

WELSH GOVERNMENT

Position Statement

Examination Hearings: June/July 2012

Hearing Session 17: Minerals

Blaenau Gwent Local Development Plan

SESSION 17 MINERALS (Policies SP12, DM19 and M4)

Question 1.

1.1 How does the Plan translate national minerals planning policy down to the local authority level?

No comment

1.2 Should the Plan seek to identify a minimum 10 year landbank?

No. Actual identification within the Plan is not required.

The Aggregates MTAN1 (doc W25) requires that a minimum 10 year landbank (permitted reserves) of crushed rock and minimum 7 year landbank for sand and gravel should be maintained during the entire plan period (para 49).

The Regional Technical Statement for SE Wales 2008 (doc SD98) sets out how aggregates demand will be met in the region for a 15 year period (subject to a 5-yearly review). It recommends the MPA assess the potential to make a resource allocation of at least 3Mt in the LDP, given the shortfall in the landbank (page 96 of doc SD98).

The Plan should maintain a minimum 10 year landbank of permitted aggregate reserves in line with national policy; (identification is not required). Policy SP12 identifies the requirement. Deposit Plan para 6.72 indicates existing reserves of 15.6 years but this will equate to only 3.6 years at the end of the plan period; para 6.73 points to further permission(s) being required. The monitoring framework will be important in triggering action if the reserve falls below 10 years.

Proposed change MC30 (to para 8.79, M1) clarifies that there is no sand and gravel resource requiring safeguarding.

1.3 Is there merit in seeking to pursue up to 6 million tonnes of minerals and aggregate extraction over the lifetime of the Plan?

No comment

1.4 Should the county accommodate a proportion of the minerals allocated to the Brecon Beacons National Park? If not, why not?

National guidance is at MPPW para 21-22; and particularly at MTAN1 para 52-53 (especially with regard to the Regional Technical Statement), and MTAN2 paras 75-79.

Question 2.

Does the Plan adequately distinguish between energy generating and non-energy minerals and aggregates?

No comment

Question 3.

What is the logic for the minerals safeguarding areas? Are they soundly drawn?

MPPW (Dec2000) paragraph 13 requires that potential mineral resources be safeguarded from other types of permanent development which would either sterilise them or hinder extraction; areas to be safeguarded should be identified on the proposals map.

Also, the Regional Technical Statement advocates what should be safeguarded in terms of aggregates, and this indicates that limestone and sandstone should be safeguarded.

MTAN2: Coal (Jan'09) provides steps that the MPA should take in determining the area(s) for safeguarding; these exclude settlements amongst other things (paragraph 34-43); safeguarding should extend right up to settlement boundaries.

MPAs should liaise with neighbouring MPAs to ensure consistency - MTAN2: Coal (Jan'09) paragraph 41. Our Deposit Rep.D.i. Neighbouring Planning Authorities (LPA Ref: 3D.1053) has been addressed by Proposed Change MC30 which considers cross boundary allocations.

MTAN2: Coal (2009) provides steps that the MPA should take to meet the safeguarding requirement; this requires the consideration of primary & secondary coal Resource Zones in the plan area; it does not include the tertiary coal resource. (paragraph 36).

Question 4.

4.1 What is the logic for the Minerals Buffer Zones identified in Policy M2 and the sites identified in Policy M4?

4.2 Why are these zones identified in different policies?

4.3 Are these buffers soundly based?

To accord with the requirements of *MPPW* paragraph 40, *MTAN1: Aggregates* paragraphs 70-71 and *MTAN2: Coal* paragraph 32, buffer zones should be defined around all permitted, proposed / allocated mineral sites.

Our Deposit Rep B.i. Minerals (LPA Ref: 3D.144) has been met by Proposed Focussed Change FC12.

Question 5.

5.1 What is the logic for the identification of areas in Policy M3 where minerals or aggregates working will not be acceptable?

The LDP should make clear where coal operations will not be acceptable in the plan period (*MPPW* paragraph 15 and *MTAN 2: Coal* – paragraph 26-31).

(Policy M3 is about coal and is not applicable to aggregates.)

5.2 In identifying areas where minerals and aggregates working would not be acceptable, should the Council have taken account of the

county's proximity to the Brecon Beacons National Park? If not, why not?

National guidance is at MPPW para 21-22; and particularly at MTAN1 para 52-53 (especially with regard to the Regional Technical Statement), and MTAN2 paras 75-79.

Question 6.

Should mining legacy areas or coal mining referral areas be shown on the constraints map?

No comment

Question 7.

7.1 Is the drafting of Policy SP12 soundly based?

7.2 What is the logic for criterion (e) of this policy?

7.3 Is the term "acceptable proven safe limit" clear in its intention?

7.4 Why does the FC version of the Plan distinguish between residential areas and areas that are "deemed exceptions"?

No comment

7.5 Should the policy state more positively that prior extraction will be encouraged on appropriate sites including housing sites? If not, why not?

National policy on pre-extraction is at MPPW para 13 and MTAN2 para 42.

Question 8.

8.1 Does Policy DM19 contain significant overlaps with other national policies?

8.2 If so, what does this policy add in its current form that is not contained elsewhere?

MPPW paragraph 15 and elsewhere (e.g paragraph 34) refers to UDP policies providing criteria for the assessment of mineral proposals. There is no MPPW Companion Guide to advise on the application of MPPW to the new system of LDPs. However, LDPs should not repeat national planning policy.

Although we note that the Plan contains a range of development management policies against which mineral development proposals, like any other proposals, could be assessed, if the minerals planning authority considers that a specific criteria policy to assess minerals applications is appropriate, then we would not object.
