

WELSH GOVERNMENT

Examination Hearing Statement

**Anglesey and Gwynedd Joint Local
Development Plan**

Hearing Session 7: Minerals and Waste

14th September 2016

(Session 7): Questions

3. Does the Plan ensure that the County will contribute appropriately to meeting regional demand for minerals over the Plan period?

National policy requires each mineral planning authority in Wales to make an appropriate contribution to meeting local, regional and UK needs for minerals reflecting the nature and extent of resources in the area (PPW, paragraph 14.2.2). In North Wales, the North Wales Regional Aggregates Working Party (NWRAMP) monitors and assesses the supply of aggregates and is required to prepare and review a Regional Technical Statement (Minerals TAN 1: Aggregates, paragraph 50). The NWRAMP published the Regional Technical Statement (RTS) 1st Review (August 2014) which provides advice on the provision of aggregates that should be made within the region to meet aggregate need until 2036 and apportions the estimated demand between the mineral planning authorities.

The RTS 1st Review has been endorsed by Anglesey and Gwynedd and the Welsh Government (see Ministerial Clarification Letter, CL-05-14, September 2014).

Sand and Gravel

The RTS 1st Review states that the total apportionment of land won sand and gravel for Anglesey and Gwynedd calculated over a 22 year period was 4.4 million tonnes (Anglesey 0, Gwynedd 4.4mt) at 0.2mt per annum. In terms of existing reserves these total 0.7mt, all located within Gwynedd. This equates to a shortfall of 3.7mt over the plan period (December 2010) 15 years plus an additional 7 years to demonstrate the land bank required throughout the whole plan period (7 years).

Topic Paper 11A: Minerals (para 7.29) highlights that 0.7 mt of permitted and dormant reserves of sand and gravel may be offset against the shortfall. **The resulting shortfall of 3.0 mt would need to be addressed by new allocations in the LDP.**

PPW (para 14.7.10) states that policies and proposals in development plans should make clear where mineral extraction should or is most likely to take place. Sites can take the form of 'Specific Sites', 'Preferred Areas', 'Areas of Search' and 'Other Areas'. This is in essence a hierarchy with specific sites giving the greatest degree of certainty.

Policy MWYN2 (as amended) of the plan seeks to address the shortfall by identifying 'Preferred Areas', totalling 20.43 mt of potential release of sand and gravel reserves (Topic Paper 11A:Minerals, page 36). This recognises the uncertainties involved, will provide choice to the Minerals Industry and will also encourage local supply to minimise transport distances.

The Welsh Government considers that the approach taken in Policy MWYN3 is sufficient to address national policy on the provision of sand and gravel and maintaining a land bank throughout the plan period, provided that the industry is content with this approach. A greater degree of certainty on identifying sufficient reserves to address the 3.0 mt shortfall would be welcomed; but there appears to be sufficient headroom in the preferred areas of search identified to accommodate this shortfall.

Crushed Rock

The RTS 1st Review states that the total apportionment of crushed rock aggregate for Anglesey and Gwynedd calculated over a 25 year period was 13.75 million tonnes (Anglesey 7mt, Gwynedd 6.75mt) at 0.28mt & 0.27mt (total 0.55mt) per annum. In terms of reserves these total 14.2 mt (Anglesey 5.69 mt & Gwynedd 8.51mt (December 2010). **There is therefore a surplus of 0.45 mt of crushed rock aggregate provision during the plan period.**

4. Will the Plan deliver a 7 year land bank of sand and gravel and 10 year land bank of crushed rock aggregates over the Plan period?

See response to question 3 above regarding sand and gravel.

The Welsh Government considers that the 10 year land bank of crushed rock aggregates over the plan period is satisfied.

5. Is the Plan sufficiently supportive of proposals for mineral extraction and protective of the mineral safeguarding areas?

PPW (paragraph 14.2.1) states that access to mineral deposits need to be safeguarded. Paragraph 14.7.3 goes on to state that **safeguarded areas should be identified on proposals maps** and that policies should protect potential mineral resources from other types of development that would either sterilise them or hinder extraction.

Policy MWYN1 would benefit from further clarity on the criteria to which proposals could be applied to covering:

- Demonstrated that working the resource would be physically impractical or economically unacceptable
- Development is of a temporary nature and the site returned to a state that does not inhibit extraction of the mineral within the timescale it is likely to be needed.
- Development constitutes householder development or limited infilling within in an existing built up area.
- Newport's adopted LDP, Policy M1, provides a good example of criteria against which to consider proposals regarding safeguarding.

6. Should the spatial identification of the 'Preferred Areas' (policy MWYN2 following NF93) be shown on the Proposals Map rather than the Constraints Map (see minor change to that policy)?

Yes, the 'Preferred Areas' should be shown on the Proposals Map rather than the Constraints Map. This is in accordance with PPW, paragraph 14.7.3 which states that sites should be identified on proposals maps.

7. Does the approach of identifying Preferred Areas provide an effective means of addressing the identified shortfall in the provision of aggregates in the Plan area?

See response to Question 3.

8. Is policy MWYN6 unnecessarily prescriptive in relation to buffer zones, in particular notional buffer zones?

It is unclear as to what is the purpose of a notional buffer zone? MTAN1 (paragraph 71) only refers to the specific buffer zones of 100m and 200m for sand and gravel and hard rock (MTAN2 also refers to 500m for Coal). There is no requirement in national policy for this approach, nor should they be shown on the proposals map.

9. Is the omission of a mineral safeguarding area to cover the Caernarfon coalfield justified?

In accordance with paragraph 14.2.1 of PPW, all mineral resources need to be safeguarded. Topic Paper 11: Minerals (paragraph 7.17) states that the Caernarfon coalfield should be excluded due to the International and National designations of environmental and cultural importance. It is therefore considered that in this instance it is not prudent to safeguard the coal resource in this location due to this justification of the designations.

10. Is the Plan's Waste Strategy consistent with national policy, having particular regard to Planning Policy Wales and the revisions to Technical Advice Note 21: Waste (2014)?

The plan's waste strategy is in general conformity with Planning Policy Wales (Edition 8).

To align with the requirements of Technical Advice Note (TAN) 21 (paragraph 4.2) a Waste Planning Assessment should be submitted with all applications for a waste facility classified as a disposal, recovery or recycling facility. This requirement should be reflected in Policies GWA1, GWA2 and GWA3.

TAN 21 (paragraph 3.24) identifies that Planning Authorities should include criteria based policies, or preferably identify suitable sites, to guide the location of repositories or 'urban quarries' for construction and demolition. The Council should clarify if such sites have been identified in Policy GWA1, and if so, amend the policy wording accordingly. Of the sites listed as suitable for waste management facilities in Policy GWA1, it would be useful if the Council could clarify if these are on safeguarded and allocated employment sites identified in Policy CYF1. Many of the identified general and industrial employment sites are likely to be suitable locations for waste facilities.

Adequate facilities and space for the collection, composting and recycling of waste materials should be incorporated into the design of any development and waste reduction efforts at the design, construction and demolition stage should be made by developers. Whilst Policy PS5 and Policy PCYFF1 go some way in supporting the requirements of TAN 21 (paragraph 3.25), they do not encourage the provision of adequate and effective waste receptacles for recycling nor indicate that they expect developers to reduce waste as part of the design and construction of new buildings. Policy PS5 and Policy PCYFF1 should be amended accordingly.

11. Does the Plan's evidence base provide an up to date and sufficiently detailed account of current and anticipated waste disposal requirement to demonstrate the adequacy and deliverability of the Plan's Waste Strategy?

This is a matter for the authority.

The Council should provide an update on the planning application for a Heat and Power energy recovery facility on Deeside Industrial Park. If the new facility for the treatment of residual waste is "refused or delayed, this could seriously affect the capability of the two Councils to meet it's obligations under the LAS Scheme" (Topic Paper 12, paragraph 9.2).

12. Is policy GWA3 an appropriate response to the storage and treatment of radioactive waste?

This is a matter for the authority.

The disposal of radioactive waste is a devolved matter regulated by Natural Resource Wales (NRW) and is subject to strict regulatory control.

13. Does the Plan provide clear and appropriate mechanisms for the implementation and monitoring of the Minerals and Waste Strategies?

The Welsh Government will work with the authority on producing a revised monitoring framework.

TAN 21 (paragraph 3.22) identifies the take up of sites by waste management users should be monitored as part of the annual monitoring of LDPs and will provide useful evidence on trends and activities in an area.