

**Rhondda Cynon Taf
County Borough Council
Local Development Plan
2006 – 2021**

Minerals Background Paper

December 2009

Contents	Page
1. Introduction	1
1.1 National and Regional Policy Background	1
1.2 Minerals Planning Policy Wales (2000)	1
1.3 Minerals Technical Advice Note (MTAN) (Wales) 1: Aggregates (2004)	1
1.4 Minerals Technical Advice Note (MTAN) (Wales) 2 : Coal (2009).	1
1.5 Regional Technical Statement for Aggregates 2008	2
1.6 Rhondda Cynon Taf LDP Preferred Strategy 2007	3
1.7 The Preferred Strategy Option:	3
2. Local Development Plan Minerals Policies and Further Policy Background and Justification	4
2.1 Policy CS 10 – Minerals	4
2.2 The Landbank Process	5
2.3 The Rhondda Cynon Taf Landbank	6
2.4 Sandstone Reserves	6
2.5 Limestone Reserves	7
2.6 Sand and Gravel	7
2.7 Policy SSA 26 – Preferred Area of Known Mineral Resource	8
2.8 Preferred Area of Known Mineral Resource	8
2.9 Policy AW 14 – Safeguarding of Minerals	10
2.10 Policy AW 15 – Community Amenity Protection Buffer Zones	12
2.11 Safeguarding Areas	13
2.12 Buffer Zones	14
2.13 Coal Bed Methane	15

1.0 INTRODUCTION

This background paper has been prepared in accordance with the Deposit Draft Local Development Plan for Rhondda Cynon Taf. It aims to give detailed clarification of, and outline the evidence behind, the formulation of the Deposit Plan's minerals policies. Further modifications to these policies have been proposed following the Deposit Draft and Alternative Sites consultations, and following Council agreement of them in December 2009, these modified policies are shown within this document. This paper also sets out the explanation for these proposed Focussed Changes to policy CS10, further context to Policy SSA 26 and further explanation for the proposed Focussed Changes to Policies AW14 and AW15.

1.1 NATIONAL AND REGIONAL POLICY BACKGROUND

1.2 Minerals Planning Policy Wales (2000)

The Welsh Assembly Government's minerals policy is embodied in Mineral Planning Policy Wales (MPPW). This provides the guidance for Mineral Planning Authorities to achieve the overall objective of providing a sustainable pattern of mineral extraction. It aims to achieve this through adhering to the following 5 key principles;

1. *Provide mineral resources to meet society's needs and to safeguard resources from sterilisation;*
2. *Protect areas of importance of natural or built heritage;*
3. *Limit the environmental impact of mineral extraction;*

4. *Achieve high standard restoration and beneficial after-use; and,*
5. *Encourage efficient and appropriate use of minerals and the re-use and recycling of suitable materials.*

1.3 Minerals Technical Advice Note (Wales) 1: Aggregates (2004)

Minerals Technical Advice Note 1: Aggregates (MTAN1) provides detailed advice on the mechanisms for delivering the policy for aggregates extraction by mineral planning authorities and the aggregates industry. The MTAN has been formulated to cover the same 5 key principles of sustainable mineral extraction as those in the MPPW, although considering them in more detail

Primary Aggregates that exist in Rhondda Cynon Taf are Hard Rocks and Sand And Gravel (land won). Aggregates are generally classed into three categories, being primary aggregates, mineral waste and secondary/recycled aggregates.

MTAN 1 also identifies aggregates that have limited availability due to geological reasons, such as high quality aggregates for road construction. This pennant sandstone is relatively plentiful in Wales but unavailable in some parts of the UK. This material is therefore considered a special case.

1.4 Minerals Technical Advice Note (MTAN) (Wales) 2 : Coal (2009).

Minerals Technical Advice Note 2: Coal (MTAN2) sets out detailed advice on the mechanisms for delivering the policy for coal extraction by mineral planning authorities and the coal industry. The 5 key principles of sustainable mineral extraction as set out in MPPW are again followed in this MTAN, considering them in greater detail.

MTAN 2 requires local authorities to determine the extent of resources in their areas and to take appropriate measures to safeguard them in order to protect what may be a strategic resource in the future. The British Geological Survey (BGS) mapping information shows primary and secondary coal resource zones. BGS are currently refining this information for the Welsh Assembly Government in order to seek to identify areas where resources may be viable.

Further detail on the broader aims, objectives and content of the National Policy for minerals in Wales are discussed in the Minerals Topic Paper that was prepared in the early formulation of the policies for the Deposit Draft LDP. This Background Paper will further outline how the Deposit Draft LDP minerals policies, as amended, will conform to these National Policies

1.5 Regional Technical Statement for Aggregates 2008

The Regional Technical Statement (RTS) has been produced by the South Wales Regional Aggregates Working Party (SWRAWP). MTAN1 sets an overarching objective which

seeks to ensure a sustainably managed supply of aggregates (which are essential for construction), striking the balance between environmental, economic and social costs. This RTS has been formulated to help guide individual Unitary Authorities in South Wales on how to implement these mineral planning policies in the formulation of their individual Local Development Plan (LDP) policies and allocations.

A key issue in the RTS is the proposed apportionment of aggregate production rates between individual authorities. This will be achieved through existing permitted reserves within the authorities or through allocating new areas for quarrying. It should be noted that although Brecon Beacons National Park (BBNP) have a series of existing working quarries and many future reserves, this apportionment will not apply to the BBNP area, and they will not be required to allocate new land for quarrying. Neighbouring authorities are required to consider what contribution they are able to make to any possible shortfall resulting from the decision to omit the BBNP area.

In order to ensure that the objectives of the RTS are achieved, the document makes 6 specific recommendations in respect of Rhondda Cynon Taf. These are as follows:

- Early consideration should be given to the need to allocate additional reserves in Rhondda Cynon Taf likely to be required in the latter part of the 15 year landbank period;

- Alternative limestone and high quality sandstone resources need to be safeguarded;
- There are no wharfs to protect but opportunities for co-using rail facilities (primarily established for open cast coal), for aggregates should be considered as they arise;
- Tower Colliery railhead should also be identified for protection in the LDP to safeguard possible future aggregate transportation;
- The possibility of Rhondda Cynon Taf taking on a share of the production presently derived from the BBNP should be considered.
- Land won sand and gravel resources need to be safeguarded in the LDP.

Again, further sections of this Background Paper will discuss how the Minerals Policies in the Deposit Draft LDP, as amended, help to meet the objectives of these recommendations.

1.6 Rhondda Cynon Taf LDP Preferred Strategy 2007

The LDP Preferred Strategy provided the following policy framework and objectives for the development of minerals in Rhondda Cynon Taf. Paragraph 4.2 of the Preferred Strategy lists 16 objectives for the LDP. The following objectives are the most relevant to the topic area;

- Promote efficient and appropriate use of minerals including the safeguarding of resources and ensuring that adequate reserves are allocated to meet local, regional and national needs
- Minimise waste, especially waste to landfill and making adequate provision for waste facilities in accordance with the findings of the Regional Waste Plan.
- Provide for a sustainable economy
- Provide for a diverse range of job opportunities
- Improve, protect and enhance the landscape and countryside. Protect and enhance the diversity and abundance of wildlife habitats and native species

1.7 The Preferred Strategy Option:

Paragraphs 6.32 and 6.33 of the Preferred Strategy provide a strategy for the development of minerals, through broadly outlining the requirements of National Policy and Regional obligations.

2.0 LDP MINERALS POLICIES (AS AMENDED POST DEPOSIT/ALTERNATIVE SITE CONSULTATION) AND FURTHER POLICY BACKGROUND AND JUSTIFICATION

The following policy evolved from the original Strategic Policy in the Preferred Strategy Document.



2.1 Policy CS 10 – Minerals

The Council will seek to protect resources and to contribute to the local, regional and national demand for a continuous supply of minerals, without compromising environmental and social issues, by;

1. Maintaining a 10 year landbank of permitted rock aggregate reserves throughout the plan period (to 2021), together with an extended landbank in the form of a Preferred Area;
2. Defining safeguarding areas for mineral resources, including coal, high quality hard rock, limestone and sand and gravel, taking into account the range, quality and extent of resources;
3. Where resources are under threat from sterilisation by necessary development, the pre-working of the mineral resource will be encouraged;
4. Ensuring that appropriate restoration and aftercare measures are incorporated;
5. Promoting efficient usage, minimising production of waste, and promoting alternatives to primary won aggregates;
6. Ensuring that impacts upon residential areas and sensitive land uses from mineral operations

and the transportation of minerals are limited to an acceptable proven safe limit through community amenity protection buffer zones.

The extraction of mineral resources raises issues of wide ranging importance. Minerals impact upon all aspects of our lives, providing resources for construction, roads, energy and our household and commercial needs.

Quarrying and mining extraction can have major impacts upon the environment and landscape and yet are crucial to the nation's economy.

These policies will balance the need for the safeguarding of nationally, regionally and locally important mineral resources and ensuring their appropriate extraction, against the potential impact of such development on residential and sensitive occupiers, the landscape and on sites of nature conservation interest.

2.2 THE LANDBANK PROCESS

The initial method of calculating landbanks for aggregates is set out in MTAN1 para 45. In summary, it bases "current" landbanks on an average of the last three years production for a given area and is defined in terms of years of permitted reserves. "Extended" landbanks include additional reserves allocated in plans. Dormant reserves are not to be counted

directly in this process, but there are now no dormant sites in RCT.

MTAN1 para' 50 requires Regional Technical Statements to be prepared, containing a regional supply strategy to inform individual LDPs. The process is known as "subregional apportionment". MTAN1 para's 48 and 50 call for a more sustainable system of supply.

In response to those two requirements, the South Wales RTS, sets out two approaches to future provision, to be used in parallel (alongside MTAN1, para' 159, target requiring 25% of all aggregates to be derived from secondary sources by 2009). These are described below.

RTS Apportionment method A ("traditional" approach) applies a growth rate based on economic factors, to recent MPA averages (for 2003-5). It therefore largely projects directly, past supply practice. RTS Apportionment method B ("per capita" approach) seeks a more sustainable approach by reasoning that population is an approximation for general demand. The population numbers in each MPA, expressed as a percentage of the whole of the South Wales region, are multiplied by the total demand on the region. In theory this should relate supply closer to the location of demand, i.e. it emphasises the proximity principle. However it is recognised that not all MPA areas have accessible geological resources in sufficient quality or quantity to meet such local demand, in which case transfer between MPA areas will be necessary.

2.3 THE RHONDDA CYNON TAF LANDBANK

Permitted reserves within RCT/Cardiff Mineral Planning Authority (MPA) areas jointly were 68.7 Million tons (Mt) of which 54 Mt was at sites active in 2005. Permitted rock reserves in RCT alone at the end of 2005, stood at 14.2 Mt, of which 12 Mt was at the three active sites (two limestone; one sandstone), the remaining 2.2 Mt being at inactive sites. Incidentally reserves at subsequent year ends were – 2006=15Mt and 2007=14.5Mt (SWRAWP Annual Reports).

All the available figures relate to a rock requirement as there has been no sand and gravel production in RCT for many years.

The RTS (para 4.28) indicates that for confidentiality reasons, RCT is grouped with Cardiff. Apportionment Method A expects the joint area to contribute 22.5 – 23.9 Mt over the 15 years (2007-21 inclusive).. Regarding Apportionment Method B, the range for the same period is 30 – 31 Mt for the joint area.

Under both Methods A and B therefore, there appear to be sufficient permitted reserve within the two areas as a whole to sustain production for more than 15 years.

Various attempts have been made to arrive at a base average figure for RCT alone, using public domain data. In a Briefing Note to support Representation 1318 D4, one of the two main aggregate producers in RCT, stated (para 4.3) that recent

annual average output (for the period 2002-5) for RCT was 0.7 Mt. Applying this figure alone (i.e. without increase for economic change anticipated in the RTS) over 15 years would amount to 10.5 Mt. At this same rate, RCT would have a rock current landbank of just over 20 years from the end of 2005.

This generally tallies with the RTS statement noting the need for additional reserves towards 2021 and also with calculations based upon table 3.1 of the South Wales RAWP Annual Reports. These state that remaining reserves at the year ends were as follows: 2005 – 17; 2006 – 21; 2007 – 20 years.

In respect of Apportionment Method B , the RTS (para 4.28) indicates that RCT represents 42% of the total population of the two MPAs, so that the estimated apportionment for RCT is equivalent to 12.6 – 13.0 Mt, or an annual average 0.84 – 0.868 Mt. At this level, permitted reserves in RCT at the end of 2005 would have been sufficient for 16-17 years i.e. until 2021-2.

2.4 Sandstone Reserves

The published permitted reserves are not subdivided into sandstone and limestone although the briefing paper noted above (1318 D4) states that Craig yr Hesg quarry reserves stood at 7.8 Mt at 1/1/2008 (para 3.3) and that recent annual average production was 0.4 Mt. Calculating back, this suggests the quarry's reserves at the end of 2005 (the base year) amounted to 9.6 Mt of the 14.2 Mt i.e. 67% of the

reserves in the MPA. (With this the only active Sandstone Quarry).

2.5 Limestone Reserves

The remaining reserves (4.2 Mt) in RCT are limestone, which at 0.3 Mt annually (i.e. the residual of 0.7 Mt), could supply demand for 14 years. Here again the permitted reserve would be exhausted just before the end of the RTS period.

2.6 Sand and Gravel

All the available figures relate to a rock requirement as there has been no sand and gravel production in RCT for many years on which to base a landbank. A pragmatic approach is to enforce the safeguarding policy, require exploration and, with extraction prior to development where the presence of workable material is independently verified (cf wildlife or archaeological assets). MTAN 1 (para 32 bullet 2) does not consider it appropriate to extract land-based sand and gravel at the present time. Thus, in the absence of a landbank (MTAN1 para 49 requires a 7 year landbank for sand and gravel), bearing in mind the emphasis is given to safeguarding sand and gravel, reserving future working for prior extraction appears to be the most appropriate course.

The situation in RCT alone therefore appears to be more tenuous than in Cardiff. Whichever method of calculation is used, permitted reserves for rock as a whole and separately for sandstone or limestone, are likely to be totally or very

largely depleted by the end of the plan period. The RTS therefore notes that “early consideration should be given to the need to allocate additional reserves likely to be required in the later part of the 15 years RTS landbank period”.

This is further required when considering that the LDP itself is required to make a rock landbank provision equivalent to 10 years to be available throughout the entire plan period, i.e. running to 2021 (plus 10 years) to accord with MTAN1 paragraph 49.

The criteria considered through points 3 to 5 in Policy CS10 will be expected to adhere to the detailed requirements of National and Regional planning guidance. National and Regional guidance has and will help to guide the criteria 1,2 and 6 of the policy, although these will be discussed in further detail, with specific regard to policies SSA 26, AW14 and AW15.

2.7 Policy SSA 26 – Preferred Area of Known Mineral Resource

Land adjacent to Craig yr Hesg Quarry, Pontypridd is identified as a Preferred Area of Known Mineral Resource.

Craig yr Hesg is the only operating sandstone quarry in Rhondda Cynon Taf and Cardiff. The identified Preferred Area is an area of known mineral resource with commercial potential. The existing, adjacent quarry currently produces high specification polished stone value (PSV) or 'skid resistance' pennant sandstone. The resource is in high demand and is nationally recognised as being an important high specifications aggregate (HSA), i.e. a material suitable for the highly demanding use of road surfacing materials.

The Regional Technical Statement identifies the need to allocate additional rock reserves in Rhondda Cynon Taf, to ensure a supply of general hard stone resources over the period of the LDP and given the requirement to take a share of the production presently derived from the Brecon Beacons National Park.

This Preferred Area of Known Mineral Resources, as well as the existing quarry benefit from the sandstone safeguarding policy.

2.8 PREFERRED AREA OF KNOWN MINERAL RESOURCES.

This site was the only land that came forward as a Candidate Site for future mineral extraction, as an extension to the only working quarry in Rhondda Cynon Taf producing High Specification Aggregate. The proposers of the Candidate Site have supported their scheme with a Landscape and Visual Appraisal and an Assessment of Environmental Effects of Blasting at the site. Allocating a site for a new quarry was not considered a viable option for the LDP. This was due firstly to the lack of any private proposals for such a use, and, moreover, due to issues surrounding allocating such a use in comparison to an extension of an established quarry which is considered in MPPW para 41. These include environmental, social, economic and transportations factors that would all add up to considerable deliverability concerns over the period of the LDP.

It is important to record that the RTS advice (para 4.28) indicates that landbank calculation should be applied in a wider context and should take into account technical capabilities, inter-changeability between aggregate types, relative environmental effects and cost, and capacity to supply (i.e. RTS 'Box 1' – part of paragraph 17, page 79).

The operators of Craig yr Hesg have raised a factor which could be regarded as a "Box 1" consideration. (These are considerations that should be taken into account beyond the calculated landbanks and reserves recommendations outlined

in the RTS). They have indicated that stockpiles of excess, presently unsaleable fine materials, have become so extensive that they have denied access to all but 1.75 Mt of the 7.8 Mt of permitted reserves measured at 1/1/2008. It is in part, this particular restricted reserve position which has prompted the company to seek an early extension to the existing permission.

The Council has deliberated on the validity of this case as far as the urgency or otherwise, of release of further reserves is concerned, for example, a revised processing schedule, change in size specification, modified logistical plan on site, the cost pressures of the European Mine Waste Directive (which might force sales or open up new viable uses) and possibly other actions could alleviate this situation.

However, it was considered that such a substantial part of the Landbank for hard rock in Rhondda Cynon Taf could be economically and physically sterilised from extraction due to the circumstances at the Quarry. Nevertheless, the designation of the site does not afford the land, and specifically the entire boundary of the site, guaranteed permission for extraction here. Indeed, further evidence would be required to show how extraction from this land will take place in accordance with current National Planning Guidance.

Furthermore, further evidence will be required to show how much of the site could be developed, and how much mineral is available here, and what is required to be extracted. MTAN1 para 71 requires there to be “clear and justifiable

reasons for reducing the distances”, ie the advised 200m minimum buffer zone for rock quarries. The Vibrock Report (submitted by the promoter of Candidate Site 411 for the extension of the quarry) suggests that the special characteristics of Pennant Sandstone as an HSA source, justifies such a reduction. This allocation of a Preferred Area in the plan could therefore constitute part of an ‘extended’ landbank for the whole LDP plan period, based on the amount of mineral permitted for extraction at any permission stage.

For example the early release of modest further reserves here could give sufficient scope on site to be able to accommodate back filling some of the older workings and thereby release some more of the existing permitted reserves.

The RTS (para 3.85) advises that specific landbanks for HSA resources should be established. The permitted reserves at Craig yr Hesg would fall into this category. Furthermore, this quarry is the only active site quarrying this material in the joint RCT/Cardiff area. There is therefore a need for replenishment of those reserves within the plan period, but there are questions of timing and appropriateness of extending this particular site. There are considerable limestone reserves in the combined RCT/Cardiff area, but these are not a substitute for Pennant Sandstone as a source of HSA.

Policies AW14 and AW15 have a significant relationship with one another, and as such will be further discussed jointly.

2.9 Policy AW 14 – Safeguarding of Minerals

Where possible, the following mineral resources shall be safeguarded from development which would unnecessarily sterilise them or hinder their extraction.

1. The resources of sand and gravel, including a 100 metre buffer zone beyond the resource boundary, as listed below and shown on the proposals map, will be safeguarded from development
 - a. Llanilid, East of Felindre Road
 - b. Brynsadler, North of Llanharry Road
 - c. South of Tylegarw, Pontyclun
 - d. Ceulan Farm, Miskin
 - e. Pant Marsh, Talbot Green
 - f. Llantrisant and Pontyclun golf course
 - g. Rhiwsaeson Road, Cross Inn
 - h. Heol y Creigiau, Rhiwsaeson

2. The resources of sandstone, as shown on the proposals map, will be safeguarded from development and include a 200 metre buffer zone beyond the resource boundary.

3. The resources of limestone, as shown on the proposals map, will be safeguarded from development and include a 200 metre buffer zone beyond the resource boundary.
4. The resources of coal, as shown on the proposals map, will be safeguarded from development and include a 500 metre buffer zone beyond the resource boundary. This safeguarding area will exclude internationally and nationally designated nature conservation sites and also land within 500 metres of settlement boundaries/settlements of 10 units or over.
5. The limestone and sandstone quarries at Forest Wood, Hendy and Craig yr Hesp, will be further safeguarded from development that would adversely affect their operations by 200 metre buffer zones as shown on the proposals maps.

Opportunities for extracting Coal Bed Methane exist across Rhondda Cynon Taf. Bearing in mind their special characteristics, they will be treated on merits of individual cases and therefore not safeguarded and shown on the proposals map. Unlike other minerals, surface development should not sterilise their future extraction

Further information on the mineral resources concerned will

be required to accompany planning applications for non-mineral development in such areas.

The identification of safeguarding areas for the above minerals in Rhondda Cynon Taf does not carry any presumption that planning permission would be granted for their extraction. Prior-extraction is not always feasible, but with better pre-planning, it should be more generally possible than in the past. Where it can be achieved, it can represent a truly sustainable approach to development, good application of the proximity principle and husbanding of resources.

There are also significant constraints to the extraction of the minerals from within these identified safeguarding areas. These include firstly the proximity to residential areas, which is discussed in further detail in policy AW15. There are also designated sites of landscape and nature conservation within them, which, in line with national policy, would prevent extraction of the minerals. These designations are identified in the LDP Constraints Map, with other policies within the LDP affecting their extraction. There are also areas within the safeguarding zones that have been previously worked, where the quality and extent of the remaining mineral may not require their safeguarding. Further investigation in these locations would be required.

Strategic work is currently being undertaken to identify the quality of resources of minerals throughout Wales, and in particular Rhondda Cynon Taf, where the current safeguarding zones are considerable. This is in order to

consolidate the resources that have the greatest importance for future safeguarding.

It is necessary to identify buffer zones around these resources to safeguard their boundaries from land uses which may sterilise them or hinder their extraction. Permanent development and land uses that would be considered unsuitable within the safeguarding area and the buffer zone would include residential development, hospitals and schools, or where an acceptable standard of amenity should be expected. There should be no new mineral extraction within the buffer zone.

The Council recognises the need to consider alternative sources of sand and gravel rather than continuing to rely on marine dredged sources to support future economic development in Wales. These resources are generally located in small pockets across the southern edge of the County Borough.

Pennant sandstone covers approximately 70% of the surface area of Rhondda Cynon Taf. The deposits are generally centrally located running north to south. Previous studies to establish the quality of the deposits and refine the potential safeguarding areas to the most important deposits, have determined that their quality was in the main, remarkably uniform.

Deposits of the high purity limestone in Rhondda Cynon Taf are confined to small areas close to the M4, with the slightly

broader outcrop of Carboniferous Limestone cutting through and adjoining it to the south.

The proposals map shows the primary and secondary coal resource areas, (as identified by the British Geological Survey) as one safeguarding zone, as they both benefit from the same safeguarding considerations. The primary resource includes the thicker, closely-spaced coals, with the secondary resource area having thinner, more widely spaced coals. These areas are mainly located on the edges of the South Wales Coal Field, in the Southern and Northern areas of Rhondda Cynon Taf.

2.10 Policy AW 15 – Community Amenity Protection Buffer Zones

In order to protect the amenity of residential areas and other sensitive land users, mineral extraction or activity directly related to the extraction of minerals will not normally be permitted within the defined settlement boundaries or other established settlements. In accordance with the following community amenity protection buffer zones;

- a) Sand and gravel extraction or activity directly related to the extraction of sand and gravel will generally not be permitted within 100 metres of defined settlement boundaries or other established settlements.**
- b) Sandstone or limestone extraction or activity directly related to the extraction of sandstone or limestone will generally not be permitted within 200 metres of defined settlement boundaries, or other established settlements.**
- c) Coal extraction or activity directly related to the extraction of coal will generally not be permitted within 500 metres of defined settlement boundaries, or other established settlements.**

These separation distances should normally be regarded

as minima, but there may be special or exceptional circumstances in justifying increases or decreases.

For the purposes of this policy, “other established settlements” are settlements of 10 dwellings and over, which do not have a defined settlement boundary.

In relation to groups of less than 10 dwellings and single dwellings, whilst there will be a presumption against mineral activity, (in accordance with the type of deposit and distances specified in parts a,b and c of this policy), consideration will be given through the Development Control process to the impact of any mineral extraction on them.

2.11 SAFEGUARDING AREAS

Minerals are a finite natural resource and require protection where possible from loss, in the same way as for other natural and cultural resources such as water, biodiversity, historical monuments and conservation areas. Safeguarding of mineral resources in this way, demonstrates good sustainable practice.

Safeguarding of areas have therefore been delineated to protect mineral resources where possible, from development which could needlessly sterilise them. Such areas are framed slightly differently for coal and in turn, for other minerals, in accordance with national guidelines (MPPW, MTAN1 and MTAN2 respectively).

Safeguarding for coal, based on MTAN2, relates to primary and secondary coal resources (as defined by the British Geological Survey (BGS) and the Coal Authority). As such it excludes from the outset, specific areas around settlements (500m) and areas to conserve nationally or internationally designated features. These exclusions constitute areas in which coal extraction will not normally be considered to be acceptable.

MTAN 2 clearly sets out the steps to be followed for safeguarding shallow coal resources. Here, it clearly states that the MPA only needs to determine whether primary and secondary coal resource zones lie within its area (paragraph 36). Therefore, the Council considered that it would not safeguard tertiary coal resource zones, which would result in vast areas of the authority being covered by coal safeguarding area designation, much of which would be far smaller, widely spaced areas of thin coal.

The safeguarding areas for minerals other than coal are based on geological deposits as defined by the BGS, without removing areas of significance for other conservation factors (but excluding built up areas). In particular, the Sand and Gravel resources were identified following the ‘Symonds Report’ (2000) (commissioned by the Welsh Assembly Government to identify sand and gravel resources across South Wales) which highlighted specific areas of resources along the southern edge of the County Borough.

Although there is no assumption that proposals made to extract minerals within safeguarding areas will be automatically acceptable, it is in the interests of sustainability, that mineral resources are taken into account in the event of a non-minerals planning proposal being made in those areas.

2.12 BUFFER ZONES

It is necessary to give further explanation of the three types of buffer zones that are identified in the LDP minerals policies. Firstly, there are those that form an integral part of the safeguarding zones. These are shown beyond the edge of geological deposits, being the distances stipulated in AW14, as identified in National Policy. On the Proposals Map, these buffer zones are shown alongside their respective deposit safeguarding areas as one, collective annotation. There are then Buffer Zones around specific sites; Craig yr Hseg (including the proposed Preferred Area of Known Mineral Resource), Forest Wood and Hendy quarries. These two forms of buffer zones are designed to ensure that access to mineral resources is not inhibited by development that could sterilise its extraction.

The third type of buffer zone is designed to protect communities from mineral operations encroaching upon them. These Community Amenity Protection Buffer Zones are not specifically recognized in national policy, but have nevertheless been formulated in line with national guidance.

These buffer zones have been identified to give residents of Rhondda Cynon Taf the security that mineral extraction will not normally take place within specified distances of their homes. This was considered necessary considering the vast areas of minerals that have been safeguarded through the LDP. Furthermore, these buffer zones are in contrast with the mineral protection buffer zones in that they have the purpose of protecting the resident's amenity as opposed to protecting the mineral deposit from sterilisation. However, the distances prescribed in this policy follow the normal minimum distance for reducing the impact of aggregates production in paragraph 70 and 71 of MTAN 1. With regards to Coal extraction, MTAN 2, and in particular paragraph 29, states that coal working will generally not be acceptable within 500 metres of settlements. It is this that supports the basis of policy AW15. This buffer zone is not shown separately on the Proposals Map, but will be considered against any further development proposal.

Although there may be overlap between these buffer zones, it is not considered that policy AW15 is in conflict with the safeguarding policies in CS10 (2) and AW14.

It has been considered necessary to allow appropriate scope for reduction in prescribed distances of extraction of minerals from settlements in certain and/or exceptional circumstances or where there are clear and justifiable reasons. This is in line with national guidance, namely MPPW, paragraph 40, MTAN 1 paragraph 71 and MTAN 2 paragraphs 29, 32 and 49 - 51. Although this guidance in places refers to buffer zones extending from permitted minerals workings or safeguarded

zones, the principles identified apply to the principles behind the Community Amenity Protection Buffer Zones. These are the recognised conflicts between mineral workings and other land uses, particularly sensitive land uses and development. Subsequently, the reasoning for allowing certain circumstances where distances are reduced for mineral extraction from settlements is considered appropriate within AW15.

In the case of Craig yr Hesg, parts of the existing operations are closer to existing development than 200m. However, the same distance buffer zone is applied to the Preferred Area, where again, the zone encroaches upon existing properties. As previously discussed, the case for this intrusion has to be specifically justified.

Due consideration was given to the need to extend Buffer Zones around the widespread Coal resources identified for safeguarding on the plan. It was determined that although the resources were indeed widespread, not to include a Buffer Zone around the safeguarded deposit, could sterilise considerable areas along its edge. Due to the topographic characteristics of Rhondda Cynon Taf, areas on the northern and southern fringes of the County Borough are more appropriate for surface coal extraction, and opencasting could far more readily take place. In these locations, much of the coal safeguarding areas are within areas of lower lying land that are little more than a kilometre in width, before the topography changes to the high mountain slopes and valleys

of the central part of the authority – where extraction of the safeguarded deposits would be considerably more difficult.

The requirement not to safeguard the resources within 500 metres of settlements, in particular those in these northern and southern areas (which in many cases mirror the linear form of the deposits) may result in new developments within this un-safeguarded area that could create a new 500 metres 'prevention of extraction zone' extending into the safeguarded area. The 500 metre buffer zone has therefore been included around the coal safeguarding area to prevent this potential sterilisation.

2.13 COAL BED METHANE

Whereas there may be debate as to whether coal bed methane (CBM) is a "mineral", it is certainly a gas and a non-renewable energy resource, so it therefore comes within the ambit of MPPW (para 64). Indeed coal bed methane is specifically mentioned there and in para 65. Gas (i.e. generically) could possibly be added to the list of minerals given in CS10 (2) but that would require the safeguarding area to be shown on the Proposals Map. Due to the unique location of these resources, this would prove difficult to show. Furthermore, the extraction process requires an incomparably smaller area of surface land, with considerable flexibility of location with regards to the location of the gas resources below.