

Blaenau Gwent County Borough Council
Cyngor Bwrdeisdref Sirol Blaenau Gwent
Local Development Plan Examination
Ymchwiliad Cynllun Datblygu Lleol

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Day 9: FRIDAY 13th JULY 2012 10.00 – 13.00
 Session 17: MINERALS

MATTERS ARISING FROM THE HEARING SESSION

Page number	PO Ref Number	Policy/ para/ figure reference	Suggested change/ action	Council response (agree/ disagree/ alternative)
	MA17.1	SP12 g	Add "a minimum".	Agree. Refer to Session 17 Matters Arising Changes.
	MA17.2	6.73	Add "to provide at least 3 million tonnes" "a shortfall of at least 0.76 million tonnes".	Agree. Refer to Session 17 Matters Arising Changes.
	MA17.3	M2 b	Add "exceptional circumstances" - supporting text should clarify where these are identified.	Agree. Refer to Session 17 Matters Arising Changes.
	MA17.4	8.85 Tracked	Delete "unless there are deemed exceptions".	Agree. Refer to Session 17 Matters

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		Changes Version		Arising Changes.
	MA17.5	M3	Review supporting text.	Agree. Refer to Session 17 Matters Arising Changes.
	MA17.6	Constraints Map	Add mining legacy areas or coal mining areas.	Agree. Refer to Session 17 Matters Arising Changes.
	MA17.7	SP12 e	Review if this is appropriately articulated.	Agree. Refer to Session 17 Matters Arising Changes.
	MA17.8	SP12 b	Split this criteria to re-enforce idea that pre-workings is encouraged. Supporting text to indicate when pre-working may be acceptable.	Agree. Refer to Session 17 Matters Arising Changes.
	MA17.9	DM19	Add "pre extraction" in first line of the first sentence.	Agree. Refer to Session 17 Matters Arising Changes.
	MA17.10	DM19 k	Take out "conservation area".	Agree. Refer to Session 17 Matters Arising Changes.
	MA17.11	DM19 f & k	Review term "adverse impact"	Agree.

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			– Unacceptable? - Significant?	Refer to Session 17 Matters Arising Changes.
	MA17.12	DM19 e	Review to make consistent with National Policy and aligned with "f" & "k".	Agree. Refer to Session 17 Matters Arising Changes.
	MA17.13	DM19 m	Ensure wording consistent with revised DM1 & 2.	Agree. Refer to Session 17 Matters Arising Changes.
	MA17.14	DM19 j	Identify "social and health impacts".	Agree. Refer to Session 17 Matters Arising Changes.

Session 17: Matters Arising Changes

PO Ref No.	Policy / paragraph.	Amendment
MA17.1	SP12 (a.)	Amend criterion (a.) of Policy SP12 as follows: Maintaining a minimum 10-year land bank of permitted aggregate reserves in line with national planning policy and addressing the 3Mt apportionment identified in the Regional Technical Statement;
MA17.2	Paragraph 6.73	Amend paragraph 6.73 as follows: In order to address sustainability concerns the Regional Technical Statement (RTS) on Aggregates identifies a new apportionment method which is based on the proximity principle and a focus on areas which have greater environmental capacity. As a result of this work Blaenau Gwent is being required to provide at least 3 million tonnes of new capacity. A recent planning permission for the deepening of Trefil quarry provides 2.24 million tonnes of this requirement leaving a shortfall of at least 0.76 million tonnes. The Council will need to grant planning permission for either the re-working of a reclaimed tip, an extension to an existing quarry or a new quarry before 2021.
MA17.3	M2 (b.)	Amend criterion (b.) of Policy M2 as follows: b. No new mineral extraction will be permitted <u>except in exceptional circumstances.</u>
MA17.3	Paragraph 8.82	Amend paragraph 8.82 (as amended by FC12B) as follows: Mineral Buffer zones are shown around all quarries and mineral operations, including dormant sites. The purpose of the buffer zone is to safeguard mineral reserves for future working, by ensuring they are not sterilised by alternative development, but also to ensure the environmental effects of quarrying/mining do not adversely affect sensitive development (including residential areas, hospitals and schools). However, development such as extensions to existing properties, small infill development within settlement boundaries would normally be permitted. Mineral Buffer Zones have been identified around the limestone quarry at Trefil, the open cast coal recovery operation at Six Bells and around Blaentillary Drift, which is located in Torfaen County Borough. Extensions to existing mineral sites or new mineral applications in buffer zones need to take into account issues of cumulative and in combination effects. A piecemeal approach to extensions, whether lateral or to depth, can increase the uncertainty for local communities. Applications for new mineral workings in buffer zones are exceptional and will be considered in accordance with national policy

		In the case of the buffer zone at Trefil the boundary is identified around the dormant part of the quarry in addition to the active part. Whilst dormant sites retain permission, full modern conditions would be applied to the extant permission in accordance with national guidance prior to any working recommencing on site. National guidance also recognises the importance of determining the future use of dormant sites to give certainty to local communities that may be affected by future mineral operations. Having regard to this, the Council will consider an appropriate strategy for the future use and restoration of the site which may include a Prohibition Order.
MA17.5	Paragraph 8.83	Amend paragraph 8.83 as follows: In accordance with national planning policy, the LDP identifies areas where coal working will not be acceptable, these are 500m from the settlement boundary and within International and National designations of environmental and cultural importance. Coal working proposed adjacent or close to the Brecon Beacons National Park, that might affect the setting of it should be assessed carefully to determine whether the environmental and amenity impact is acceptable or not, or whether suitable, satisfactory conditions can be imposed to mitigate the impact.
MA17.7	SP12(e)	Amend criterion (e.) of Policy SP2 as follows: Ensuring that impacts upon neighbouring communities and sensitive uses are not adversely impacted by residential areas from mineral and coal operations limited to an acceptable proven safe limit through identification of buffer zones and areas where coal working will not be acceptable ; and
MA17.8	SP12 (b)	Amend criterion (b) of Policy SP12 as follows: b. Safeguarding existing mineral reserves and potential resources from development that would preclude their future extraction; c. or Encouraging the pre-working of mineral resources, where appropriate;
MA17.8	Paragraph 6.74	Amend paragraph 6.74 as follows: The strategy aims to balance the need for the safeguarding of nationally important mineral resources and ensuring their appropriate extraction against the potential impact of such development on residential occupiers, the landscape, and on sites of nature conservation interests. Pre working is encouraged in safeguarded areas where proposed development would sterilise the resource. In accordance with national planning policy the proposals map identifies areas where coal working will not be acceptable, that is 500m from the urban boundary and within International and National designations of environmental and cultural importance. Within the settlement boundary there may be deemed exceptions where pre-working constitutes acceptable land reclamation works prior to development. This would need to be on large sites where there would be no demonstrable harm to amenity and the environment; there are clear and convincing benefits; and it would be in the public interest to allow development to proceed.

MA17.9	DM19	Amend the preamble to DM19 as follows: Proposals for mineral extraction, pre-extraction and associated development, including the tipping of mineral waste and the reworking of tips, will be permitted where:
MA17.10	DM19 (k.)	Amend criterion(k) of DM19 as follows: Adverse impact on important features of the built environment and archaeologically sensitive areas, including conservation areas , listed buildings and scheduled ancient monuments can be mitigated;
MA17.11	DM19 (f.) and (k.)	Amend criteria (f.) and (k.) of Policy DM19 as follows: f. There is no unacceptable a Adverse impacts on sensitive landscapes can be minimised ; k. There is no unacceptable a Adverse impact on important features of the built environment and archaeologically sensitive areas, including conservation areas , listed buildings and scheduled ancient monuments;
MA17.12	DM19 (e.)	Amend criterion (e.) of Policy DM19 as follows: e. There is no unacceptable adverse impacts The effects on surface water, groundwater resources and water supplies are acceptable ;
MA17.13	DM19 (m.)	Amend criterion (m.) of Policy DM19 as follows: There is no unacceptable adverse visual impact of the proposal can be mitigated by landscaping ; and
MA17.14	DM19 (j.)	Amend criterion (j.) of Policy DM19 as follows: Impacts on health and society are considered and found to be within acceptable limits;
MA17.14	Paragraph 7.95	Amend paragraph 7.95 as follows: In accordance with national planning policy a Health and Social Impact Assessments will be required, where appropriate. This is likely to form part of any Environmental Statement submitted with the proposal.