

SYLWADAU NMC300 COMMENTS

CEFNOGI / SUPPORT



The Coal  
Authority

## Anglesey & Gwynedd Joint Local Development Plan - Matters Arising Changes Schedule

**Consultation Deadline – 9 March 2017**

### Contact Details

Planning and Local Authority Liaison Department  
The Coal Authority



Planning Email:  
Planning Enquiries:



### Person Making Comments

Anthony B Northcote *HNCert LA(P), Dip TP, PgDip URP, MA, FGS, ICIOB, MInstLM, MCMI, MRTPI*  
Consultant Planning Advisor to The Coal Authority

### Date of Response

24 February 2017

Thank you for consulting The Coal Authority on the above document.

Having reviewed the document, I confirm that we have only a few specific comments to make at this stage.

NMC 298 (Policy MWYN1) – The Coal Authority supports the proposed change

NMC 299 (Paragraph 7.5.62) – The Coal Authority supports the proposed change

**NMC 300 (Paragraph 7.5.62a) – The Coal Authority supports the proposed change**

NMC 311 (Policy MWYN6) – The Coal Authority supports the proposed change

These changes address some parts but not all of our original deposit plan objections.

Should you require any assistance please contact a member of Planning and Local Authority Liaison at The Coal Authority on our direct line (01623 637 119).

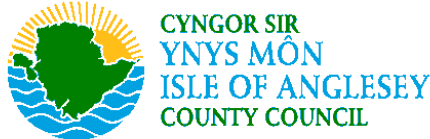
Yours sincerely



**Mark Harrison** *BA(Hons), DipTP, LLM, MInstLM, MRTPI*  
**Principal Manager**

SYLWADAU NMC300 COMMENTS

GWRTHWYNEBU / OBJECT



Defnydd swyddfa yn unig/ Office use only

Rhif Cyn./Rep No.:

Derbyniwyd/Received:

Cydnabod/Acknowledged

**Cynllun Datblygu Lleol ar y Cyd Ynys Môn a Gwynedd 2011-2026  
FFURFLEN SYLWADAU I NEWIDIADAU MATERION SY'N CODI/  
Anglesey and Gwynedd Joint Local Development Plan 2011-2026  
MATTERS ARISING CHANGES COMMENTS FORM  
26/1/17.**

Mae'r Cynghorau yn ymgynghori ar nifer o Newidiadau Materion sy'n Codi o ganlyniad i Sesiynau Gwrandawriad o Archwiliad Cynllun Datblygu Lleol ar y Cyd Gwynedd a Môn. Mae'r newidiadau hyn wedi eu rhoi yn y ddogfen ymgynghori: 'Cofrestr Newidiadau Materion sy'n Codi' (Ionawr 2017).

**Sylwer bod RHAID i sylwadau ymwneud â'r Newidiadau Materion sy'n Codi yn unig, ac nid am agweddau eraill o'r Cynllun Datblygu Lleol ar y Cyd.** Mae'r sylwadau a wnaethpwyd yn ystod y cyfnod Adnau, ynghyd â'r Newidiadau â Ffocws, eisoes wedi cael eu cyflwyno i'r Arolygydd ac felly dim ond ar gyfer gwneud sylwadau am y Newidiadau Materion sy'n Codi dylid defnyddio'r ffurflen hon. Bydd pob sylw arall yn cael eu hanwybyddu.

Dylid defnyddio'r ffurflen hon ar gyfer yr holl sylwadau (h.y. sylwadau neu wrthwynebiadau). Mae fersiynau electronig ar gael ar [www.gwynedd.llyw.cymru/cdll](http://www.gwynedd.llyw.cymru/cdll) neu [www.ynysmon.gov.uk/cdll](http://www.ynysmon.gov.uk/cdll). Os ydych yn cyflwyno copi papur, dylech atodi tudalennau ychwanegol lle bod angen, gan nodi rhif y dudalen yn glir. **Dylech lenwi ffurflenni ar wahân ar gyfer pob sylw** yr hoffech ei wneud.

**Mae'n rhaid derbyn eich sylwadau ddim hwyrach na hanner nos ar y 9 Mawrth 2017. NI FYDD SYLWADAU A DDERBYNNIR AR ÔL Y DYDDIAD YMA YN CAEL EU HYSTYRIED**

Dychwelwch y ffurflenni i: **Uned Polisi Cynllunio ar y Cyd, Llawr 1af Swyddfa Cyngor Dinas Bangor, Ffordd Gwynedd, Bangor, Gwynedd, LL57 1DT** neu [polisicynllunio@gwynedd.llyw.cymru](mailto:polisicynllunio@gwynedd.llyw.cymru)

**Diogelu Data** - Bydd yr holl sylwadau ar gael i'w harchwilio gan y cyhoedd ac ni ellir eu hystyried yn gyfrinachol. Serch hynny, i sicrhau diogelwch data bydd manylion personol yn cael eu tynnu allan o'r dogfennau fydd ar gael yn gyhoeddus.

Mae'n bosib derbyn ffurflenni sylwadau ychwanegol gan yr Uned Polisi Cynllunio ar y Cyd drwy ffonio 01286 685003/ 679668 neu gellir eu llawr lwytho o wefan y Cyngor yn: [www.gwynedd.llyw.cymru/cdll](http://www.gwynedd.llyw.cymru/cdll) neu [www.ynysmon.gov.uk/cdll](http://www.ynysmon.gov.uk/cdll) neu gallwch lungopïo'r ffurflen hon.

The Councils are consulting on a number of Matters Arising Changes as a result of the Hearing Sessions from the Examination of the Anglesey and Gwynedd Joint Local Development Plan. These changes are set out in the consultation document: 'Schedule of Matters Arising Changes (January 2017).

**Please note that representations MUST relate only to the Matters Arising Changes, and not to other aspects of the Joint Local Development Plan.** All comments made at the Deposit stage, together with the Focus Changes, have already been submitted to the Inspector, therefore this form can only be used to comment on the Matters Arising Changes. All other representations will be disregarded.

This form should be used for all representations (i.e. comments or objections). Electronic versions are available at [www.gwynedd.llyw.cymru/ldp](http://www.gwynedd.llyw.cymru/ldp) or [www.anglesey.gov.uk/ldp](http://www.anglesey.gov.uk/ldp). If you are submitting a paper copy, attach additional sheets as necessary, clearly numbering each consecutive sheet. **Separate forms should be completed for each comment** that you wish to make.

**Your representations must be received by no later than midnight on the 9 March 2017. REPRESENTATIONS RECEIVED AFTER THIS TIME WILL NOT BE CONSIDERED**

Please return forms to: **Joint Planning Policy Unit, 1<sup>st</sup> Floor Bangor City Council Offices, Ffordd Gwynedd, Bangor, Gwynedd, LL57 1DT** or [planningpolicy@gwynedd.llyw.cymru](mailto:planningpolicy@gwynedd.llyw.cymru)

**Data Protection** – All representations will be made available for public inspection and cannot be treated as confidential. However to ensure data protection personal details from publically accessible documents will be removed.

Additional representation forms can be obtained from the Joint Planning Policy Unit on 01286 685003/ 679668 or may be downloaded from the Council's web site at: [www.gwynedd.llyw.cymru/ldp](http://www.gwynedd.llyw.cymru/ldp) or [www.anglesey.gov.uk/ldp](http://www.anglesey.gov.uk/ldp) or you may photocopy this form.

<b>RHAN 1/PART 1:</b> <b>Manylion cyswllt :</b> <b>Contact details:</b>		
	<b>Eich manylion neu manylion eich cleient</b> <i>Your details or your client's details</i>	<b>Manylion yr Asiant (os yn berthnasol)</b> <i>Agent's details (If relevant)</i>
<b>Enw</b> <i>Name</i>	[REDACTED]	
<b>Sefydliad (os yn berthnasol)</b> <i>Organisation (If relevant)</i>	Mineral Products Association	
<b>Cyfeiriad</b> <i>Address</i>	[REDACTED]	
<b>Côd Post</b> <i>Postcode</i>	[REDACTED]	
<b>Ffôn</b> <i>Tel:</i>	[REDACTED]	
<b>E-bost</b> <i>Email:</i>	[REDACTED]	
<b>Llofnodwyd</b> <i>Signed</i>	[REDACTED]	
<b>Dyddiad</b> <i>Date</i>	7th March 2017	

Rhowch eich sylwadau yn Rhan 2 y ffurflen hon. Defnyddiwch dudalennau ychwanegol os oes angen, gan nodi rhif y dudalen yn glir.



*Please set out your comments in Part 2 of this form. Use additional sheets of paper where necessary, clearly numbering each consecutive sheet.*

**Dylech lenwi ffurflenni ar wahân ar gyfer pob sylw yr hoffech ei wneud.**

***Separate forms should be completed for each comment that you wish to make.***

***Os yw grŵp yn rhannu barn gyffredin ynghylch Newid Materion sy'n Codi, bydd y Cyngorau'n derbyn deiseb wedi'i llofnodi.*** Wrth gyflwyno ffurflen sylwadau ar ran grŵp, dylai'r ffurflen sylwadau gynnwys manylion cyswllt unigolyn arweiniol yn Rhan 1 a dylid nodi'r sylwadau'n glir ar y ffurflen sylwadau. Dylai'r ddeiseb sydd wedi'i llofnodi nodi'n glir faint o bobl sy'n cael eu cynrychioli a sut mae'r sylwadau wedi'u hawdurdodi. Nid yw llofnodi deiseb yn atal neb rhag cyflwyno ffurflenni unigol.

***Where a group shares a common view on Matters Arising Changes, the Councils will accept a signed petition.*** In submitting a representation form on behalf of a group, the representation form should include the contact details of a lead individual at Part 1 and the comments should be clearly set out on the representation form. The signed petition should state clearly how many people are being represented and how the representation has been authorised. Signing a petition does not prevent the submission of individual forms.

		<b>Defnydd swyddfa yn unig/ Office use only</b> Rhif Cyn./Rep No.: Derbyniwyd/Received: Cydnabod/Acknowledged
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**Cynllun Datblygu Lleol ar y Cyd Ynys Môn a Gwynedd 2011-2026**  
**FFURFLEN SYLWADAU NEWIDIADAU MATERION SY’N CODI /**  
**Anglesey and Gwynedd Joint Local Development Plan 2011-2026**  
**MATTERS ARISING CHANGES COMMENTS FORM**  
**26/1/17.**

<b>RHAN 2: Eich Sylwadau a Newidiadau a Awgrymir</b> <b>PART 2: Your Comments and Suggested Changes</b>	
<b>Eich enw/Sefydliad:</b> <b>Your name/Organisation:</b>	Mineral Products Association

**1. Ar ba un o’r Newidiadau Materion sy’n Codi yr ydych chi’n gwneud sylwadau? (Cofiwch ddefnyddio un ffurflen ar gyfer pob sylw)**

**1. Which of the Matters Arising Changes are you commenting on? (Remember to use one form for each representation)**

Rhif y Newid Materion sy’n Codi (NMC) <i>Matters Arising Change Number (NMC)</i>	<b>300</b>	Cefnogi/ <i>Support</i>	<input type="checkbox"/>	Gwrthwynebu/ <i>Object</i>	<input checked="" type="checkbox"/>
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**2. Cyn i chi esbonio eich sylwadau’n fanwl, byddai’n dda gwybod os ydych yn credu fod y Cynllun yn gadarn ai pheidio, o ganlyniad i’r Newidiadau Materion sy’n Codi, neu a ydych o’r farn bod rhannau ohono neu bob rhan ohono ddim yn gadarn a bod angen ei newid.**

I gael rhagor o wybodaeth am gadernid a gofynion gweithdrefnol, gweler y nodiadau cyfarwyddyd. Os ydych yn ansicr, gadewch y rhan yma yn wag.

**2. Before you set out your comments in detail, it would be helpful to know whether you think that, as a result of the Matters Arising Changes, the Plan is sound or that all or parts of it are unsound.**

*For more information on soundness and procedural requirements, see the guidance notes. If you are unsure, leave this section blank.*

Cadarn/Sound	<input type="checkbox"/>	Dim yn gadarn a dylid ei newid <i>/Unsound and should be changed</i>	<input checked="" type="checkbox"/>
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**3. Rhowch eich sylwadau isod gan ddefnyddio tudalennau ychwanegol fel bo angen.** Dylech roi eich sylwadau chi’n llawn. Bydd hynny’n helpu’r Awdurdod a’r Arolygydd i ddeall y materion y byddwch yn eu codi. Ni fyddwch chi’n cael cyflwyno rhagor o wybodaeth gerbron yr Archwiliad oni fydd yr Arolygydd yn eich gwahodd chi i egluro unrhyw faterion y bydd yn godi.

Rhowch wybod os ydych chi’n cyflwyno deunyddiau eraill i ategu eich sylwadau.

**3. Please set out your comments below using additional sheets as necessary.** Your comments should be set out in full. This will help the Authority and the Inspector to understand the issues you raise. You will only be able to submit further information to the Examination if the Inspector invites you to address matters that he may raise. Please indicate if you are submitting other material to support your comments.

*Please see separate sheets*

Defnyddiwch dudalennau ychwanegol os bydd angen.  
Nodwch faint o dudalennau ychwanegol rydych wedi'u defnyddio.....  
*Please use additional sheet if necessary.*  
*Please state how many additional sheets have been used.....*

- 4. Os yw eich sylw yn 3 yn fwy na 100 o eiriau, darparwch grynodeb os gwelwch yn dda (dim mwy na 100 o eiriau).**  
**4. If your response to 3 above exceeds 100 words, please provide a summary (no more than 100 words).**

**RHAN 3: Beth sy'n digwydd nesaf****PART 3: What happens next?**

Bydd pob un o'r sylwadau a dderbyniwyd o fewn y cyfnod ymgynghori yn cael eu hanfon ymlaen yn syth i'r Arolygydd. Rhag ofn bydd yr Arolygydd yn penderfynu dylid cynnal sesiynau gwrandawriad pellach mae angen i chi nodi isod os ydych yn dymuno ymddangos gerbron yr Arolygydd a siarad mewn 'sesiwn gwrandawriad'. Serch hynny, mae'n bwysig nodi y bydd yr Arolygydd yn rhoi'r un pwysau i'r sylwadau ysgrifenedig yr ydych chi wedi eu cyflwyno ar y ffurflen hon â'r rheiny a wneir ar lafar mewn sesiwn gwrandawriad.

*All comments received by the closing date will be forwarded directly to the Inspector for consideration. Just in case the Inspector decides that further hearing sessions are necessary please indicate whether you would want to speak at a session. It is important to note that written comments will be given the same weight by the Inspector as those made verbally at a hearing session.*

**5. A ydych am i'ch sylwadau gael eu hystyried fel 'sylwadau ysgrifenedig' neu a hoffech siarad mewn sesiwn gwrandawriad yn yr Archwiliad Cyhoeddus? (Ticiwch un o'r isod)**

**5. 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)**

Nid wyf am siarad mewn sesiwn gwrandawriad ac rwyf yn fodlon i'm sylwadau ysgrifenedig gael eu hystyried gan yr Arolygydd.

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

Hoffwn siarad mewn sesiwn gwrandawriad.

*I want to speak at a hearing session.*

**6. Os hoffech siarad, cadarnhewch pam rydych yn ystyried ei bod hi'n angenrheidiol i chi siarad yn y Gwrandawriad.**

**6. If you wish to speak, please confirm which part of your representation you wish to speak to the Inspector about and why you consider it to be necessary to speak at the Hearing.**

**7. Os ydych am siarad, byddai'n ddefnyddiol pe gallech nodi ym mha iaith hoffech chi gael eich clywed? (Ticiwch un o'r isod)**

**7. If you wish to speak, it would be helpful if you could indicate in which language you would like to be heard. (Please tick one of the following boxes)**

Hoffwn i gael fy nghlywed yn Gymraeg

*I wish to be heard in Welsh*

Hoffwn i gael fy nghlywed yn Saesneg

*I wish to be heard in English*

**DIOLCH AM EICH SYLWADAU / THANK YOU FOR YOUR COMMENTS**



<b>Nodiadau cyfarwyddyd</b>	<b>Guidance notes</b>
<p>Mae Cynllun Datblygu Lleol ar y Cyd Gwynedd a Môn yn cael ei archwilio ar hyn o bryd gan Arolygwyr annibynnol a benodwyd gan Lywodraeth Cymru. Gwaith yr Arolygwyr yw ystyried a yw'r Cynllun yn bodloni gofynion gweithdrefnol ac a yw'n gadarn.</p> <p>Gellir ystyried 'Cadarn' yn y cyd-destun hwn o fewn ei ystyr arferol o 'dangos barnu da' a 'gellir ymddiried ynddo'. Y cwestiynau neu'r 'profion' y bydd yr Arolygydd yn eu hystyried wrth benderfynu a yw'r Cynllun yn gadarn yw:</p> <ol style="list-style-type: none"> <li>1. A yw'r cynllun yn ffitio? (h.y. a yw'n gyson â chynlluniau eraill?)</li> <li>2. A yw'r cynllun yn briodol? (h.y. a yw'n briodol ar gyfer yr ardal yng ngoleuni'r dystiolaeth?)</li> <li>3. A fydd y cynllun yn cyflawni? (h.y. a yw'n debygol o fod yn effeithiol?)</li> </ol> <p>Darperir rhagor o wybodaeth am y profion cadernid a'r gofynion gweithdrefnol yn Arweiniad Gweithdrefnol ar Archwiliadau Cynllun Datblygu Lleol yr Arolygiaeth Gynllunio.</p> <p>Os ydych yn gwrthwynebu Newid Materion sy'n Codi, dylech ddweud pam nad yw'n gwneud y Cynllun yn gadarn a nodi pa newid y dylid ei wneud er mwyn sicrhau fod y Cynllun yn gadarn.</p> <p>Lle rydych yn cynnig diwygiad i'r Newidiadau Materion sy'n Codi byddai'n ddefnyddiol egluro pa brawf (profion) cadernid rydych yn credu ei fod yn methu. Fydd methu adnabod prawf ddim yn golygu na chaiff eich sylw ystyriaeth, cyn belled â'i fod yn ymwneud a'r Newid Materion sy'n Codi. Dylech gynnwys eich holl sylwadau ar y ffurflen, gan ddefnyddio dogfennau ychwanegol a thystiolaeth ategol lle bod angen.</p>	<p><i>The Joint Anglesey and Gwynedd Local Development Plan (LDP) is being examined by an independent Inspector appointed by the Welsh Government. It is the Inspector's job to consider whether the Plan meets procedural requirements and whether it is sound.</i></p> <p><i>'Sound' may be considered in this context within its ordinary meaning of 'showing good judgement' and 'able to be trusted'. The questions or 'tests' which the Inspector will consider in deciding whether the Plan is sound are:</i></p> <ol style="list-style-type: none"> <li><i>1. Does the plan fit? (i.e. is it consistent with other plans?)</i></li> <li><i>2. Is the plan appropriate? (i.e. is it appropriate for the area in the light of the evidence?)</i></li> <li><i>3. Will the plan deliver? (i.e. is it likely to be effective?)</i></li> </ol> <p><i>More information on the soundness tests and procedural requirements is provided in the Planning Inspectorate's Local Development Plan Examinations Procedural Guidance.</i></p> <p><i>If you are objecting to a Matters Arising Changes, you should say why you think it makes the Plan unsound, and which change should be made to make the Plan sound.</i></p> <p><i>Where you propose an amendment to a Matters Arising Changes it would be helpful to make clear which test(s) of soundness you believe it fails. Failing to identify a test will not mean that your comment will not be considered, providing it relates to the Matters Arising Changes. You should include all your comments on the form, using accompanying documents and supporting evidence where necessary.</i></p>
<p>Dychwelwch y ffurflen i: <b>Uned Polisi Cynllunio ar y Cyd, Llawr 1af Swyddfa Cyngor Dinas Bangor, Ffordd Gwynedd, Bangor, Gwynedd, LL57 1DT</b> neu <a href="mailto:polisicynllunio@gwynedd.llyw.cymru">polisicynllunio@gwynedd.llyw.cymru</a> erbyn hanner nos ar 9/3/17</p>	<p>Please return the form to: <b>Joint Planning Policy Unit, 1<sup>st</sup> Floor Bangor City Council Offices, Ffordd Gwynedd, Bangor, Gwynedd, LL57 1DT</b> or <a href="mailto:planningpolicy@gwynedd.llyw.cymru">planningpolicy@gwynedd.llyw.cymru</a> by midnight on 9/3/17</p>

# **GWYNEDD & ANGLESEY JOINT LOCAL DEVELOPMENT PLAN EXAMINATION**

## **MATTERS ARISING CHANGES JANUARY 2017**

### **REPRESENTATIONS OF THE MINERAL PRODUCTS ASSOCIATION**

#### **NMC 297**

##### **STRATEGIC POLICY PS 19: MINERALS**

We generally support the changes proposed with two exceptions,

- a) Criterion two misses out an essential reference to a minimum 10 year landbank for crushed rock, making the minimum only apply to sand and gravel in the proposed changes. This should be rectified since the minimum applies to both.
- b) We reiterate that national policy requires the maintenance of a landbank during the entire plan period in accordance with PPW para 14.7.5 which says, "*Authorities should include policies in their development plans for the maintenance throughout the plan period of land-banks for non-energy minerals which are currently in demand.*"

Accordingly, we suggest the following additional changes to the criterion, (new text in *italics*)

2. Maintaining a minimum 7 year land bank of Sand and Gravel and **a minimum** 10 year land bank of crushed rock aggregate reserves **throughout the plan period** in line with national guidance.

#### **NMC 308**

##### **POLICY MWYN 4: MINERAL DEVELOPMENTS**

We are disappointed that our proposals for changes to this policy to address the qualifications to the apportionment process inherent within the RTS and mentioned in paragraphs 6.11 and 6.23 of the Topic Paper (i.e. the technical capacity for one type of aggregate to be changed for another, and whether adequate production capacity can be maintained to meet the required level of supply) have not been acknowledged even though our recollection of the hearings was that the point was accepted by the Councils. Our members are greatly concerned that there should be recognition within policy that the needs of higher quality aggregates are accepted and addressed. The existing text is inadequate because the argument goes beyond the bare maintenance of a minimum landbank in which

quality considerations are not necessarily taken into account. Moreover, the policy does not address the issues noted by the RTS Review Appendix A (North Wales) paragraph A53 which are relevant for mineral policy within the Plan area.

We therefore propose a further amendment to the policy as follows (new text in **bold**)

Mineral exploration, new working or extensions to existing operations will be granted to maintain the Plan area's landbank of aggregates, or to meet a demonstrated need for **special qualities of aggregates which cannot be met by existing sources, or to maintain productive capacity of higher quality aggregates, or to meet a demonstrated need** for other minerals provided the following criteria are met:

### **NMC 300**

#### **Paragraph 7.5.62a**

We are disappointed that the need for a specialist report detailing the impact of a development on the MSA and the feasibility of prior extraction has not been acknowledged in the plan's supporting text. This follows good practice as outlined in the BGS safeguarding guidance. We therefore suggest the following addition to the text of para 7.5.62a (new text in **bold**).

**With the exception of exempt development, all applications in Minerals Safeguarding Areas should be accompanied by a Mineral Assessment Report prepared by a qualified person, which includes a site-specific desk-based assessment of the existing surface and solid geological and mineral resource information, including where appropriate, borehole data leading to an estimate of the economic value (for example quality and quantity) of the mineral resource, its potential for use in the forthcoming development and an assessment of whether it is feasible and viable to extract the mineral resource ahead of development to prevent unnecessary sterilisation.** Where there is an overriding need for a development that would otherwise sterilise resource, a condition will be attached to the planning permission requiring the extraction of that resource prior to the commencement of the development unless the developer satisfactorily demonstrates that it is impracticable or environmentally unacceptable.