

**Cynllun Datblygu Lleol Newydd Cyngor Bwrdeistref Sirol
Merthyr Tudful (2016-2031)
Merthyr Tydfil County Borough Council Replacement Local
Development Plan (2016-2031)**

**PAPURAU CEFNDIR | BACKGROUND PAPER
Minerals Planning**

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1.0 Introduction

1.1 Merthyr Tydfil County Borough Council, as a Local Planning Authority (LPA), seeks to ensure that a proper balance is struck between the requirement to provide mineral resources to meet society's needs and the protection of amenity and the environment. In doing so, the Council has sought to incorporate a mineral policy framework within the Replacement Deposit Local Development Plan (LDP) 2016-2031 that addresses the key principles of sustainable mineral development as set out in Planning Policy Wales (Edition 9: November 2016). These key principles are:

- to provide for an adequate supply of minerals that society needs now and in the future, together with protecting and improving amenity;
- to protect things that are highly cherished for their intrinsic qualities, such as wildlife, landscapes and historic features; and to protect human health and safety by ensuring that environmental impacts caused by mineral extraction and transportation are within acceptable limits; and to secure, without compromise, restoration and aftercare to provide for appropriate and beneficial after-use;
- to help conserve non-renewable resources for future generations through efficient use, recycling and waste prevention; to protect renewable resources from serious harm or pollution; and to promote the use of appropriate alternative materials;
- to ensure an adequate supply of minerals that are needed at prices that are reasonable; and to safeguard mineral resources for future generations.

(Paragraph 14.1.2, Page 207)

1.2 Replacement LDP Policies EcW10: Sustainably Supplying Minerals and EcW11: Minerals Development sets out how the Plan address these requirements. They are supplemented by more specific policies relating to mineral buffer zones and mineral safeguarding. The purpose of this background paper is to provide an explanation of, and justification for the replacement LDP's mineral policies.

2.0 National Policy

2.1 Planning Policy Wales – November 2016 (PPW) sets out in Chapter 14 the over-arching land use planning policy for mineral extraction and related development in Wales.

2.2 Minerals Technical Advice Note 1: Aggregates – March 2004 (MTAN 1) sets out detailed advice on the mechanisms for delivering the policy for aggregates extraction by local planning authorities and the aggregates industry.

2.3 Minerals Technical Advice Note 2: Coal – January 2009 (MTAN 2) sets out detailed advice on the mechanisms for delivering the policy for coal extraction

through surface and underground working by local planning authorities and the coal mining industry.

3.0 Collaborative Working

- 3.1 Merthyr Tydfil County Borough Council is a member of the South Wales Regional Aggregates Working Party (SWRAWP), which is a technical working group comprising of representatives of the mineral industry, LPAs and other key stakeholders. MTAN 1: Aggregates (2004) requires the SWRAWP to produce a Regional Technical Statement (RTS) for aggregates and to review it every 5 years. The current RTS (1st Review) published in August 2014, attempts to produce a strategic framework within which a more sustainable approach to securing aggregate supply within the South Wales area can be achieved.
- 3.2 The mineral policy framework of the deposit LDP has been fully informed by the RTS – 1st Review (2014) for aggregates, which confirms that no resource allocation is required at present for either crushed rock or sand and gravel. The combined permitted reserves of crushed rock in Merthyr Tydfil and Brecon Beacons National Park are more than sufficient to meet the expected joint contribution of 20.5 Mt over the period 2011-2036. The joint landbank of crushed rock is more than four times the total apportionment for the period up to 2036 (94 Mt). Areas of Category 1 and Category 2 sandstone, limestone and sand and gravel resources should, however, be safeguarded for the future in accordance with the Aggregate Safeguarding Map of Wales 2012.
- 3.3 A review of the RTS is underway and is anticipated to be complete by the end of 2019. The Council will continue to participate as a member of the SWRAWP and will contribute toward the RTS review where necessary. However, given the joint landbank of reserves it is not anticipated that further allocations within the County Borough during the replacement Plan period will be necessary.

4.0 Mineral Reserves

4.1 Aggregates

4.1.1 As recognised in the RTS 1st Review (2014), Merthyr Tydfil and the Brecon Beacons National Park Authority has a joint landbank which provides for more than 25 years of crushed rock aggregates extraction. The SWRAWP Annual Report 2016 also recognised that Merthyr Tydfil has a landbank of more than 50 years. In accordance with MTAN1, and Welsh Government CL-05-14 Clarification Letter of the Policies in MTAN 1, no new allocations are therefore necessary in the Replacement LDP. However, the existing permitted reserves should be shown on the Proposals Map.

Limestone

4.1.2 The limestone deposits within Merthyr Tydfil form part of the northern outcrop of the main sequence of the Carboniferous Limestone in South Wales. This northern outcrop lies to the north of the main Merthyr settlement straddling the boundary with the Brecon Beacons National Park and forms the margins of the Coal Measures.

4.1.3 Vaynor quarry is a permitted limestone quarry which straddles the Brecon Beacons National Park Boundary. The quarry is situated approximately 3km north of Merthyr Tydfil and occupies a prominent position on the hillside of the Taf Fechan Valley. Whilst the quarry has been inactive over recent years, the LPA anticipate that extraction will recommence during the replacement plan period. It would appear likely that the resumption of production here could in part cover any shortfall that would arise from the cessation of production elsewhere in the Brecon Beacons National Park. Any lateral extension of the quarry area is however likely to be constrained by the need to protect the amenity of the Brecon Beacons National Park and the Nant Glais Caves Site of Special Scientific Interest.

Sandstone

4.1.4 The pennant sandstone resource, which may be suitable for high specification aggregates (i.e. high PSV), outcrops over much of the higher land in the southern half of the County Borough. The sandstone resource in the northern half of the County Borough is more dispersed and is frequently found within and above the coal measures.

4.1.5 Gelligaer quarry is the only active sandstone (high PSV) quarry found within the County Borough. The quarry occupies a prominent position on the eastern slopes of the Taf Bargoed valley and is anticipated to continue production during the lifetime of the replacement LDP. Any lateral extension of the quarry is

likely to be constrained by the need to protect the character and integrity of Gelligaer Common landscape of special historic interest.

Sand and Gravel

4.1.6 The Aggregate Safeguarding Map of Wales 2012 identifies potential sand and gravel resources within Cwm Taff and Cwm Bargoed in the southern half of the County Borough. There are no existing sites with planning permission for sand and gravel extraction within the County Borough.

4.2 Coal

4.2.1 The extensive coal field of South Wales underlies the County Borough and considerable primary and secondary coal resources have been identified (as shown on the British Geological Survey Minerals Resource Maps). The sequence of coal measures dips to the south – east at shallow angles and many of the productive seams are exposed or occur close to the surface. These seams have been exploited extensively in the last 200 years, although present day activity is limited to one surface coal mining operation at Ffos-y-fran. This land reclamation scheme covers an area of 400 ha and entails the extraction of approximately 11 million tonnes of coal. Works expected to continue until 2025. The coal is presently dispatched by rail via the adjacent Cwmbargoed Disposal Point.

4.2.2 Two underground private coal mines, Ffynonau Duon No. 3 mine (North Cwm Bargod) and Ffynonau Duon No.4 mine (between Troedyrhiw and Bedlinog), are also located within the County Borough. Whilst both mines have planning permission for coal extraction up to the year 2028, neither coal mine is currently operating and neither is expected to operate within the replacement plan period. These permitted reserves are also identified on the LDP Proposals Map.

5.0 Minerals Buffer Zones

5.1 Mineral workings can affect other land uses as a result of the environmental impact of noise and dust from mineral extraction and processing, and vibration from blasting operations. PPW (November 2016) establishes the principle of Buffer Zones around permitted and allocated mineral sites. Development plans are required to indicate the boundary of the buffer zone. No new sensitive development and mineral extraction should be permitted within the buffer zone.

5.2 Aggregates

5.2.1 MTAN 1 (2004) states that a buffer zone with a minimum distance of 200 metres should be established around hard rock quarries (paragraph 71, page 29). A

200 metre buffer zone has therefore been defined on the Proposals Map from the outer edge of the area where extraction and processing operations are permitted for both Vaynor limestone quarry and Gelligaer sandstone quarry.

5.3 Coal

5.3.1 MTAN 2 (2009) states that a 500 metre buffer zone (paragraph 32, page 7) should be defined from the site boundary (or boundary for surface development for underground mining) of permitted or proposed coal workings, unless there are exceptional circumstances. Factors to be considered under exceptional circumstances are defined in Paragraph 49, Page 10 of MTAN2. One of those exceptional factors is where major roads or railways lie between the settlement and the operational area. The A4060 dual carriageway lies to the west of the Ffos-y-fran land reclamation scheme and is considered to form a reasonable boundary to the buffer zone. A 500 metre buffer zone around the Ffos-y-fran site (excluding restored areas in aftercare) has been defined on the Proposals Map except where the zone is truncated by the A4060.

5.4 Development Allocations within Buffer Zones

5.4.1 Whilst PPW (November 2016) states that no new sensitive development should be permitted within a buffer zone, a new employment development allocation has been made within the buffer zone of the Ffos-y-fran land reclamation scheme due to the circumstances surrounding the site. This site has been allocated under replacement LDP Policy EcW1: Provision of Employment Land.

Ffos-y-fran Employment Site EcW1.4

5.4.2 PPW (November 2016) distinguishes between sensitive development which can be adversely affected by mineral workings and other development, including industry and offices, which are less sensitive to impact from mineral operations (paragraph 14.4.1, page 210). The employment land uses within the buffer zone of Ffos-y-fran reclamation scheme will not therefore conflict with mineral workings and are considered acceptable in principle. Development of the site is also only likely to take place once the land reclamation scheme has reached an advanced stage to allow for access to the site.

6.0 Safeguarding of Mineral Resource

6.1 PPW (November 2016) identifies the need to safeguard mineral deposits in order to protect potential resources from other types of permanent development which would either sterilize them or hinder extraction (paragraph 14.7.3, page 214). The safeguarding of a mineral resource does not however 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 14.2.1, Page 208). Policy EcW13: Minerals

Safeguarding has been included in the replacement LDP to safeguard the identified minerals resource.

6.2 Aggregates

6.2.1 Limestone and sandstone resources have been identified using the British Geological Survey Aggregates Safeguarding Map of Wales 2012. Without input from the industry, it is very difficult to refine the resource in terms of its potential to be worked in the future. Consequently, all of the Category 1 and Category 2 limestone, sandstone and sand and gravel resource outside of settlements has been safeguarded as shown on the replacement LDP Proposals Map.

Development conflict with safeguarded aggregate resource areas

6.2.2 Whilst the replacement LDP seeks to avoid safeguarded aggregate resources a development allocation has been necessary within safeguarded areas. The justification for this is provided below.

Site SW3.29 Adjacent to Manor View, Trelewis (Sandstone – with potential for high specification aggregate)

6.2.3 The site is located north of an existing residential development at Trelewis and a water course is located along the eastern boundary of the site forming part of the Nant Caiach SINC. The potential allocation of the site would extend the existing settlement boundary approximately 225m north into an area of Sandstone safeguarding. Existing residential development is located approximately 50m further south of the settlement boundary although this area has extant outline planning permission for residential development. Four dwellings are located immediately west of the site at Cwrtycelyn Farm. The sandstone resource at this location is considered to be already sterilised as it is within 200m of existing sensitive development. Therefore, prior extraction at the site would be inappropriate due to the proximity of existing sensitive development. The allocation of the site would potentially sterilise additional areas of the wider sandstone resource by extending the settlement boundary although this will be limited to 200m to the north and east of the site and the existing surrounding sensitive development. However, any extraction operation would be constrained by the Nant Caiach SINC and an area of TPO & Ancient/Ancient Semi Natural Woodland. The potential to support a commercially viable extraction operation at this location is therefore limited and this will need to be balanced against the need for housing in the area (the site would provide 120 dwellings with 5% affordable housing). The site is logically located to the north of the settlement of Trelewis and there are no other candidate sites in this area which would avoid areas of Sandstone safeguarding. Consequently, it is considered that the extent of minerals safeguarding at this location should not prevent the potential allocation of this site.

6.3 Coal

6.3.1 In accordance with MTAN 2 (2009), primary and secondary coal resources have been identified using Coal Authority/British Geological Survey resource maps. Settlements and Sites of Special Scientific Interest have been excluded from the identified coal resource where necessary and the remaining coal resource has been safeguarded as shown on the replacement LDP Proposals Map.

Development conflict with safeguarded coal resource areas

6.3.2 Areas of development allocated in the LDP should avoid safeguarded areas and conflict should only occur if no alternative location can be found, or if the development area cannot be modified to avoid the safeguarded coal resource (MTAN 2, paragraph 39, page 8). Where a conflict remains between a site allocation and safeguarded coal areas, specific criteria set out at Paragraph 39 of MTAN 2 will need to be met to justify the proposed development. This includes for example that coal resource is demonstrated not to be of potential value or that prior extraction would result in unacceptable environmental impacts. No allocations in the LDP have been made within the primary or secondary coal safeguarding areas that would conflict with the resource.

7.0 Sustainable Transport

- 7.1 Coal extracted from the Ffos-y-fran land reclamation scheme is currently transported by rail. This reflects the Government's desire for freight to be carried by rail or waterway rather than by road wherever economically feasible.
- 7.2 Merthyr Tydfil currently has one sandstone (high PSV) quarry and further pennant sandstone resources which may be suitable for high specification aggregates. High specification aggregates are suitable for road surfacing and maintenance, and are of importance to the UK. There are possibilities for increasing rail borne exports of sandstone to England, particularly in respect of high PSV stone, and the LDP facilitates this potential shift in transport patterns by recognising the Cwmbargoed railhead as a potential freight transfer/distribution facility. This is safeguarded under Policy EcW10: Sustainably Supplying Minerals and Policy SW12: Improving the Transport Network.