

Welsh Government: Regional Technical Statements for the North Wales and South Wales Regional Aggregate Working Parties.

First Review - Public Consultation, October - December 2013

Guidance on responding to this consultation:

This document is designed for you to submit comments on the consultation draft of the First Review of the Regional Technical Statements for North Wales and South Wales, as published on 28th October 2013 on the Websites of the North Wales and South Wales Regional Aggregate Working Parties.

The First Review comprises the main document together with the Regional Appendix for North Wales (Appendix A) or South Wales (Appendix B), as appropriate. All three documents, together with an explanatory letter from the Welsh Government, are available to download from both RAWP Websites.

The Consultation process is open from 28th October to 23rd December 2013, inclusive.

If you would like to take part in the consultation, please save a copy of this survey form to your computer, complete your details within the box below, and then answer any or all of the questions which follow, depending on your area(s) of interest or concern. There is no need to answer all of the questions - you can leave the others blank.

To insert a response to any of the questions, just type anywhere within the grey sections. There is no word limit but it would be helpful if you could keep your responses as concise as possible.

When you have finished, simply save the document and then attach it to an email addressed to the author of the reports: alan.thompson@cuesta-consulting.com, by no later than 23rd December 2013.

All responses received by the deadline will be acknowledged, and the author might contact you for clarification unless you say otherwise in the box below.

All individual responses will be shared between the author and the Client Group (Welsh Government and the Technical Secretaries of the two RAWPs), but otherwise will be treated in the strictest confidence.

Your Details:

Your Name (optional): Adrian James

Your involvement with the RTS process (e.g. mineral operator, planning officer, elected Member, other 'formal' stakeholder, member of the public): Natural Resources Wales

The Mineral Planning Authority area in which you are based, where applicable (see Fig. 3.1 in the report):
n/a

Would you be happy for us to contact you for clarification, if required, at the email address you have used to submit your response? (Yes/no) Yes

General

Question 1: Overall, does the Draft First Review of the RTS help you to understand the issues involved in planning for future aggregates provision in Wales? (If not, please suggest any areas of improvement).

Your Answer: No comment.

Executive Summary

Question 2: Are there any key issues or findings from the main document which are missing from the Executive Summary and which need adding?

Your Answer: No comment.

Chapter 1: The Purpose of the RTS

Question 3: Are there any aspects of the purpose of the RTS which you don't understand after reading this chapter? Or any aspects with which you disagree? If so, please give details.

Your Answer: No comment.

Chapter 2: Key Principles and Approaches

Question 4: Are you happy with the key principles and approaches set out in this chapter? If not, please explain why and what, if anything, is missing.

Your Answer: We welcome that the proximity principle and a consideration of environmental capacity have been identified as key principles to inform the RTS. Where appropriately applied, this should ensure that potential environmental constraints are identified and considered at an early stage in the strategic planning process, providing a mechanism to steer development to appropriate locations and minimise future conflict at the individual application level. This should enable the RTS to offer a greater degree of certainty to mineral planning authorities when deciding where any new development may be sustainably located and realistically delivered.

Question 5: Having read the whole document, do you think these key principles have been adequately deployed in carrying out the revision? If not, please explain why.

Your Answer: Paragraphs 2.13, 2.14, and 4.3 of the RTS state that the consideration of environmental capacity had no influence on setting apportionment figures or allocations. The environmental capacity approach also did not consider the location of individual environmental designations other than National Parks and Areas of Outstanding Natural Beauty (AONBs). Whilst we welcome the consideration given to the locations of National Parks and AONBs, we believe that any strategic assessment that is intended to be informed by environmental capacity should also consider the locations of statutory nature conservation designations. Failure to consider such designations would represent a failure to give appropriate attention to potential significant constraints to development, and could therefore affect the delivery of apportionment figures and allocations recommended in the RTS.

Paragraph 58 of *Minerals Technical Advice Note (Wales) 1: Aggregates (2004)* states that the Assembly "considers that future proposals for aggregate extraction are unlikely to be acceptable where there would be significant adverse impact on a SSSI". The Countryside and Rights of Way Act 2000 places a duty on all public bodies, including local planning authorities, to take reasonable steps, consistent with the proper exercise of their functions, to further the conservation and enhancement of the features for which a SSSI has been notified. We therefore consider that the environmental capacity approach should also consider the location of individual SSSIs.

Whilst we recognise that the RTS should not pre-judge issues that may be more appropriately considered as part of the LDP or Development Management processes, we do believe that the RTS should consider the location of SSSIs as part of any environmental capacity approach. This will ensure that any recommendation for allocations included in the RTS are based on knowledge of the locations of such environmental constraints, and also reflect the approach taken in national planning policy to protect

SSSIs. Further, appropriate consideration of SSSIs as part of the RTS development process, will ensure that apportionment levels for individual mineral planning authorities are based on a better understanding of the capacity of individual authority areas to accommodate any new development. This should help ensure that mineral policies and allocations included within emerging LDPs (that are largely based on information contained in the RTS) can be realistically delivered within the Plan period.

Natural Resources Wales would welcome further discussion of the information it holds on the location of existing quarries which are in close proximity to SSSIs.

Future reviews of the RTS should also consider the Welsh Government's proposals for natural resource management as proposed in *Towards the Sustainable Management of Wales' Natural Resources: Consultation on proposals for an Environment Bill* (2013), notably the proposed national Natural Resource Policy and Area Based Natural Resource Management Approach.

Chapter 3: Assessment of Demand

Question 6: Are you happy with the approach that has been taken to assess the likely future demand for land-based primary aggregates in Wales? If not, please explain why and what improvements might be considered.

Your Answer: We generally support the method used to assess the likely future demand for land-based primary aggregates. Given the information currently available, we agree that there is no evidence to suggest a need to provide for a higher level of demand than that set out in the RTS.

Question 7: Are you happy with the validity of the findings of this assessment, either for individual MPAs or for the Region or Country as a whole? If not, please give details.

Your Answer: No comment.

Chapter 4: Analysis of the Existing Supply Pattern

Question 8: Are you happy with the explanation that is given in this chapter of the existing patterns of supply across Wales as a whole? If not, please explain your concerns. *(But please note that any concerns regarding details within your particular Region can be dealt with in response to the additional questions (15 to 20) relating to the two Regional Appendices).*

Your Answer: No comment.

Chapter 5: Future Apportionments and Allocations

Question 9: Are you happy with the apportionments set out in Table 5.1 and the supporting text? If not, please explain your concerns, either for individual MPAs or for Wales as a whole.

Your Answer: We welcome the clarity provided in Table 5.1 that apportionment figures shown for National Parks relate to production from existing reserves in those areas, and not an indication that such areas are expected to provide future allocations.

However, we consider that further attention should be given to the opportunity to identify apportionment figures for regions or sub-regions rather than for individual mineral planning authorities. A regional/ sub-regional approach to apportionment would ensure that an individual authority is not set a level of apportionment which it does not have the environmental capacity to deliver.

The review of the RTS offers the opportunity for mineral planning authorities to collaborate on a regional/ sub-regional basis to identify apportionment levels that are informed by an understanding of the environmental capacity to accommodate new development.

A regional/ sub-regional approach to apportionment would ensure that an individual authority is not set a level of apportionment which it does not have the capacity to deliver because of the presence of significant environmental constraints.

Where there is a concern in relation to a potential deficiency in supply, the regional approach to apportionment, would enable consideration to be given to how the deficiency could be sustainably met by reserves within neighbouring authorities within the region/ sub-region.

The boundaries of such regions could be based on known consumption figures, which from paragraph 3.43 of the RTS seems to be available at a sub-regional level. This approach would be compatible with the proposals for improving collaboration and Strategic Development Plans set out in the 'Positive Planning' consultation document.

Question 10: Are you happy with the details relating to surpluses / shortfalls in Tables 5.2 and 5.3 and the supporting text? If not, please explain your concerns, either for individual MPAs or for Wales as a whole.

Your Answer: No comment.

Question 11: More specifically, do you agree with the logic of excluding dormant and suspended sites from the basic landbank calculations (subject to the reserves at these sites being available to offset any allocation requirements, where necessary, as explained in paragraph 5.19). If you disagree, please explain why.

Your Answer: No comment.

Question 12: Are you happy with the details noted in paragraphs 5.20 and 5.21, which give individual MPAs some flexibility to depart from RTS recommendations. If not, please explain why.

Your Answer: We believe that it is appropriate to include some flexibility for mineral planning authorities to depart from the apportionment figures or allocation recommended in the RTS where it is justified by new evidence e.g. in relation to environmental capacity. However, different mineral planning authorities are at different stages of the LDP-making process. We therefore have concerns as to how mineral planning authorities wishing to depart from the RTS will be able to reach agreement with other mineral planning authorities with adopted LDPs on how to achieve sub-regional or regional totals. We suggest that further guidance is provided on this matter.

Chapter 6: Consultation Process

Question 13: Do you think that the consultation process, as explained in this chapter, and including this survey, is adequate and fit for purpose? If not, please explain what improvements you would like to see for this or future reviews.

Your Answer: No comment.

Glossary of Terms

Question 14: Are the definitions given in this Glossary sufficiently clear and accurate? If not, please provide details of any perceived shortcomings.

Your Answer: No comment.

Appendix A: North Wales

Question 15: Do you have any detailed local knowledge which would help to improve or challenge any of the details given within paragraphs A1 to A46 of Appendix A? If so, please provide details.

Your Answer: No comment.

Question 16: Do you have any detailed local knowledge which would help to improve the factual information given within Tables A3 to A5? If so, please provide details.

Your Answer: No comment.

Question 17: Do you have any detailed local knowledge which would help to improve or challenge any of the information given for individual MPAs on pages 12 to 24 of Appendix A? If so, please provide details.

Your Answer: No comment.

Appendix B: South Wales

Question 18: Do you have any detailed local knowledge which would help to improve or challenge any of the details given within paragraphs B1 to A68 of Appendix B? If so, please provide details.

Your Answer: No comment.

Question 19: Do you have any detailed local knowledge which would help to improve the factual information given within Tables B3 to B5? If so, please provide details.

Your Answer: No comment.

Question 20: Do you have any detailed local knowledge which would help to improve or challenge any of the information given for individual MPAs on pages 19 to 50 of Appendix B? If so, please provide details.

Your Answer: No comment.

And Finally ...

Question 21: Do you think this first Review of the RTS is likely to be helpful in moving further towards a more sustainable system of quarrying in Wales, in the years ahead? If not, please explain why.

Your Answer: The review of the RTS offers an opportunity to move towards a more sustainable system of quarrying in Wales.

In contributing towards a more sustainable quarrying system, we consider that the RTS should help direct development to those locations where there is environmental capacity to accommodate new development. As part of this approach, and to improve the certainty that RTS recommendations can be delivered, we consider that apportionment figures and allocations should be informed by an understanding of where statutory designations are located.

Further, we consider that the RTS should promote collaboration between mineral planning authorities in meeting the demand for minerals. Where there is a concern that an individual mineral planning authority is unable to meet its proposed level of apportionment, the RTS review should represent a framework within which mineral authorities can collaborate to deliver a regional/ sub-regional apportionment target.

Question 22: If you are closely involved with implementing the Local Development Plan process in Wales, do you think the revised RTS is likely to be helpful in guiding and informing that process? If not, please explain what improvements you'd like to see.

Your Answer: No comment.

Question 23: ... and are there any other comments you would like to make relating to any aspect of the RTS Review?

Your Answer: No further comment.