



For Office Use	
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Powys Local Development Plan (LDP) 2011-2026

Further Focussed Changes Representation Form, October 2016

It is recommended that representations are made on this standard form. More copies are available at Powys Council offices and at local libraries where the Schedule of Further Focussed Changes is available for public inspection or online at www.powys.gov.uk (Planning Policy/LDP pages).

Please complete Sections 1 and 2 of this standard form; it only needs to be done once. For Section 3 you will need to use a **separate** form for each representation on each Further Focussed Change that you wish to make and attach it to sections 1 and 2.

Send your completed form to:

Powys LDP Team
Planning Policy
Powys County Council
The Gwalia,
Llandrindod Wells,
LD1 6AA

or via email to ldp@powys.gov.uk

Representations must be received by **5.00 pm, Monday 21st November 2016**.

Representations at this stage must **only relate to the Further Focussed Changes**. Representations should not propose further changes to the Deposit LDP 2015 or the Focussed Changes January 2016; any such representations will be disregarded as they should have been made during the earlier stages of the Plan preparation. Duly made representations will be forwarded to the Planning Inspectorate for consideration by the Inspector appointed to examine the soundness of the Plan.


Group Representations

Where there are groups who share a common view on how they wish to see the LDP changed, it would be very helpful for the group to send a single representation which represents that view. (Repeating the same points numerous times will not add weight to the case being made). Groups should indicate how many people they represent and how the representation has been authorised. The group's representative should be clearly identified.

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Please note that information provided in Sections 2, 3 and 4 will be made publicly available. Personal information, as provided in Section 1, will be treated confidentially.

Section 1: Personal Information (This will not be publicly available)

	Your Details	Agents Details (if applicable)
Name:	P N Horsley	
Tel:	07568 427720	
Fax:		
Email:	nick.horsley@mineralproducts.org	
Signature:		
Date:	16th November 2016	

Privacy Statement

Personal Data will be processed in accordance with the Data Protection Act 1988. We will only use the information for the purpose of the LDP process.

By submitting a representation, the following personal information may be placed in the public domain including publication on the Powys County Council website: Your name, organisation / company, address, and your representation.

All personal telephone numbers and email addresses will be treated as confidential.

Powys County Council accepts the following responsibilities for personal information recorded:

1. The information will only be used for the agreed reason and will be looked after securely.
2. The information will only be kept for as long as needed or to comply with statutory requirements and will then be securely destroyed.
3. If the information has to be shared with other agencies initial consent will be gathered at this point and explicit (signed) consent will be obtained by the service / department concerned as soon as possible. Unless we are obliged by law to disclose the information.

Detailed guidance can be found on our webpages – search Freedom of Information - or from the Information Management Team.

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Section 2: Contact Details

	Your Details	Your Agent's Details (if applicable)
Name:	Nick Horsley	
Organisation/Company:	Mineral Products Association	
Address:	Gillingham House 38-44 Gillingham Street London	
Postcode:	SW1V 1HU	

From this point onwards please use a separate representation form for each Further Focussed Change you wish to make a comment on. All representations made will be available for the public to view.

SECTION 3: Commenting on the Further Focussed Changes:

3a. Which document are you commenting on:

Please tick one:

- Schedule of Further Focussed Changes: An Addendum to the Powys Local Development Plan Deposit Draft 2011-2026 (October 2016)
- Sustainability Appraisal Report (October 2016)
- Environmental Report (Strategic Environmental Assessment) (October 2016)
- Habitat Regulations Assessment Screening of Further Focussed Changes (October 2016)

3b. Which Further Focussed Change are you commenting on?

When making a comment or representation, it is important you tell us which Further Focussed Change you are commenting on.

Please remember to use **one form per representation**.

Further Focussed Change Number

Please see table below

Paragraph Number (Particularly if commenting on the Sustainability Appraisal, Strategic Environmental Assessment or Habitat Regulations Assessment)

Please see table below

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Section 3c: Your Comments and Suggested Changes

Please set out your comments below using additional sheets as necessary.

Explain why you object to or support the identified Further Focussed Change. Include all the information, evidence and supporting information necessary to support your representation. This will help the Authority and the Inspector to understand the issue you raise. You will only be able to submit further information to the examination if the Inspector invites you to address matters that she may raise.

Is your comment an objection support comment ? (Please tick)

Please use the space below to set out your representation:

Please see table below

Outline what changes are needed to the Further Focussed Change to make the LDP sound:

Please see table below

I am enclosing further supporting information and material.

Section 4: After making your representation

Receipt of your representation will be acknowledged by the LDP team at Powys and it will then be forwarded directly to the Planning Inspector.

Everyone that wants to change the Plan can request to appear before and speak to the Inspector at a 'hearing session' during the public Examination. However, you should bear in mind that your "written representations" on this form will be given the same weight by the Inspector as those made verbally at a hearing session. Please note that the Inspector will determine the most appropriate procedure for accommodating those who want to provide oral evidence.

a) Do you want your comments to be considered by "written representations" or do you want to speak at a hearing session of the public examination? (Please tick one of the following):

i) I do not want to speak at a hearing session and am happy for my written comments to be considered by the Inspector.

ii) I want to speak at a hearing session.

b) If you wish to speak, please explain what you wish to speak to the Inspector about.

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If you wish to speak please tick which language you would like to be heard in:

English Welsh

THANK YOU FOR YOUR COMMENTS

Forms should be returned to: LDP Team, Planning Policy, Powys County Council, The Gwalia, Llandrindod Wells, Powys. LD1 6AA or emailed to ldp@powys.gov.uk .

The closing date for representations is **5.00pm Monday 21st November 2016**. Representations received after this date will not be accepted.

Representations **on the proposed Further Focussed Changes** submitted during this consultation period (**Monday 10th October – Monday 21st November 2016**) will be forwarded to the appointed Inspector.

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FFC	Para/Policy number	Current wording	Suggested change	Comment
FFC4	2.3.8B	For aggregate minerals, Powys is a member of the South Wales Regional Aggregates Working Party whilst in relation to waste Powys works in collaboration with Ceredigion County Council on the Central Wales Waste Partnership.	No change	We support acknowledgement of the SWRAWP
FFC22	Strategic Policy SP7 - Safeguarding of Strategic Resources and Assets	To safeguard strategic resources and assets in the County, development proposals must not have an unacceptable adverse impact on the resource or asset and its operation. The following have been identified as strategic resources and assets in Powys: 1. Land designated at international, European and/or national level for environmental protection. 2. Registered Historic Landscapes. 3. National Trails (Offa's Dyke Path and Glyndwr's Way). 4. Sennybridge (Ministry of Defence) Training Area. 5. Mineral Resource Areas. 6. Proposed Strategic Infrastructure Routes (if and when identified).	No change	We strongly support the inclusion of Mineral Resource Areas as strategic resources in Policy SP7.
FFC22	3.6.7	Powys contains many resources and assets of national, regional and local importance. Policy SP7 safeguards strategic resources and assets, which are considered of national importance,	No change	We support the reference to Mineral Resource Areas as strategic resources in the supporting text to Policy SP7
FFC22	3.6.8	Policy SP7 seeks to protect the County's strategically important resources and assets and their operation (including, where applicable, the use and enjoyment of the asset) by avoiding sterilisation, providing for the future winning / working of resources, and in general protecting assets and resources from unacceptable development so as to protect the economic, environmental	No change	We support the reference to Mineral Resource Areas as strategic resources in the supporting text to Policy SP7

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		and social well-being of Powys.		
FFC37	Policy DM7 - Minerals Safeguarding	<p>Mineral Safeguarding Areas have been designated for aggregates and surface coal and these are shown on the Proposals Map.</p> <p>Non-mineral development proposals within Mineral Safeguarding Areas will only be permitted where it can be demonstrated by the developer that:</p> <ol style="list-style-type: none"> 1. The mineral resource is not of potential future value; or 2. The development is of a temporary nature and can be completed and the site restored to a condition that would allow for future extraction; or 3. The mineral can be extracted satisfactorily prior to the incompatible development taking place; or 4. Extraction would not meet the tests of environmental acceptability or community benefit as set out in National Policy; or 5. There is an over-riding need in the public interest for the development; or 6. The development is householder development and / or of a very minor nature such as extensions to existing dwellings, fences, walls or bus shelters. 	<p>Suggest the following words are added: <i>“Non-mineral development proposals within Mineral Safeguarding Areas will only be permitted where it can be demonstrated by the developer through a ¹Mineral Resource Assessment, that:</i></p>	<p>Support the reference to Mineral Safeguarding Areas Policy DM7, but would suggest the additional words highlighted.</p>
FFC38	Policy DM8 - Existing Mineral Workings	<p>Buffer zones have been identified around mineral working sites. Within buffer zones proposals for new development will only be permitted where it is demonstrated that:</p> <ol style="list-style-type: none"> 1. The development does not sterilise safeguarded mineral resources; 2. The proposal would not constrain the operations of the mineral site; 	No Change	Support

¹ **Mineral Resource Assessment** is a term used in the BGS Mineral Safeguarding Guidelines in England Good Practice Guide.

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		<p>3. The proposal would not be unacceptably affected by the mineral extraction operations at the site; and</p> <p>4. The proposal can demonstrate the appropriate mitigation measures.</p>		
FFC46	4.2.48A	<p>Amenities. Development must respect the existence and amenities of neighbouring uses including approved development. These amenities include privacy (affected by overlooking), light (natural and man-made), noise (including that which arises from hours of operation), air quality (odour, fumes and dust), and pests (vermin and birds attracted by litter). Key determinants of impact are scale of development, proximity, proposed land use and the massing of buildings on site. Existing operations and installations should also be protected from incompatible sensitive development. For example, operations from mineral workings produce noise or dust, and these operations would be prejudiced if noise sensitive uses were allowed nearby. The reference given to 'nearby or proposed properties' in the policy means residential properties which lawfully exist or have planning permission.</p>	<p>Suggest the following insertion: "For example, operations from mineral workings produce noise or dust, and whilst these effects are routinely mitigated, the these operations would be prejudiced if noise sensitive uses were allowed nearby".</p>	Support
FFC81	Policy M1 - Existing Minerals Sites	<p>1. Extensions (working area, depth and duration) to existing Minerals / Coal sites (Table M1) will be permitted where they would:</p> <p>i. In the case of crushed rock aggregate minerals help to maintain a steady and adequate supply; or</p> <p>ii. In the case of all types of non-energy minerals address a shortage of high specification material that is of limited availability nationally; or</p> <p>iii. For all minerals - bring clear environmental, economic or social benefits.</p>	No Change	Support

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		<p>2. Development proposals that enable a higher proportion of secondary aggregate or recycled material to substitute for the consumption of primary aggregates will be supported on existing sites.</p>		
FFC83	Policy M2 - New Minerals Sites	<p>Development proposals for new permanent sites for the winning of hard rock, sand and gravel, or coal will be permitted where these meet the requirements of National Policy, and in particular:</p> <ol style="list-style-type: none"> 1. To provide a supply of distinct building stone or dimension stone to fulfil a recognised local need/requirement; or 2. For coal where it would: <ol style="list-style-type: none"> i. remove a mining legacy; or ii. prepare land for future development of employment and economic benefit; or 3. A borrow pit under Policy M3 below. 	<p><i>Development proposals for new permanent sites for the winning of hard rock, sand and gravel, or coal will be permitted where these meet the requirements of National Policy, and in particular</i></p>	<p>It is appreciated that the consultation is confined to proposed further changes, however, the wording of this policy is erroneous. Mineral workings are by their very nature, a temporary use of land and I believe this is established in law. The word “permanent” should be deleted.</p>
FFC85	Policy M3 - Borrow Pits	<p>Development proposals for temporary mineral workings to supply a particular construction project, remote from an authorised quarry, will be permitted where they meet the requirements set out in National Policy / Guidance.</p>	<p><i>Development proposals for temporary mineral workings to supply a particular construction project,</i></p>	<p>The word “temporary” should be deleted as it is superfluous. All mineral workings are temporary.</p>