locate the relevant policy within the spatial strategy.
- Other policies in the NSPG – Minerals may not be site specific, for example, Policy MIN 13 Legal Agreements, as this policy applies to all development proposals, where appropriate.

1.16 Issues such as Archaeology, Access, Listed Buildings and the New Lanark World Heritage site are not discussed in detail in the NSPG – Minerals as these are addressed in the adopted SLLDP and associated SG.

Minerals in South Lanarkshire

1.17 South Lanarkshire covers an area of enormous diversity and is rich in economic mineral deposits. The Council area covers 1,771 square kilometres extending from Rutherglen on the south eastern edge of Glasgow through the valley of the River Clyde to Abington and Beattock in the Southern Uplands and from Drumclog and Strathaven in the west to



Broken Cross surface coal mine

Biggar and Dolphinton in the east. The main urban centres are in the north west with the rest of the area being largely rural. Within this rural hinterland market towns such as Lanark, Strathaven and Biggar are the main population and service centres.

1.18 Historically South Lanarkshire was a key player in supporting the heavy industry that centred on the Clyde with a focus on textiles, engineering and mineral extraction. South Lanarkshire includes significant sections of the Scottish Central Coalfield and whilst coal extraction has currently diminished there is still a large coal resource in situ throughout the Douglas and Clyde Valleys.



1.19 South Lanarkshire has a diverse geology consisting of sedimentary, igneous and metamorphic rocks suitable for producing hard rock aggregates and natural building stone. The sedimentary coal measures, in addition to coal, contain fireclays and mudstones suitable for brick making. In addition, there are deposits of sand and gravel which provide natural aggregates for the construction industries. These are found particularly along the river valleys of the Avon, Mouse, Medwin and Clyde. South Lanarkshire can be divided into a number of discrete geographical areas, each having its own minerals resource potential (see Table 1.1 below).

Table 1.1 Principal mineral resources within geological areas in South Lanarkshire.

Geological area	Mineral resource
Avon Valley	Sand and Gravel Clay Iron Ore Coal Peat
Douglas Valley	Coal Fireclay Peat Sand and Gravel
Forth Plateau	Coal Fireclay
Mouse/Medwin Valley	Sand and Gravel Peat
Clyde Valley	Sand and Gravel Sandstone Whinstone Coal Clay Peat

1.20 Across South Lanarkshire there are currently 16 operational mineral sites. However, extensive mineral reserves remain outwith current operational sites. Not all these reserves may be currently economically viable. Economic viability fluctuates depending on market prices for particular minerals and on the costs of extraction and transportation.

1.21 SPP directs Mineral LDP's to identify "Areas of Search". However, due to the extensive range and geographical location of potentially economically viable mineral resources within South Lanarkshire, the Council considers that within this guidance the whole area should be treated as an "Area of Search". However, within this area of search there are areas which are either unsuitable for minerals development, or suitable for only limited minerals development, because of their environmental sensitivity.



2 Framework and Objectives

Spatial framework

2.1 The spatial framework for the NSPG – Minerals is contained within Policy MIN 1 which sets out the Council's strategy for future minerals development. The whole of South Lanarkshire is considered to be an “area of search”, but minerals are only able to be worked where they are found and the deposits and operational sites map shows where these are located based on the most current information. These are the areas where new minerals development is most likely to take place, but it is emphasised that there may be additional deposits elsewhere that are unknown at this time.

2.2 In addition, all minerals development must be environmentally acceptable and must also accord with the provisions of Policy MIN 2 “protecting the environment”. This is likely to result in no minerals development occurring within the highest category of environmental protection (Category 1) and limited minerals development occurring within the other categories defined under Policy MIN 2 (categories 2 and 3 and additional specific categories referred to within the text of Policy MIN 2) notwithstanding that they are within the area of search. Policy MIN 2, Table 3.1 and the environmental constraints map set out the relevant categories of environmental protection to which Policy MIN 2 applies. Any proposals for mineral extraction outwith the remit of Policy MIN 2 will still have to take account of the remaining policies contained within the NSPG and the SLLDP and associated SG.

This strategy will ensure that:

- development will be directed to the most appropriate locations making it clear to communities and to the industry where future development might arise,
- the potential effects of mineral operations on communities can be considered and areas excluded from development,
- sensitive environmental assets and landscapes can be identified and protected from development,
- implications for transportation can be assessed and appropriate improvements considered.

2.3 The Proposals Map identifies Category 1, 2 and 3 areas of protection (see Table 3.1).

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Broken Cross operations





Objectives

2.4 SPP states "minerals make an important contribution to the economy, providing materials for construction, energy supply and other uses, and supporting employment" (paragraph 234). In addition SPP states: "Plans should support the maintenance of a land bank of permitted reserves for construction aggregates of at least 10 years at all times in all market areas through the identification of areas of search" (paragraph 238).

2.5 In response to this, South Lanarkshire Council seeks through Policy MIN 1 to ensure that a supply of minerals continues to be available to serve local, national and international markets and so contribute to delivering sustainable economic development. In this context, the Council will take into account the need to maintain a land bank at all times within South Lanarkshire equivalent to at least 10 years extraction, based upon the most up to date information available. At the same time, this objective has to be balanced against consideration of environmental issues and the potential effect of mineral extraction on communities.

2.6 Five themes were identified within SLMLDP 2012 following consultation with local communities, stakeholders, key agencies and the minerals industry. Six associated objectives included in the MIR were also brought forward to the SLMLDP 2012. These themes and objectives addressed issues relating to communities, environment, infrastructure and the economy. To ensure that these themes and objectives were met, policies were then formulated that could be used to assess development proposals. The NSPG – Minerals upholds this policy framework and Table 2.1 illustrates how these relate to each other.

Table 2.1 MLDP objectives

Theme	Objective	Policy
Impacts on people	<p>To contribute to society’s needs</p> <ul style="list-style-type: none"> - To contribute to the national supply of minerals to meet the needs of society and the economy <p>To minimise and mitigate effects on communities</p> <ul style="list-style-type: none"> - To minimise the potential adverse impact of minerals extraction on communities and maximise the economic benefits arising from development for local communities 	MIN 1, MIN 2, MIN 3, MIN 4, MIN 7, MIN 8
Impacts on environment	<p>To protect the environment</p> <ul style="list-style-type: none"> - To protect international, national and locally designated habitats and species and areas of natural or built heritage importance from adverse impacts 	MIN 1, MIN 2, MIN 3, MIN 4, MIN 5, MIN 6, MIN 9, MIN 10
Impacts on local economy	<p>To safeguard resources</p> <ul style="list-style-type: none"> - To safeguard minerals from sterilisation to allow the possibility of future extraction 	MIN 1, MIN 9, MIN 10, MIN 14



Theme	Objective	Policy
Impacts on infrastructure	<p>To minimise impacts on infrastructure</p> <ul style="list-style-type: none"> - To minimise potential impacts from mineral operations on infrastructure, particularly roads, to preserve the vitality of local communities and businesses 	MIN 1, MIN 3, MIN 10, MIN 12
Development management	<p>To ensure excellence in working practices and restoration</p> <ul style="list-style-type: none"> - To ensure sensitive working practices during mineral extraction that minimise environmental and transport impacts; and once extraction has ceased, to ensure sites are reclaimed to a high standard and enhance the value of the wider environment 	MIN 1, MIN 4, MIN 7, MIN 11, MIN 12, MIN 13, MIN 15

2.7 The planning system is identified in SPP as being central to achieving the Scottish Government's core objective of sustainable economic growth. As part of the spatial framework the NSPG – Minerals seeks to promote and facilitate mineral development to support continued economic growth and at the same time protect the environment and communities. This overarching approach is reflected in Policy MIN 1.

Policy MIN 1

Spatial framework

The Council will seek to ensure an adequate and steady supply of minerals and maintain a land bank for construction aggregates equivalent to at least 10 years extraction. In considering all planning applications for mineral development, the Council will balance the economic benefit from the mineral development against potential impacts on the environment and local communities. The Council will seek to ensure that any development proposals for extraction, processing and deposition of material minimises and mitigates impact, having particular regard to the relevant policies and guidance contained both within the Non-statutory Planning Guidance on Minerals and the South Lanarkshire Local Development Plan and its associated Statutory Supplementary Guidance on the protection of the natural and built environment.



3 Protecting the Environment

General protection of the environment

3.1 The Council recognises the importance of protecting the environment and amenity of local communities and wildlife habitats. SPP directs planning authorities to take a broader approach to landscape and natural heritage than just conserving designated sites and species. The NSPG – Minerals seeks to protect the wider environment of the Council area by introducing a series of policies aimed at protecting the natural and built environment.

Environmental protection hierarchy

3.2 South Lanarkshire contains a diverse range of environments ranging from urban areas to remote rural areas. Each of these distinct areas has a variety of characteristics which require varying levels and types of protection. Some areas have the benefit of being protected by International Designations (New Lanark World Heritage Site) or by National Designations (for example Site of Special Scientific Interest (SSSI) such as Tinto). Elsewhere there may be specific characteristics which may merit greater protection than others, at a regional or local level. These are identified on Table 3.1.

3.3 The Council has therefore identified a hierarchy of natural and historic environment sites where different degrees of protection will be applied. These are described below. Development proposals should also comply with Policy 15 in the adopted SLLDP and the detailed policy guidance for specific Category 1, 2 and 3 natural and historic designations and protected species contained in Statutory Supplementary Guidance 9 Natural and Historic Environment.

Category 1 sites

3.4 These sites are all protected at an international level through International or European Directives as a result of their rarity, fragility or biodiversity. Development which cannot be demonstrated to have no adverse effect on integrity of those sites will not be permitted. In applying this test, the Council will exercise a presumption that development within or adjacent to such sites will have an adverse effect unless it is demonstrated through an environmental report or otherwise through the development management process that there will be no adverse effect. For the avoidance of doubt, the first paragraph of Policy MIN 2 will also apply to any minerals development which will adversely affect the integrity of any internationally protected site which is outwith the Council's administrative area.

Picture 3.1 Category 1 sites





3.5 South Lanarkshire has one Special Protection Area (SPA) at Muirkirk and North Lowther Uplands, seven Special Areas of Conservation (SAC) and a World Heritage Site at New Lanark. These areas are afforded the highest degree of protection within the NSPG and are shown as Category 1 sites on the Constraints Map and Figure 3.1.

3.6 The Council will seek to protect and preserve the Outstanding Universal Value of New Lanark World Heritage Site. Mineral proposals affecting the world heritage site, its setting or within the buffer zone will be assessed for their potential impact on the site's Outstanding Universal Value (OUV). Proposals affecting the New Lanark World Heritage Site will also therefore be required to be assessed against Policy 15 of the SLLDP and Policy NHE1 of Supplementary Guidance 9: Natural and Historic Environment. To be consistent with the South Lanarkshire Local Development Plan and its associated SG Table 3.1 has been amended to reflect this wording.

Category 2 sites

3.7 Category 2 sites are all considered to be environmental resources of national importance. There are a substantial number of sites and buildings in South Lanarkshire which are in this category and these are shown on the environmental constraints map. These sites and buildings have the potential to be particularly sensitive. Development that is considered to compromise the objectives of designation or the overall integrity of the area after the implementation of any mitigation measures will only be permitted if there is an over-riding need for the minerals to deliver social,

New Lanark World Heritage Site



environmental or economic benefits of national importance. A rigorous assessment is therefore required to manage minerals development proposals on or adjacent to these sites, following which any development that is considered to have an adverse impact on these sites after the implementation of any mitigation measures will only be permitted if there is an over-riding need for the minerals to serve markets of national importance. The onus is on the prospective developer to demonstrate that the markets are of national importance; and that serving these markets in the circumstances clearly outweighs the adverse impact. In addition, the adverse impact must be capable of being mitigated to an acceptable degree in the circumstances of the case, and/or the development may be permitted if it results in a net environmental improvement to the resource affected. The net improvement may be informed by any adverse effects being outweighed by positive ones. Again, the onus is on the prospective developer to demonstrate how this would be achieved.



3.8 SPP states that development on prime agricultural land should not be permitted except where it is essential (SPP paragraph 80). Mineral extraction may be acceptable where restoration proposals will return the land to its former status. Mineral development therefore should not result in a permanent and irreversible damage to prime agricultural land. The extent of prime quality agricultural land is shown on Figure 3.2.

3.9 Category 2 sites are listed in Table 3.1 and shown on the Constraints Map.

Category 3 sites

3.10 Category 3 sites are considered to be environmental resources of local importance, and whilst they are not as important as those resources within Category 2, they are nevertheless sensitive to development and significant impacts thereon require careful consideration. The same process requires to be undertaken as in the case of nationally important resources but in this case the markets need only be of regional or local importance (although of course markets of national importance would also satisfy the requirement). Only a “significant adverse impact” on a Category 3 site shall be considered to be an ‘adverse impact’ for the purposes of Policy MIN2(b).

Figure 3.1 Prime quality agricultural land

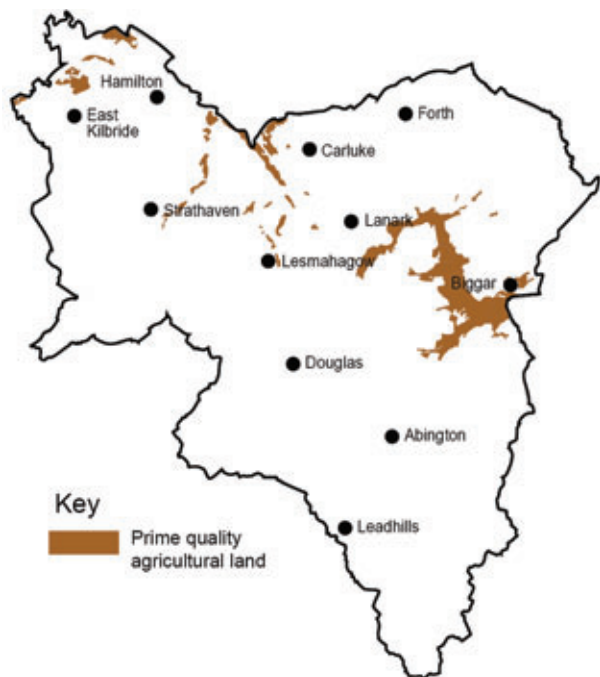


Figure 3.2 Special Landscape Areas



3.11 'South Lanarkshire: Validating Local Landscape Designations' establishes Special Landscape Areas (SLA's) within the NSPG area. The Council recognises these SLA's for their sensitivity and landscape value and will apply greater protection to these areas. It is recognised that whilst the SLA's cover areas of known mineral deposits, the SLA designation will not automatically preclude mineral development within these areas, but there will be greater consideration and weight given to the impact on landscape at the decision making stage.

3.12 Category 3 sites are listed within Table 3.1 and shown on the Constraints Map.



Daer Reservoir in the Leadhills and Lowther Hills Special Landscape Area



Protected species

3.13 A number of animal and plant species found in South Lanarkshire are protected by legislation such as The Wildlife and Countryside Act 1981 (as amended) and the Protection of Badgers Act 1992 (as amended). In addition the Habitats Regulations 1994 (as amended) provide protection for species including otters, bats and great crested newts as European protected species.

3.14 The level of protection afforded by legislation must be factored into the planning and design of the development and the Council will give full consideration to the impact of minerals development proposals on all internationally and nationally protected species in the determination of applications. Proposals which will have significant adverse effects following the implementation of any mitigation measures will not be permitted. This includes any indirect effects from outwith the minerals extraction site, for example resulting from transport to and from the site. For European protected species, the Council will only grant planning permission where it is demonstrated that the tests set out in Regulation 44 of the 1994 Habitats are met.

Flood plains

3.15 The functional flood plain contains high quality sand and gravel deposits which are in demand by the construction industry. The capacity of the flood plain during a flood event could be diminished as a result of mineral extraction, resulting in flooding downstream. However, there may also be instances where extraction might be beneficial in alleviating flood risk by creating additional flood storage, this is recognised in Policy MIN 2. This may be acceptable as long as any flooding on the site is managed during the period of the mineral extraction to ensure the health and safety of the workforce and others. In any event, all proposed minerals development within areas of risk greater than a 1:200 year flood event requires a flood risk assessment. Any such development where the flood risk cannot be appropriately managed to prevent a significant increase in the risk of flooding on the site (where such is determined to be an adverse risk) or elsewhere will not be permitted. Areas of flood risk are shown on the environmental constraints map, but these are indicative and because they may be out of date

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when the minerals development is proposed and also because of the small scale of the map, it is necessary as a matter of course to consult the latest available SEPA flood maps before the submission of a planning application.

Settlements

3.16 Settlements and their surrounding environment require protection from the adverse effects of minerals development. Settlements are shown on the environmental constraints map and there will normally be a buffer around settlements within which minerals development will not be permitted. However, some ancillary developments may be acceptable and indeed beneficial within this buffer such as tree planting, visual screening mounds, noise attenuation buffers or reclamation of derelict or despoiled land. The extent of buffers will be dependent upon the circumstances of the case, for example, surface coal extraction areas will not normally be acceptable within 500 metres of settlement boundaries (SPP paragraph 244). A similar distance may be required for quarry blasting operations. Otherwise, a buffer of considerably less distance may be acceptable, but this will always be dependent upon the circumstances of the case and the actual environmental effects resulting from extraction. Ancillary development such as that referred to above may reduce the distance required. The key element of the policy is that development will only be permitted where significant adverse effects on the settlements shown on the environmental constraints map are avoided. The test will be the application of Policy MIN 7 to all minerals development proposals which may adversely affect settlements and the communities contained therein and this will in practice determine the extent of the buffer that is considered appropriate.

General provisions

3.17 Planning applications for minerals development proposals likely to have an adverse effect on any of the environmental resources listed in Table 3.1, or otherwise referred to above, shall be accompanied by measures to mitigate this adverse impact and shall fully consider opportunities to improve the environmental resources affected. These may be included within an environmental report where this is required. All minerals development will also be assessed where appropriate against the remaining policies of this NSPG and the policies of the South Lanarkshire Local Development Plan and its associated Supplementary Guidance. The policies in the latter which are relevant to the categories of development listed in Table 3.1 are cross referenced in the table. It should also be noted that Policy 17 of the South Lanarkshire Local Development Plan applies to minerals development in flood risk areas. For the avoidance of doubt, minerals development for the purpose of Policy MIN 2 includes both development on new sites and extensions to existing sites, where planning permission is required.



Policy MIN 2

Environmental protection hierarchy

Category 1, 2 and 3 sites

The Council will seek to protect important natural and built heritage sites and features as listed in Table 3.1 from the adverse effects of minerals development. Development which cannot demonstrate no adverse effect on the integrity of Category 1 sites following the implementation of any mitigation measures will not be permitted.

Development which will adversely affect Category 2 and 3 sites following the implementation of any mitigation measures sites will only be permitted if:

- (a) there is an over-riding need for the minerals to serve appropriate markets, and
- (b) it is shown that the adverse impact of the proposed development can be mitigated to an acceptable degree, and/or
- (c) the proposed development will result in a net improvement to the Category 2 or 3 site.

The distinction to be drawn between Category 2 and 3 sites is that for Category 2 sites the appropriate markets must be of national importance, whereas for Category 3 sites they may be of regional or local importance only. In addition the adverse impact for Category 3 sites will be evaluated as “significant adverse impact”.

Protected Species

Development with significant implications for the conservation status of internationally or nationally protected species following the implementation of any mitigation measures will not be permitted.

Flood Risk Areas

Development proposed within areas of risk greater than a 1:200 year flood event shall be the subject of a flood risk assessment and any such development where the flood risk cannot be appropriately managed to prevent a significant increase in the risk of flooding on the site (where such is determined to be an adverse risk) or elsewhere will not be permitted. However, opportunities to increase the capacity of a flood plain through mineral extraction and subsequent restoration will be encouraged where any flood risk during the course of operations can be satisfactorily managed as stated above.

Settlements

Development will only be permitted where there are no significant adverse effects on the settlements shown on the environmental constraints map, following the implementation of any mitigation measures. The test will be the application of Policy MIN 7 to all development proposals which may adversely affect these settlements and the communities contained therein. There will normally be a buffer zone around settlements within which there will be no extraction of minerals, but the extent of this will depend upon the circumstances of the case.



Other Policies

All development will have regard to the relevant policies and guidance contained elsewhere in this NSPG and in the South Lanarkshire Local Development Plan and associated Supplementary Guidance, on the protection of the natural and built environment including settlements and the communities contained therein.

Table 3.1 Hierarchy of natural and built heritage sites

Designation		Cross reference to policy in SLLDP
Category 1	Special Protection Areas	SLLDP - Policy 15, SG9 - Policy NHE8
	Special Areas of Conservation	SLLDP - Policy 15, SG9 - Policy NHE8
	World Heritage Site and its setting and its Buffer Zone	SLLDP - Policy 15, SG9 - Policy NHE1
Category 2	Scheduled Monuments and their setting	SLLDP - Policy 15, SG9 - Policy NHE2
	Category A Listed Buildings and their setting	SLLDP - Policy 15, SG9 - Policy NHE3
	National Nature Reserves	SLLDP - Policy 15, SG9 - Policy NHE9
	Sites of Special Scientific Interest	SLLDP - Policy 15, SG9 - Policy NHE9
	Inventory of historic gardens and designed landscapes	SLLDP - Policy 15, SG9 - Policy NHE4
	Inventory of historic battlefields	SLLDP - Policy 15, SG9 - Policy NHE5
	The water environment (See Policy MIN5)	SLLDP - Policy 17, SG1 - Sustainable Development and Climate Change
	Prime agricultural land (Categories 1, 2, 3.1)	SLLDP - Policy 15, SG9 - Policy NHE10
	Ancient semi-natural woodland (categories 1a and 2a on SHN ancient woodland inventory)	SLLDP - Policy 15, SG9 - Policy NHE11



Designation		Cross reference to policy in SLLDP
Category 3	Special landscape areas	SLLDP - Policy 15, SG9 - Policy NHE16
	Category B and C Listed Buildings and their setting	SLLDP - Policy 15, SG9 - Policy NHE3
	Other archaeological sites and monuments	SLLDP - Policy 15, SG9 - Policy NHE6
	Local Nature Reserves	SLLDP - Policy 15, SG9 - Policy NHE12
	Tree Preservation Orders	SLLDP - Policy 15, SG9 - Policy NHE13
	Country Parks	SLLDP - Policy 15, SG9 - Policy NHE17
	Core Paths, Core Water Routes (Paths) and Water Access/Egress Points, and Rights of Way	SLLDP - Policy 15, SG9 - Policy NHE18
	Conservation Areas	SLLDP - Policy 15, SG9 - Policy NHE7
	Other long established woodlands and woodlands of high conservation value	SLLDP - Policy 15, SG9 - Policy NHE14
	Peatlands (See Policy MIN6)	SLLDP - Policy 15, SG9 - Policy NHE15



Cumulative impacts

3.18 Paragraph 237 of the SPP states that local development plans “should set out the factors that specific” (mineral) “proposals will need to address, including:

- cumulative impact with other mineral and landfill sites in the area;”

3.19 The SPP seeks to ensure there is an emphasis “on protecting local communities from significant cumulative impacts”. South Lanarkshire includes large accessible rural areas, interspersed with many settlements, which provide opportunities for mineral extraction because of their geographical location, geology and topography. In order to prevent an unacceptable concentration of development in a particular area and to minimise the potential impact on community and environmental interests, any proposals for mineral extraction will have to take into account cumulative effects with current or approved minerals development and landfill development. This process may include developments and resources outwith the Council’s administrative area.

Policy MIN 3

Cumulative impacts

In assessing all mineral proposals, the Council will consider the cumulative impact that concentration of development may have on communities, natural and built heritage designations, sensitive landscapes, the existing road network and other resources referred to in policy MIN 2. Applications for new minerals development which will result in an unacceptable cumulative impact on these resources taking into account current or approved minerals development and landfill development will be resisted. Particular regard will be given to the cumulative impact of minerals development within Special Landscape Areas.

Restoration

3.20 Restoration of mineral development sites presents the opportunity to improve the landscape, encourage biodiversity and create recreational opportunities for local communities. This can only be achieved if the application includes high quality and, if appropriate, innovative restoration and aftercare proposals. The Council will expect developers to work with local communities at the pre-application stage to prepare a strategy for restoration schemes.

3.21 Traditionally mineral sites have been restored back to agricultural land and forestry. In recent years the focus has moved more towards schemes that include improvements to biodiversity and elements of community recreation and access; such schemes can include improvements to habitat connectivity and other local issues. The appropriate form of restoration depends on site characteristics and proximity to local communities. Further advice on restoration and aftercare is contained in PAN 64 - Reclamation of Surface Mineral Workings. Restoration proposals may be restricted by the requirements of the landowner and in some cases this may involve only reverting the land back to its former use.

3.22 To ensure that restoration and aftercare proposals are carried out, the Council will normally require developers to provide a financial guarantee bond or make other financial provision, of a sum to be agreed with the Council, to cover any failure to implement restoration proposals in accordance with the conditions imposed on the grant of planning permission. The only exception to this requirement will



be where the Council considers that the restoration proposals have such limited financial requirements as to make such a financial provision unnecessary. The financial guarantee bond or other financial provision will be made before work can commence on site.

3.23 With regard to the type of financial provision, the Council will require a financial guarantee bond unless, in the context of paragraph 247 of the SPP, the operator can satisfactorily demonstrate that another arrangement, such as an industry guarantee scheme, will be sufficient to ensure the implementation of the restoration proposals, including the necessary financing, phasing and aftercare of the site.

Policy MIN 4

Restoration

The Council will only grant planning permission for mineral extraction where proper provision has been made for the restoration and aftercare of the site. Restoration proposals should take account of specific characteristics of the site and its locality and restore and/or enhance the landscape character of the area. Any opportunities for enhancing biodiversity, community recreation and access should be considered. The Council will normally require applicants to provide a restoration and aftercare bond or make other financial provision to ensure full restoration and reinstatement of the site should the developer fail to implement the previously agreed restoration plan.

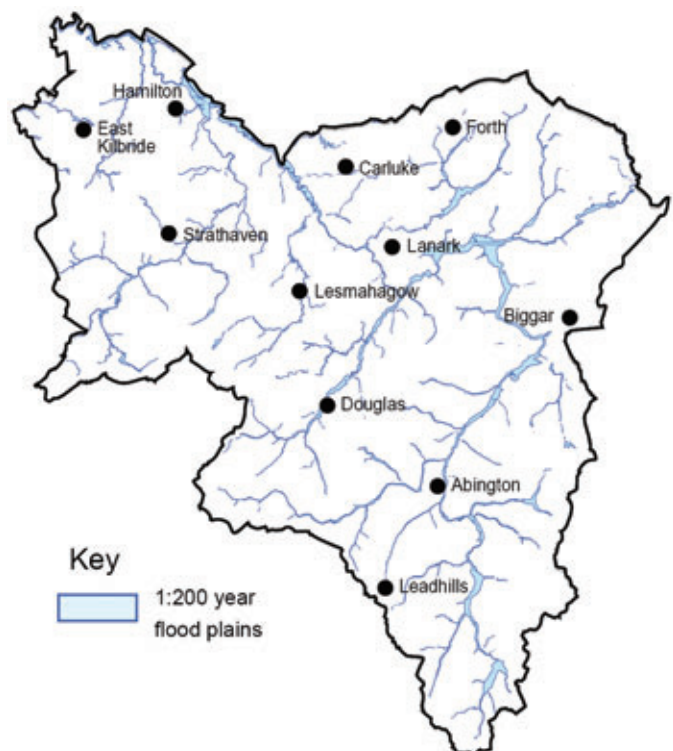
Water environment

3.24 The water environment is made up of groundwater, surface water and watercourses. It also includes the catchments of watercourses and wetland networks. Minerals development should not have a significant adverse impact on any part of the water environment. SEPA is the regulatory authority responsible for ensuring that water quantity and quality is protected and maintained.

3.25 Water environment has an important role to play in biodiversity in South Lanarkshire and supports a variety of wildlife, including protected species, birds, aquatic species and biota. Furthermore certain water features such as waterfalls cannot be successfully recreated if they are removed for extraction purposes or as part of a diversion of a watercourse.

3.26 The Council will work with SEPA and SNH to ensure that all mineral developments are adequately assessed in relation to impact on the water environment and its associated biodiversity.

Figure 3.3 Flooding constraints





Policy MIN 5

Water environment

Any proposals for minerals development which will have a significant adverse impact on the water environment will not be permitted. Consideration shall be given to water levels, flows, quality, features, flood risk and biodiversity within the water environment.

Peat

3.27 Peat and other highly organic soils are a major source of carbon in the form of soil organic matter, with pristine peat bogs accumulating vast quantities of carbon. Peat as both a natural habitat and as a carbon sink has the potential to mitigate against the effects of climate change. This is supported in SPP although the commercial extraction of peat is permitted but only “in areas suffering historic, significant damage through human activity and where the conservation value is low and restoration is impossible.” (SPP, Paragraph 241). The Council has not been made aware of any such sites in South Lanarkshire.

3.28 In many cases peat overlies other mineral resources and therefore requires removal to allow that mineral to be reached. The peat often becomes another part of the 'overburden' that requires to be stored on site. The extraction and storage of peat destroys its integrity and the carbon stored in the peat is released. In addition its biodiversity and water storage functions are damaged. Furthermore, when the top layer of peat is removed it is almost impossible to maintain a living and functioning layer

Peat extraction



and keep the underlying layers wet so that they retain their structure and so reduce the potential for carbon loss. Land management practices related to the extraction and storage of peat as a result of mineral activities should aim to protect and enhance peat organic carbon. In this context, all proposals for the extraction and storage of peat should be accompanied by details showing how the handling, storage and restoration of the peat will reflect current best practice and how potential degradation will be minimised and active peat formation promoted. Opportunities should also be taken to create habitats of nature conservation interest irrespective of this requirement where appropriate, and to the extent that this is separate from the conservation of peat.



Policy MIN 6

Peat

Proposals for the extraction of peat will only be permitted where:

- they do not conflict with any other policies in this non-statutory planning guidance and the South Lanarkshire Local Development Plan and its associated Supplementary Guidance;
- the peat land is already degraded or significantly damaged by human activity; and
- the conservation value is low and restoration is not possible.

For ancillary extraction of peat associated with other mineral development, the Council will seek to ensure that best practice is used for the handling, storage and restoration of the peat, in order to minimise potential degradation and promote active peat formation, and where appropriate the creation of habitats of nature conservation interest.



4 Community

Controlling impacts from extraction sites

4.1 The Council recognises the effect of the mineral extraction process on local communities is one of the key issues to be addressed. This is also acknowledged in the policy principles of SPP which sets out that the planning system should minimise the impacts of extraction on local communities.

4.2 Of particular significance to communities is the potential impact of noise, dust and vibration from both the minerals extraction site itself and from lorries transporting the material off site. In addition there can be unacceptable potential impact from light particularly if the site operates 24 hours a day or is brightly lit during the winter months.

4.3 It is recognised that health concerns can arise as a result of anxiety among residents close to a proposed minerals site if they believe emissions from extraction sites to be damaging to health. Previous Health Impact Assessments (HIA) carried out have concluded that it was most unlikely that surface mining sites would have any long-term effects on the health of local communities. Any proposals for mineral extraction should nevertheless give appropriate consideration to any potential impact it may have on air quality and this is supported within this guidance.

4.4 Any applications for mineral development will include monitoring and mitigation measures necessary to address community and environmental issues that might arise, both on and off-site, particularly where local amenity and wildlife would be affected. Where an environmental report has been provided, the monitoring and mitigation measures should reflect the conclusions contained therein.

Policy MIN 7

Controlling impacts from extraction sites

The Council will seek to ensure that all applications for mineral development will not create an unacceptable impact through the generation of noise, dust, vibration, air and light pollution particularly where they affect sensitive land uses including hospitals, schools, dwellings and recreation facilities.

Operators shall ensure that appropriate monitoring regimes are in place and that the data collected is available to the Council on request.

Community benefit

4.5 Notwithstanding the importance of mineral extraction to South Lanarkshire and the wider economy, this process generally involves surface mineral extraction which may have a significant impact on the environment in which it is located. Other policies in this plan address the direct impact of such development, to the extent that the visual and other adverse impacts of minerals development are avoided or minimised. Policies MIN 2 (Environmental Protection Hierarchy), MIN 4 (Restoration) and MIN 7 (Controlling Impacts from Extraction Sites) are significant in this context. However, even with appropriate mitigation, there will normally be some residual visual, transport or other impact on local



communities because of the nature of the development involved. The purpose of Policy MIN 8 is to encourage mineral developers to contribute to such funds to provide an additional community benefit for any disruption that a development may cause.

4.6 However such benefits should only be treated as a material consideration if they meet the tests set out in Circular 3/2012 (Planning Obligations and Good Neighbour Agreements). Attempts to secure unreasonable provision not directly related to the proposed development or securing general benefits for the wider community should not be taken into account in decision making on planning applications. In this context, the Council recognises that these funds are to provide wider benefits to communities, must be managed outwith the development management process and must be completely separate from the direct management of minerals extraction through the policies referred to in the preceding paragraph. In addition, with the exception of existing agreements for contributions to community benefit trust funds, agreements under section 75 of the 1997 Planning Act are not the most appropriate mechanism for providing contributions for community benefit and therefore Policy MIN 13 does not apply to contributions made under Policy MIN 8.

4.7 Nevertheless, a key aspect of the community benefit issue is the mechanism through which financial contributions are collected and distributed. This was previously directed through the South Lanarkshire Rural Communities Trust (SLRCT) for coal extraction with contributions relating to aggregate workings directed through the council's Aggregates Quarry Fund and this remains the case for aggregate developments at this time. However during the MLDP plan period the scope and range of grant funding for local groups from other sources such as wind farm development has continued to grow and the South Lanarkshire Council's Economic Development Team manages this grant funding as well as providing advice to local groups in identifying and applying for grant funding. Within this context the Council has established the Renewable Energy Fund (REF) which provides a mechanism to collect and distribute funds associated with wind farm development. The REF has proved to be an efficient and effective mechanism to collect and distribute financial contributions. All of these mechanisms represent feasible options for the collection and distribution of funds, and the council will further assess the suitability of these methods in consultation with the relevant parties, during the preparation of the statutory Supplementary Guidance for Minerals for SLLDP2.

Policy MIN 8

Community benefit

To ensure wider community benefit from such developments the Council will encourage mineral operators working within South Lanarkshire to contribute to the Council's Aggregates Quarry Fund, Renewable Energy Fund or another similar mechanism as agreed. Contributions will be based upon an appropriate rate per tonne of minerals worked to be agreed between the operators and the Council, and this will be reviewed as appropriate during the period of the local development plan.



5 Resource Recovery

Bing reclamation

Tarbrax Bing

5.1 South Lanarkshire has a legacy of previous mine workings which impact on the landscape and amenity of the area. The vast majority of these take the form of colliery spoil tips or bings. Some of these bings have regenerated and are considered worthy of retention whilst others form landscape features. On the other hand some bings are considered to have a negative impact on the landscape or



require to be removed for development purposes. Some bings contain valuable mineral resources which can be recycled or reused as secondary aggregates.

5.2 This non-statutory planning guidance aims to address these issues whilst respecting any wildlife or habitats which may have become a feature of the bing.

Policy MIN 9

Bing reclamation

Proposals for the reworking of old colliery spoil tips and bings for coal or secondary materials will only be permitted where they are environmentally acceptable or seek to remediate legacy risks in accordance with other policies in this non-statutory guidance and the South Lanarkshire Local Development Plan and its associated Supplementary Guidance.

Applications will be supported where the material extracted;

- can be used as a substitute for primary material, or
- there is a demonstrable need for the material locally.

All applications must be supported by full restoration plans which demonstrate environmental improvement of degraded land.



Aggregate recycling

5.3 The Scottish Government sustainable development agenda seeks to place more emphasis on secondary and recycled aggregate material. This type of mineral activity however can have a significant impact on the amenity of the surrounding area. Careful consideration is therefore required to be given to proposals of this nature paying particular attention to where the material is located, quality of the road network to absorb further heavy vehicle movements or proximity to sensitive land uses or habitats.

5.4 This policy will be applicable to, for example development involving the infilling of land and/or the processing, crushing and screening of materials, but does not apply to any application which includes the extraction of materials as its principal process.

Policy MIN 10

Aggregate recycling

The Council will support proposals for;

- the recycling of mineral, demolition and construction material, and
- the re-use and deposit of any such material arising from mineral operations or construction projects for land improvement.

Providing;

- (a) the operation does not prejudice the reclamation or improvement of the site;
- (b) there would not be a significant adverse effect on local communities or the environment;
- (c) the processing or deposit site is well located, both in terms of the source of the material and, where appropriate, its final destination;
- (d) the proposal would not create an adverse impact on the local road network

6 Development Management

Supporting information

Coal excavation

6.1 Proposals for mineral development have the potential to create positive and negative impacts on the environment, communities and the economy. To enable the Council to fully consider the potential impact of mineral development, planning applications require to include sufficient supporting information to allow them to be assessed. Where appropriate, planning applications should



demonstrate consideration of noise, dust, vibration, traffic and transportation, landscape and visual amenity, the water environment, biodiversity and protected species and their habitats. Planning applications which do not include sufficient supporting information to allow a proper assessment of the impact of the proposed development will be refused.

Policy MIN 11

Supporting information

Minerals applications submitted to the Council must be accompanied by sufficient information and supporting documents to enable the application to be assessed and determined. This information should include, for example, statement of intent, method of working, measures to protect local amenity, landscape and visual impact assessment, details of restoration and aftercare and any ecological surveys necessary.

In addition the applicant(s) must include details about any plans for future extensions, or subsequent phases of development, that are not included within the current proposals and that may result in a cumulative impact, including likely timescales.

Transport

6.2 When considering proposals for mineral development an assessment of the local transport network is essential. Where appropriate, applicants must submit a Transport Assessment in support of their planning application. This should take account of any cumulative impact arising from the proposed development when related to other minerals or landfill development (existing or committed). Where possible, options for rail transportation should be considered. Where this is not possible, the transport assessment should include a proposed haulage route to the nearest major road shown on the environmental constraints map sufficient to accommodate the level of heavy goods vehicle traffic proposed, taking account of the suitability of the road network and also avoiding where possible areas



of high conservation value, accident risk routes and air quality management areas. Where this can be covered by a suspensive planning condition or simple agreement between the operator and the planning authority, then this may be sufficient, but where necessary, the Council will seek to enter into an agreement under section 75 of the 1997 Planning (Scotland) Act, as amended, or other legal agreement, to establish, control and maintain an agreed haul route.

6.3 The use of the public road network by significant numbers of heavy goods vehicles and their interaction with other road users can lead to a variety of issues such as spillage, noise, dust and damage to the carriageway. The Council will expect the mineral operators to operate a drivers code of conduct to mitigate many of these issues. The Council will also, where appropriate, seek contributions towards the maintenance of public roads, from operators of minerals developments where the traffic directly related to such development is likely to create extraordinary wear and tear to the local road network. The council will seek these contributions through agreements with the operator, which may be agreements for the recovery of costs under section 96 of the Roads (Scotland) Act 1984, or where appropriate, agreements under section 75 of the 1997 Planning (Scotland) Act, as amended.

Policy MIN 12

Transport

The Council will require an assessment of potential traffic and transportation impact of any new proposal to accompany the application for planning permission. Such an assessment will need to take account of any cumulative impact arising from the proposed development when related to other minerals or landfill developments. Proposals will not be supported by the Council if they are considered to create a significant adverse traffic and transportation impact, either alone or in conjunction with other minerals or landfill developments.

The Council will seek contributions towards the maintenance of public roads from operators of mineral developments which are likely to create extraordinary wear and tear to the local road network. In addition and where appropriate, the Council will seek agreement with the operator to establish, control and maintain an agreed haul route.

Legal agreements

6.4 In certain instances it may not be possible for the potential adverse environmental impacts of mineral extraction to be sufficiently mitigated by means of planning conditions and/or a financial guarantee bond or other financial provision under Policy MIN 4. In these instances, it may be more appropriate to enter into a planning agreement under section 75 of the Town and Country Planning (Scotland) Act 1997, as amended, or a legal agreement under other legislation to provide the necessary mitigation. Such agreements will however be used as a means of last resort, generally in instances where the operator does not have full control over the necessary mitigation, for example in relation to required off-site works or the routing of minerals traffic along public roads. In addition, any planning agreement will need to meet the tests set out in Circular 3/2012.

Non-statutory planning guidance



Policy MIN 13

Legal agreements

The Council will require, where necessary, an applicant to enter into legal agreements to control aspects of the development which cannot be satisfactorily controlled through planning conditions and/or a financial guarantee bond or other financial provision under Policy MIN 4. Costs associated with the preparation of the legal agreements shall be borne by the applicant.

Protection of resources

6.5 In assessing whether or not there is an overriding need for a non mineral development the economic viability of extracting the existing minerals will be taken into account. Where the mineral deposits are shown not to be economic to extract or to be of minimal value this may be sufficient to show that the need for the development is over riding in the context of Policy MIN 14. If the minerals are economically viable, it will also be necessary to consider the feasibility of extracting the minerals prior to development taking place. Development will only be allowed without prior extraction if such is shown not to be feasible. Where any proposed development is within the areas of mineral deposits shown on the deposits and operational sites map, the developer will be advised and requested to provide the appropriate evidence to show that the tests within Policy MIN 14 are met. In providing this evidence, it will be necessary to engage with the minerals industry in order to assess the economic viability of the minerals, and if they are economically viable, the feasibility of extraction prior to development taking place.

Policy MIN 14

Protection of resources

The Council will only be minded to grant planning permission for development which would result in the sterilisation of reserves of known mineral deposits where:

- (a) there is an over-riding need for the development to be undertaken;
- (b) there would be no significant adverse effect on local communities or the environment in the context of the policies of the South Lanarkshire Local Development Plan and its associated Supplementary Guidance.

In assessing whether or not there is an over riding need for the development the economic viability of extracting the minerals will be taken into account. In addition, where the above criteria are satisfied, and unless extracting the minerals is shown not to be economically viable, it will be necessary to consider the prior extraction of the minerals before development takes place. Without prior extraction, development will only be permitted where it is demonstrated that the prior extraction of the minerals is not feasible.



Site monitoring and enforcement

6.6 Mineral developments require close monitoring to ensure that they comply with planning legislation, approved plans, conditions and, where appropriate, legal agreements. Unlike other forms of development, mineral developments continue to evolve as different phases of the scheme are worked and completed. In addition, mineral development, as a result of its nature, has the potential to raise issues relating to working practices. Paragraph 248 of SPP states that “Planning Authorities should ensure that rigorous procedures are in place to monitor consents, including restoration arrangements, at appropriate intervals, and ensure that appropriate action is taken when necessary.”

6.7 In addition, the Council will expect operators to form Community Liaison Committees for developments most likely to cause impact on communities. Good neighbour agreements, which allow landowners and operators to enter into agreements with relevant community councils or community groups, should also be considered.

Policy MIN 15

Site monitoring and enforcement

The Council will monitor mineral developments to ensure they are carried out in accordance with planning legislation, approved plans, conditions and, where appropriate, legal agreements. Priority will be given to the monitoring of development proposals most likely to have an impact on local communities or the environment.

In this context, the Council will expect operators, where appropriate, to enter into good neighbour agreements and hold Community Liaison Committees.



Appendix I Glossary of terms

Aggregates - A broad category of coarse particulate material used in construction, including sand, gravel, crushed stone and colliery spoil.

Habitats Regulations Appraisal - Used to describe an assessment of the implications of the policies and proposals of the LDP on Special Protection Areas (SPAs) or Special Areas of Conservation (SACs) as required by Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive) as transposed into domestic law by the Conservation (Natural Habitats, &c.) Regulations 1994 as amended.

Biodiversity - Short for biological diversity, is the variety of life which inhabits planet Earth.

Buffer zones - Area of land separating mineral development from adjoining sensitive land uses and settlements to ensure that the amenity of these adjoining areas is not adversely affected by such forms of development.

Circulars – These provide statements of Government policy and contain guidance on policy implementation through legislative or procedural change.

Development Plan - The approved and adopted structure/strategic and local development plans for a Council area.

Environmental Report - Documents the Strategic Environmental Assessment (SEA) of the MLDP. SEA of the MLDP is required by the Environmental Assessment (Scotland) Act 2005.

Equalities Impact Assessment (EqIA) – This is a thorough and systematic analysis to determine the extent of the impact of a new policy upon the equalities categories.

Functional flood plain - These store and convey flood water during times of flood. These functions are important in the wider flood management system. For planning purposes the functional flood plain will generally have a greater than 0.5% (1:200) probability of flooding in any year.

Groundwater - Water which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil.

Health Impact Assessment – An assessment to predict the health consequences of a new policy or proposal and produces recommendation as to how the good consequences for health could be enhanced and how the bad consequences could be avoided or minimised.

Landbanks - A stock of planning permissions for the mining and working of minerals.

Landscape Character Assessment - Includes guidelines for assessing the sensitivity of different landscapes in South Lanarkshire to development.

Legal agreements - Any of several legal agreements that may be required to make the grant of planning consent acceptable. These may include:

1. Section 75 Planning Agreements - under the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006



2. Section 48 or 96 Roads Agreements – under Roads (Scotland) Act 1984
3. Section 69 Agreements – under the Local Government (Scotland) Act 1973

Local Biodiversity Action Plan (LBAP) - A LBAP is a process rather than a plan in the conventional sense. It is a mechanism, which seeks to ensure that nationally and locally important species and habitats are conserved and enhanced in a given area through focused local action.

Local Development Plan (LDP) – Introduced by the Scottish Government in 2008 as replacement for the Local Plans. They are relevant, up to date plans which are reviewed regularly to anticipate the broad scope and nature of change in the area and provide a co-ordinated framework for decision-making and will focus on the land use planning issues in an area.

Main Issues Report (MIR) – This sets out the main planning issues for the Development Plan area and then a series of options as to the planning policies that could be used in the Proposed Development Plan. One of these options is known as the Preferred Option. Members of the public and planning stakeholders are consulted on this Report so that the Planning Authority can gain their opinion.

Minerals Local Development Plan (MLDP) - The Adopted Minerals Local Development Plan for the South Lanarkshire Council area.

Monitoring Statement - Highlights the changing context for minerals planning and examines how the MLP has performed to date.

National Planning Framework 3 (NPF3) - The Scottish Government's strategy for the long-term development of Scotland's towns, cities and countryside.

Peatlands - Land that consists of raised bogs and/or blanket bogs.

Planning Advice Notes (PANs) - These are prepared by the Scottish Government and provide advice on good practice and other relevant information.

Prime Agricultural Land - Classes 1, 2 and 3.1 as defined in the Macaulay land capability classification.

Quarry fund - A fund used as a mechanism to collect contributions arising from quarry operations and distribute them to the local community.

Quarry Products Association (QPA) - The trade body for UK companies supplying all types of quarry products.

Recycled materials - Materials where some form of reprocessing was required.

Restoration Guarantee Bond - A method of securing the restoration of a mineral working through a bank guarantee or an insurance policy. The guarantee is provided by the operator to allow the Council access to funds to complete the task should the site operator default on the restoration obligation.

Setting (Historic Asset/Place) - The way in which the surroundings of a historical asset or place contribute to how it is experienced, understood and appreciated. Setting often extends beyond the immediate property boundary into the broader landscape.

Scottish Planning Policy (SPP) – The Scottish Government's national planning policy document.

Non-statutory planning guidance



Sites of Special Scientific Interest (SSSIs) - SSSIs represent the best of Scotland's natural heritage. They are 'special' for their plants, animals or habitats, their rocks or landforms, or a combination of these. SSSIs are designated by Scottish Natural Heritage under the provisions of the Nature Conservation Act (Scotland) Act 2004.

South Lanarkshire Local Plan (SLLP) - The adopted local plan for the South Lanarkshire area.

South Lanarkshire Rural Communities Trust (SLRCT) - A charitable trust used primarily as a mechanism to collect contributions arising from open cast coal operations and distribute them to the local community.

Special Areas of Conservation (SAC) - A European wide network of important sites containing rare or endangered species and habitats. The sites known as Natura 2000 are designated under the terms of EC Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna. (The Habitats Directive).

Special Landscape Areas (SLA's) - Local designation for quality and value of landscape.

Special Protection Areas (SPA) - Designated under the terms of the 1979 EC Directive on the Conservation of Wild Birds. These areas are specifically protected for their ornithological importance.

Strategic Development Plan (SDP) - Introduced in 2008 as replacement for Structure Plans. These are produced by the four city region authorities and give a strategic overview of the areas upon which individual local authorities will build their Local Development Plans.

Strategic Environmental Assessment (SEA) - Aims to provide a systematic method of considering the effects on the environment of a policy, plan, programme or strategy with the aim of helping to reduce or avoid environmental impacts.

Surface water - Inland water (other than groundwater), transitional water and coastal water.

Sustainable development - Development which meets the needs of the present generation without compromising the ability of future generations to meet their own needs.

Water environment - All surface water, groundwater and wetlands.

Wetland - An area of ground the ecological, chemical and hydrological characteristics of which are attributable to frequent inundation or saturation by water and which is directly dependent, with regard to its water needs, on a body of groundwater or a body of surface water.

World Heritage Site - a natural or man-made site, area, or structure recognised as being of outstanding international importance and therefore as deserving special protection. Sites are nominated to and designated by the World Heritage Convention (an organisation of UNESCO).

World Heritage Site Buffer Zone - An area surrounding the nominate property which has complementary legal and/or customary restrictions placed on its use and development to give an added layer of protection to the property. This should include the immediate setting of the nominated property, important views and other areas or attributes that are functionally important as a support to the property and its protection (UNESCO 2012).



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South Lanarkshire
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