

Hearing Session 7

MINERALS AND WASTE

2.00 pm, Wednesday 14 September 2016

**Anglesey and Gwynedd Joint Local
Development Plan**



**CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL**

This Statement has been produced by the Isle of Anglesey County Council and Gwynedd Council to set out their response to the matters and issues raised by the Inspector for the Hearing relating to the Economy – Employment, Retail and Tourism in the submitted Anglesey and Gwynedd Joint Local Development Plan.

This Statement relates to the elements of the Plan that have been raised by the Inspector as matters to be discussed. Where appropriate the Statement draws on and cross-refers to the main sources of information used in the preparation of the Plan such as the outcomes of public consultation, the Sustainability Appraisal, the Background Documents and the supporting Topic Papers. Document reference numbers are given where appropriate.

For the purpose of clarity within this statement any Matters Arising Changes suggested to the Deposit Plan and/or a Focussed Change to the Plan, is shown in bold **Red** and underlined. Any Focussed Change text to the Deposit Plan is shown in **Bold** underlined text.

Matters & Issues Agenda

1. Introduction

2. Procedural Matters

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

- 3.1 Yes. The deposit draft of the LDP states that the Plan area can claim major deposits of almost all main rock types including slate, limestone, coal, various igneous rocks, and sandstone including sand and gravel deposits. There are significant permitted reserves of slate in Gwynedd and the Council considers that the policy framework provides an appropriate strategy to ensure a continuous supply of minerals throughout the plan period.
- 3.2 Whereas paragraph 7.5.61 refers to the recommendations of the Regional Technical Statement to provide allocations for sand and gravel in Gwynedd, the same paragraph should include reference to allocations for Crushed Rock in Anglesey to reflect the provisions of Policy Mwyn 3. Please note that the paragraph (English version only) needs to be corrected to specify 1.31 million tonnes for crushed rock. The amendments proposed to the Plan are sought via proposed Matters of Arising Change and would read as follows:-
- “7.5.61 The Plan area can claim major deposits of almost all main rock types including slate, limestone, coal, various igneous rocks, and sandstone including sand and gravel deposits. The Regional Technical Statement recommends that the Plan should make allocations for land based sand and gravel resources, but in accordance with Paragraph 13 of MPPW other mineral resources are to be safeguarded including high PSV Dolerite, Igneous rock, Limestone, Crushed Rock and Coal.”
- “7.5.67 The above policy aims to facilitate the additional provision of sand and gravel, and crushed rock reserves to meet the identified shortfalls highlighted by the First Review of the North Wales Regional Technical Statement. By comparing existing land banks (December 2010) and the apportionment for sand and gravel and crushed rock Tables 5.2 and 5.3 of the First Review of the North Wales Regional Technical Statement highlights a 3.7 million tonne shortfall for sand and gravel in Gwynedd and a ~~131~~ 1.31 million tone shortfall of crushed rock in Anglesey.”

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?

- 4.1 Yes. A review of the North Wales Regional Technical Statement (DA024) has been endorsed by Welsh Government and all of the local councils in Wales in August 2014 and sets out how aggregates demand will be met in the region for a 25 year period ending in 2036, providing a strategic basis for LDPs in the region.
- 4.2 The total apportionment of sand and gravel for Gwynedd, as calculated by the First Review of the North Wales Regional Technical Statement, is 4.4 million tonnes. This compares with an existing landbank of 0.7 million tonnes leaving a shortfall of 3.7 million tonnes. 700,000 tonnes of permitted & dormant reserves of sand and gravel may be offset against the recommended 3.7 million tonne apportionment.

- 4.3 The total apportionments for Anglesey, as calculated in Table 5.1 of the main document, over the 25-year horizon covered by The First Review are zero for land-won sand & gravel and 7 million tonnes for crushed rock. These compare with existing landbanks of zero for sand & gravel and 5.69 million tonnes for crushed rock (as at 31st December 2010). In order to address the resulting crushed rock shortfall, new allocations for crushed rock totalling at least 1.31 million tonnes will need to be identified within the LDP.

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

- 5.1 The Council considers that Strategic Minerals Policy PS19 and specific minerals policies of the Joint LDP provides the framework to deliver the overarching objective in planning for minerals to ensure that supply is managed in a sustainable way so that the best balance between environmental, economic and social consideration is struck, whilst making sure that the impacts of extraction is kept to a level that avoids causing demonstrable harm to environmental and amenity interests.
- 5.2 Policy Mwyn 1 identifies Mineral Safeguarding Areas on the Proposals Map to ensure that known mineral resources are safeguarded for the future from the establishment or encroachment of non-mineral development which would otherwise sterilise or hinder their extraction. Proposals for non-mineral development will only be granted within mineral safeguarding areas where such development will not have a significant impact on the viability of future exploitation of the mineral, but also subject to specific development criteria including, prior extraction of the mineral. Also, non-mineral development may only be granted where it can be demonstrated that the development outweighs the need to protect the mineral resource.
- 5.3 The following Category 1 aggregates have been safeguarded on the proposals map;
- Sand and Gravel,
 - Limestone
 - Sandstone & Dolerite
- 5.4 Paragraph 14.2.1 of Planning Policy Wales (Edition 8: January 2016) states that; *“It is important that access to mineral deposits which society may need is safeguarded. This does not necessarily indicate an acceptance of working, but that the location and quality of the mineral is known, and that the environmental constraints associated with extraction have been considered”*. Paragraph 14.7.3 further states that; *“Areas to be safeguarded should be identified on proposals maps and policies should protect potential mineral resources from other types of permanent development which would either sterilise them or hinder extraction, or which may hinder extraction in the future as technology changes”*.
- 5.5 In 2010 & 2012, Welsh Government published the Minerals Resource Map and the Aggregate Safeguarding Map of Wales (PCC039 & PCC040) in conjunction with the British Geological Survey (BGS), in order to provide Local Planning Authorities with a key evidence base for Local Development Plan preparation, enabling plan strategies to fully recognise the importance of mineral resources and to avoid their unnecessary sterilisation. The published maps support sustainable minerals planning by providing comprehensive, up-to-date and accessible information on the location and extent of mineral resources throughout Wales.
- 5.6 The BGS study confirms the extent of mineral resources that are; *“mostly inferred from available geological information, and generally have not been evaluated by drilling or other sampling on any systematic basis”*. The geological data sets in the BGS study have been used to map the Limestone, Sandstone and Dolerite deposits. However, the main issue in Gwynedd is that the sand and gravel deposits identified in the BGS report are substantially larger than, or do not correlate with those identified as resource blocks in the 2003 (DA027) publication, *‘The Sand and Gravel Resources of North West Wales – Liverpool University’*.

5.7 The BGS document does go on to say that, “*these published resource maps provide the basic information in order to begin the process of delineating mineral resource areas*”. The RTS Review recognises that the BGS Mineral Resources Map of Wales has identified a wide range of sediments which have potential as sources of natural aggregate. Within NW Wales however, more specific potential resource blocks have been identified in more detailed studies carried out on behalf of the National Assembly for Wales by the University of Liverpool in 1988 and 2003 (DA027). These are not necessarily the only potential worthwhile resources, but they are the most rigorously assessed.

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)?

6.1 Agree, both the identification of ‘Preferred Areas’ and mineral safeguarding areas should be shown on the proposals map. It is proposed that this amendment to the Plan is made through the Matters of Arising Change process.

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?

7.1 Paragraph 14.7.10 of Planning Policy Wales 2016 states that; “*Policies and proposals in development plans should make clear where mineral extraction should, or is most likely to, take place. This approach brings a high degree of certainty to all. These should be clearly identified on a proposals map*”. Where sufficiently detailed information exists, it is recommended that the allocations should ideally take the form of **Specific Sites**, i.e. “*where mineral resources of commercial significance exist, and where any planning applications which come forward for those sites are likely to be acceptable in planning terms*”. Where that is not possible, they should at least take the form of **Preferred Areas** (“*areas of known resources with some commercial potential, and where planning permission might reasonably be anticipated*”), within which applicants should be encouraged to bring forward more specific proposals.

7.2 In respect of the apportionment requirements for sand and gravel and crushed rock in the Regional Technical Statement (DA024), no specific proposals for mineral extraction had been submitted in response to the notice for ‘call for sites’, in accordance with the statutory procedures for the preparation of the deposit draft LDP.

7.3 Historically, the area between Penygroes and Bryncir, in Gwynedd, has proved to be the principal source of sand and gravel for North West Wales sub-region and currently supplies most of the material from a single quarry at Graianog since the closure of the Bryncir works in 2007. A more recent permission granted at Llecheiddior Uchaf in 2013 contains approximately 600,000 tonnes of mineral and it is proposed to transfer materials for processing to the former processing facility at Bryncir. Two further Dormant planning permissions exist for sand and gravel extraction at Cae Efa Lwyd and Tan y Bryn to the south and west of Penygroes, with Cae Efa Lwyd being the subject of a stalled ROMP application for the determination of conditions.

7.4 The ‘Sand and Gravel Resources of North West Wales’ Report 2003 (DA027) report identifies 14 major resource blocks, all located in an approximately linear strip either side of the A487 between Penygroes and Bryncir, and are fairly unconstrained in terms of environmental and landscape designations. Critically, most of the blocks, with the exception of A2 Cae Efa Lwyd & A3 Tan y Bryn, had previously been identified as ‘Mineral Consultation Areas’ in the Gwynedd Unitary Development Plan. Similarly, preferred areas for crushed rock to satisfy Anglesey’s apportionment requirements are located adjacent to, or as extensions to existing operations and/or mineral reserves.

7.5 Given the position that the Councils do not have sufficient information to allocate specific sites for sand and gravel & crushed rock, the preferred areas identified in the plan area outline an overprovision of mineral at an estimated 20 million tonnes for sand and gravel and an estimated 33

million tonnes for crushed rock (area allocated x average depth of working x 2 (average density of stone tonne/m³).

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

- 8.1 It is agreed that the policy may be unnecessarily prescriptive and it is suggested that the policy is amended through the Matters of Arising Change process to read as follows:-

“POLICY MWYN6: BUFFER ZONES AROUND MINERAL SITES

Planning applications for mineral extraction within the buffer zones identified on the Proposals Map will not normally be permitted unless a new buffer zone can be provided to reflect the minimum distances referred to in MTAN 1 : Aggregates. ~~–A notional buffer zone will be applied to all new planning applications for mineral working in accordance with the minimum distances referred to in MTAN 1 : Aggregates and MTAN 2: Coal, and in cases where the notional buffer zones can not achieve the minimum distances required, developments will be refused.–~~

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

- 9.1 With respect to coal resources in Gwynedd and Môn, three distinct areas have been identified on the BGS geological data sets which are also referred to on the Coal Authority resource map, dated June 2014. However, geological or borehole data is only available for the larger coalfield at Malltraeth/Pentre Berw. On the information available to the local planning authority, the coal areas identified in Gwynedd and Anglesey contain secondary resources. However, it is understood that the surface coal resource mapping is based upon the best information available to the BGS & the Coal Authority where primary, secondary tertiary coal resources have been combined to produce a clear single surface coal resource area. The BGS/Welsh Government publication, ‘*Opencast Coal Resources in Wales*’ (PCC039 & PCC040), confirms that further rocks occur on both sides of the Menai Strait near Caernarfon, although reputed to contain thin coals locally but little is known in any detail. There is therefore no substantive geological data to confirm the existence of primary, secondary or tertiary coal resources within the Caernarfon coalfield.
- 9.2 The geological information on the Anglesey coalfield is summarised in Appendix A of MTAN2 and appears to indicate that the potential for opencast or large-scale underground mining in this area is low, as this would be limited by the size of the coalfield and the low thickness of coal.
- 9.3 An enquiry was submitted to Welsh Government Transport Department in respect of any geotechnical surveys prepared in advance of the proposed Bontnewydd bypass (i.e. Caernarfon coalfield). In response, it was confirmed that a series of boreholes had been carried out in the vicinity of the coal resource where it is intersected by the line of the protected route, but at the time of writing this response, the borehole logs have not been published for inspection. However, a summary has been provided by Parsons Brinkerhoff Ltd on behalf of Welsh Government which reads;
- “The only solid geology encountered in the immediate vicinity of the area encircled in red was the ‘Twt Hill Granite’ with associated amalgamated deposits interpreted as the ‘Padarn Tuff’. This is located to the north west of the encircled perimeter – No coal! Just very hard rock!”*
- 9.4 Given both historic and recent geotechnical information it remains that very little is known about the coal resource outside of Caernarfon only that it would appear to be overlain with a substantial layer of very hard granites on the northern extent which is consistent with the information contained on

the 2010 BGS publication (PCC039), 'Minerals Resource Map of Wales. It appears that the entire coal resource lies underneath; *'other igneous rocks including basalts, felsites, gabbros, tuffs and granites'*, and the potential for any coal extraction is constrained by the overlying geology and commercial exploitation therefore appears to be low.

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)?

- 10.1 Yes. The plan reflects national waste policy including the Welsh Government National Waste Strategy Towards Zero Waste – One Wales: One Planet 2010 (PCC07), Planning Policy Wales (Edition 8: January 2016), Technical Advice Note (TAN 21: Waste 2014), the Collections Infrastructure and Market Sector (CIMS) Plan (2012) (PCC45) as well as the requirements of the Waste Framework Directive. Strategic Policy PS18 & Policy GWA1 delivers the objectives of the CIMS Plan to make provision for waste management and recycling infrastructure and to identify the type of waste management facility and the location where such uses are likely to be acceptable.
- 10.2 The strategy conforms with paragraphs, 12.6.1 to 12.6.3, of Planning Policy Wales.

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?

- 11.1 Yes. The LDP Waste topic paper (PT023) dated November 2013 is considered to be the best available local data for Anglesey and Gwynedd and is based on the most up to date data available and based on the 'Towards Zero Waste, Collections, Infrastructure and Market Sector Plan'.

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

- 12.1 Yes. As well as delivering the infrastructure for dealing with low and very low radioactive waste generated with the decommissioning of the existing nuclear power station at Wylfa and the possible development of a new nuclear power station, there are businesses, research establishments and health care facilities within the plan area which produce low and very low radioactive waste. Subject to specific development criteria, facilities for on-site treatment, storage or disposal of low level radioactive wastes will be granted in accordance with national policy to deal with such waste as far up the waste hierarchy and as close to source as possible.

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

- 13.1 The plan will be underpinned by a framework which will be used to monitor the implementation of policies and proposals contained in the plan. This will feed directly into the Annual Monitoring Report and in turn, will be used to inform any future Plan reviews. The Councils will ensure that the Monitoring Framework provides the best possible mechanism to monitor and deliver current and proposed national and local planning policy objectives. Following the publication of the Collections Infrastructure Markets Sector Plan and revised TAN 21, monitoring arrangements and data for waste arisings is now collected regionally for North Wales. A new North Wales regional waste monitoring report is currently being prepared in association with Natural Resources Wales and is anticipated to be published sometime in the autumn of 2016.