



Cyngor Bwrdeistref Sirol
MERTHYR TUDFUL
MERTHYR TYDFIL
County Borough Council

HEARING SESSION 9
HOUSING ALLOCATIONS/SUPPLY AND OTHER MATTERS
ACTION POINT 9.2 – COUNCIL RESPONSE

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Action Point

Council to amend the reasoned justification to policy EcW13 to cross reference the reasons for coal safeguarding and national policy referenced at LDP paragraph 6.7.108 (set out in the Council's Statement for Hearing Session 9).

Council's Response

This statement has been prepared by the Council in response to further matters raised at Hearing Session 9 regarding the implementation of Policy EcW13 - Minerals Safeguarding.

The changes to the reasoned justification discussed at the hearing session, specifically at LDP paragraph 6.8.112, have been incorporated into the proposed Matters Arising Changes set out below. These changes aim to clarify the implementation of Policy EcW13 with regards to coal safeguarding and extraction in accordance with national policy.

This Action Point response supersedes the suggested changes to the reasoned justification in Action Point response AP8.1 and changes suggested in the Council's Statement for Hearing Session 9 (ED53). The justification for the Safeguarding of Primary Coal Resources in Merthyr Tydfil County Borough is summarised in Action Point response AP8.1 and is therefore not repeated in this response statement.

Proposed Matters Arising Changes

Policy EcW13: Minerals Safeguarding

Known mineral resource of coal, sandstone, sand and gravel, and limestone are safeguarded as shown on the proposals map.

New development will only be permitted in an area of known mineral resource where it has first been demonstrated that:

1. Any reserves of minerals can be economically extracted prior to the commencement of development; ~~or,~~ **and in the case primary coal resources, there are wholly exceptional circumstances to justify its prior extraction; or**
2. Prior extraction would have an unacceptable impact on environmental or amenity considerations; or
3. The resource in question is of poor quality / quantity; or
4. The development would have no significant impact on the possible future working of the resource by reason of its nature, location or size.

6.8.111 In view of the landbank of reserves with planning permission at existing mineral working sites, there is no requirement for the Plan to allocate additional areas for mineral extraction. Significant areas have, however, been identified as containing minerals resources that may be of value for mineral working in future in accordance with the BGS Aggregates Safeguarding Map for South East Wales and the Mineral Resource Map for South East Wales (with regards to Primary Shallow Coal resources). Those areas are identified on the Proposals Map and are protected from permanent development that could sterilise or hinder their future extraction.

6.8.112 In considering whether prior extraction of the resource is feasible, the reason for the safeguarded area (i.e. the potential long term benefit of the resource in question) should be considered relative to the need for development and any short term economic arguments. The environmental and amenity impact of extraction should also be considered. With regards to aggregates resources within 200 metres of settlement limits (in the case of hard rock) and 100 metres (in the case of sand and gravel) extraction of the resource will not generally be acceptable¹. ~~Typically, extraction of coal resources within 500 metres of identified settlement limits will not generally be acceptable.~~ **Proposals for the prior extraction of primary coal resources will need to clearly demonstrate the exceptional circumstances that justify the extraction of the resource under national policy, as referenced under LDP paragraphs 6.7.107 and 6.7.108.**

¹ See Minerals Technical Advice Note 1:Aggregates, paragraph 71

Notwithstanding this, the extraction of coal resources within 500m of a settlement would not generally be acceptable on environmental and amenity impact grounds².

- 6.8.113 Small-scale development proposals, for example limited infill, minor householder development or agricultural development, will often be permissible within safeguarded areas, although they will first need to demonstrate that they would not prejudice future exploitation of the safeguarded resource.
- 6.8.114 The existing Cwmbargoed mineral railway and rail head are also safeguarded in the Plan under Policy SW12: Improving our transport network given these facilities could be used to transport sandstone material from Gelligaer quarry in the future as well as material or freight from the Ffos-y-fran or Dowlais areas.

² See Minerals Technical Advice Note 2:Coal, paragraph 29