

10th September 2018



deunyddiau hanfodel
atebion cynaliadwy

essential materials
sustainable solutions

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Dear Sir/Madam

MERTHYR TYDFIL REPLACEMENT LOCAL DEVELOPMENT PLAN 2016-2013

The Mineral Products Association (MPA) is the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries. With the affiliation of British Precast, the British Association of Reinforcement (BAR), Eurobitume, QPA Northern Ireland, MPA Scotland and the British Calcium Carbonate Federation, it has a growing membership of 500 companies and is the sectoral voice for mineral products. MPA membership is made up of the vast majority of independent SME quarrying companies throughout the UK, as well as the 9 major international and global companies. It covers 100% of UK cement production, 90% of GB aggregates production, 95% of asphalt and over 70% of ready-mixed concrete and precast concrete production. Each year the industry supplies £20 billion worth of materials and services to the Economy and is the largest supplier to the construction industry, which had annual output valued at £151 billion in 2016. Industry production represents the largest materials flow in the UK economy and is also one of the largest manufacturing sectors. For more information visit: www.mineralproducts.org.

Further to the consultation on the above document and with reference to our previous representation (August 2017), we have the following comments to make.

Page/Pol/Para	Current Wording	MPA Comment	Required amendment
1.4	Footnote 5	This footnote should be updated to recognize the consultation on PPW V10	Update footnote 5
1.12	Reference is made to PPW and TANs	The plan should also be considered in combination with the Regional Technical Statement (RTS) and MTANs	Include reference to RTS and MTANs.

MPA Wales/Cymru is part of the Mineral Products Association, the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries

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Page/Pol/Para	Current Wording	MPA Comment	Required amendment
1.13	The Plan identifies the need for a further 2,250 residential properties but seeks provision for 2,825 properties.	No assessment is made in the Sustainability Report of the implications on mineral supply chain and raw material requirements.	Consider the implications of additional housing and infrastructure on mineral supply.
2.8	Figure 1 refers to the “protection” of mineral resources	Our previous comments from August 2017 referred to the Sustainable Supply of Minerals. The Council’s Initial Consultation report, acknowledges this approach. The sustainable management of mineral resources, is not solely about protection (minerals safeguarding) of resources but also about the safeguarding of infrastructure and sustainable supply of minerals to meet society’s needs.	Figure 1 and the Sustainability Appraisal should be amended to reflect both Safeguarding and Supply as recognized in the LDP objectives (Figure 2).
Page 17 Footnote 27	Footnote 27 refers to a document entitled Merthyr Tydfil: Understanding Urban Character Cadw: 2015	The report referred to, highlights the sources of building stone within the borough. These building stones are important and necessary in order to meet the requirements of Policy CW1: The Historic Environment. These resources are not safeguarded and the provision of such stone not catered for in the minerals policies. It is therefore unclear how the requirements of Policy CW1 can be met.	Amend Policies EcW10 and EcW13 to address the need for the provision and safeguarding of building stone resources and reserves in order to meet the requirements of other policies in the plan.
Policy SW12	Improving the Transport Network	The plan safeguards the route for the dualling of the A465(T) Heads of the Valleys Road and proposes various other transport requirements. However, no assessment is made of the aggregate requirements for the scheme in the plan or in the sustainability report. In order to full consider the implications and requirements of the plan a resources assessment and supply chain considerations should be considered in the plan.	Consider the implications of the proposed transport network improvements on mineral supply.

Policy EcW1	Provision of Employment Land	The development of 36.65ha of employment land will inevitably have a demand on raw materials. No assessment is made in the Sustainability Report of the implications on mineral supply chain and raw material requirements	Consider the implications of additional 36.65ha of employment land on mineral supply.
6.8.89	The Role of the Plan	<p>This paragraph sets out four key point in terms of the role of the plan, but does not truly follow the requirements of the current PPW which are outlined in paragraph 14.7.1 of PPW. <i>“Development plans should set out the broad strategy for mineral working and related development taking into account the Welsh Government’s policies. They should provide a clear guide to where mineral extraction is likely to be acceptable and include policies which protect sensitive environmental features and provide environmental and resource protection. Policies and proposals should relate to identifiable areas of land unless there is a good reason why this is not possible and should cover mineral resources which are currently used or which may need to be used in the foreseeable future.”</i> This should be the recognised role of the plan.</p> <p>Further, and as reflected in the RTS, the planning authority should not rely solely on the annual apportionment, but should consider all factors that may be material to ensuring an adequate supply of aggregates, including</p> <ul style="list-style-type: none"> • <i>The technical capability of one type of aggregate to interchange for another</i> • <i>The relative environmental cost of substitution of one type of aggregate by another</i> • <i>The relative environmental effects of changing patterns of supply; and</i> 	Adapt paragraph 6.8.89 to reflect PPW and reflect the requirements of the RTS and MTAN.

		<ul style="list-style-type: none"> • <i>Whether adequate production capacity can be maintained to meet the required level of supply.</i> <p>Finally, a review of the RTS is expected to be completed by the end of 2019 and the plan must therefore include flexibility to address any arising supply issues.</p>	
6.8.92	This paragraph states that there is no need for further allocations as the two sites indicated have significant crushed rock reserves	The purpose of this paragraph is not clear. It is the size of an authority's landbank which is relevant in relation to the need for any allocations in its development plan, not the size of the permitted reserve or end date of the mineral permission at any individual site. The paragraph should be re-written to state that the current RTS (2014) did not require any minimum allocation for the Brecon Beacons National Park and Merthyr.	Amend text accordingly
Policy EcW10	Sustainably Supplying Minerals 2 nd bullet point states <i>"Maintaining a minimum 10-year landbank of permitted aggregate reserves"</i>	It should be made clear that this bullet point requires the maintenance of a minimum 10-year landbank, throughout the period of the development plan	<i>"Maintaining a minimum 10-year landbank of permitted aggregate reserves throughout the life of the development plan"</i>
Policy EcW10	Sustainably Supplying Minerals	As mentioned above, no reference is made to the supply of building stone to meet the needs of Policy CW1.	Amend Policy accordingly.
6.8.98	This paragraph states that <i>"Merthyr Tydfil has a sufficient landbank to last beyond the plan period"</i>	The requirement in Para. 49 of MTAN 1 is that <i>'a minimum 10-year landbank of crushed rock shall be required during the entire plan period of each development plan'</i> . The supporting text should reflect that.	Amend text accordingly.
Policy EcW11	This policy states that <i>"Proposals for mineral extraction and associated development will</i>	The is a general acceptance that Local Planning Authorities should plan positively for developments which is echoed in the consultation version of PPW. The word "only"	Delete the word "only".

	<i>only be allowed:....”</i>	indicates a negative approach to the policy and is unnecessary. Its deletion would infer a positive approach within the policy but would not in fact change the overall policy requirements	
Policy EcW11	The proposed Policy includes a number of Bullet Points referencing Environmental considerations	A strong criticism of many Local Development Plans is that they are often too long and repetitive. A number of the “Environmental Criteria” indicated in the bullet points simply repeat the requirements of other Policies in the plan. The second bullet point repeats the considerations of Policy CW1 (Historic Environment) and EnW1 (Nature Conservation), whilst Bullet Point 3 by EnW5 (landscape). The remaining bullet points are largely addressed through Policy EnW4 (Environmental Protection)	Review the bullet points and delete matters which are more appropriately addressed in the other identified policies in the plan.
6.8.103	This paragraph states that “Mineral extraction can have significant consequences for the environment and <u>on the health and amenity of local communities.</u> (Our underlining)	We are aware that historic research by Newcastle University in to open cast coal extraction, linked airborne emissions, to potential health impacts. We are not aware of any evidence that other forms of mineral extraction (non-energy) are linked to health effects on local communities. The Council should clarify this statement with supporting evidence.	If no evidence linking non-energy extraction to health impacts on local communities can be provided, this paragraph should be amended.
Policy EcW12 :	Mineral Buffer Zones	MTAN 1, para. 70 requires and MPPW make it clear that Buffer Zones are to be established “ <i>around permitted and allocated mineral extraction sites</i> ”. Policy EcW12 should be amended to accord with that policy requirement.	Amend text accordingly
Policy EcW13	Minerals Safeguarding	The proposed policy seeks only to safeguard aggregate mineral resources and not building stone resources and infrastructure associated with minerals extraction, processing and delivery as referred to in the proposed PPW.	Amend text and proposals map to include minerals infrastructure and building stone.

6.8.113	This paragraph states distances around settlement limits within which minerals development will not be acceptable: - 200 metres in the case of hard rock and 100 metres in the case of sand and gravel.	Stand-off distances for mineral extraction are normally determined through the process of Environmental Impact Assessment. It is unclear whether or not this paragraph seeks to impose a buffer zone around settlements. PPW, supported by subsequent Mineral Plan Inquiries Inspector's reports, is clear in that buffer zones are applicable to mineral extraction operations	Review this paragraph as it is contrary to national policy in PPW.
Page 129	Monitoring Target: -Maintain a 10-year bank of permitted aggregate reserves	This does not accord with MTAN1 which requires a <u>minimum</u> landbank of 10 years during the entire period of the plan.	Amend wording to read " <i>Maintain a minimum 10-year landbank of permitted aggregate reserves during the entire period of the development plan</i> "
Page 129	Trigger Point: - Less than 10 years.	We are concerned that a trigger point which only comes in to effect once the landbank falls below 10 years will not meet the requirement of PPW, MTAN1 and the RTS. The Mineral Products Association surveys its members annually over the time taken to find, secure and release a mineral reserve. Typically, it takes between 5 and 15 years to convert sites from exploration in to active operational sites, almost three years of which is in the planning process.	The trigger proposed is too short and should be extended to reflect the time taken to secure and deliver mineral sites.

Proposals Map

The quality of the graphics for the Proposals Map is poor and unclear. It would appear that Vaynor Quarry (limestone) and Gelligaer Quarry (sandstone) are both indicated as coal resources.

The quality of the proposals map needs to be improved.

Summary

Overall, it is disappointing that the comments made in our initial representation from August 2017 have been overlooked by the Council.

There are certain elements in the plan that we do support. We have, however, highlighted specific areas above, where we feel the plan needs further consideration.

We trust the above comments will be given full and proper consideration and would welcome the opportunity to discuss with you, the points raised.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Nick Horsley', with a large, sweeping flourish underneath.

Nick Horsley
Director of Planning

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