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Scottish Borders Council
Council Headquarters
Newton St Boswells
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10th February 2014

Attention: Mr Rob Dickson – Director of Environment and infrastructure

Dear Sirs,

Subject: Scottish Borders Local Development Plan: Proposed Plan

We welcome the intention of policy ED11 to safeguard the sites of mineral deposits. We suggest however, that the policy should be worded to delete the words "reserves of economic significance" and revise the criteria set out as part (a) of the policy.

We suggest that part (a) of the policy is revised to read "it can be demonstrated that the mineral deposit has no significant economic value."

Reason: The economic value of mineral deposits cannot be determined without a sampling and testing exercise to establish the value of minerals present and their physical composition which determines the economic value of the deposit.

It is suggested that any proposed Supplementary Policy Guidance for minerals for the Scottish Borders local area indicates clearly where the deposits of potentially valuable minerals are located based on a O S map i.e deposits of hard rock, sand and gravel limestone, coal and sandstone.

Policy ED12 is totally negative in approval when compared to other policies in the Local Plan. We agree that parts (a), (b) and (c) are generally acceptable: eg The policy should express support for workings being located within areas of search.

There is a need however, to clarify what is meant by the words "public interest" in sub policy (c). As regards sub policy (d) the stand off distance of 500 metres is a well established principle but we consider the policy should be reworded to remove the word "may" and insert the word "will".

Reason: Mineral extraction proposals are mainly subject to exacting environmental impact assessments which fully test the potential effect on all mineral deposit surroundings. This should Result in a planning application which clearly demonstrates that the proposed extraction will not have any adverse impact on the surrounding area.

The reference to areas of locally important landscape characteristics should be deleted as they have not been delineated within the proposed Local Development Plan as there is no Local Development Policy basis for seeking to protect them.

Regarding sub policy (e) the words "it may" should be deleted and replaced with "it can be clearly demonstrated by the Tourist Board that it will."

Regarding sub policy (g) the reference to "current proposed nearby workings" should be deleted. Scottish Borders are tasked to examine all proposals submitted and one proposed development should not prejudice another.

(d) This statement is contrary to policy 233 of SPP10* which states the following:
'Authorities should not impose buffer zones between sites and settlements since distances will need to take account of the specific circumstances of individual proposals including size, duration, location, method of working, topography and the characteristics of the various environmental effects.

*SPP10 is still the relevant document on the Scottish Planning Policy – Consultation draft has not been adapted :


Also SES plan – strategic development plan – Jan 2013 and Minerals Technical note –

- 1) Aggregate minerals should be worked as close as possible and when need arises.

SPP – Consultation Draft : Jan 2014

Stats - They should also provide an adequate buffer you between sites and settlements, taking account of the specific circumstances of individual proposals, including size, duration, location, method of working and topography.

Yours faithfully



D R Bathgate
Managing Director