

Replacement Local Development Plan 2018-2033

Topic Paper

June 2019

Topic Paper 10: Minerals and Waste

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1. Introduction

The Local Development Plan (LDP) is first and foremost a land use plan that identifies site specific development opportunities in response to the needs of the community for more housing, jobs, services and facilities. It also seeks to preserve, protect and enhance where appropriate, those aspects of the built and natural environment which are important in defining the quality and sensitivity of the places we value, enjoy, move through, and live in. The ultimate aim of the LDP will be to deliver sustainable development.

The LDP is a vehicle for the Council to define its key growth and development priorities and will provide the ongoing framework of policies to guide decisions on planning applications.

2. Purpose of this Topic Paper

This is one of a series of topic papers which have been put together to inform the production of the Conwy Replacement Local Development Plan (RLDP). Their aim is to interpret the relevant evidence and guidance in relation to the specific topic and identify the key issues that the Plan will need to address as well as possible policy approaches to be incorporated in the Plan. Each topic paper has been compiled from detailed evidence originating from LDP Background Papers (technical documents that form the evidence base for the RLDP.) Topic papers are designed to cover key subject areas currently covered in the adopted LDP and summarise technical data contained within the Background Papers to make the presentation of data more accessible to readers. Topic papers establish a baseline position and identify the key issues facing the County Borough which the RLDP will need to address.

The Topic Papers are intended to provide an early opportunity for stakeholders and the public to have an input into the Plan. This topic paper covers key issues relating to ~~the~~ Minerals and Waste.

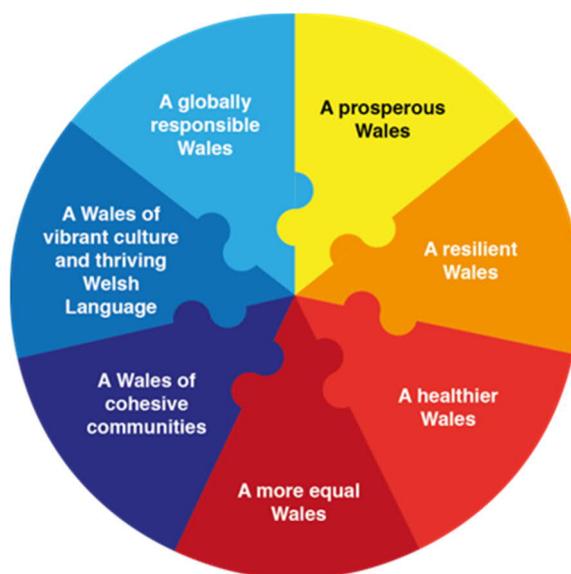
3. Key Changes to Legislation and Policy

3.1 European and National Changes

3.1.2 Well-being and Future Generations Act (2015)

The Well-being of Future Generations (Wales) Act is about improving the social, economic, environmental and cultural well-being of Wales. It will make public bodies such as Councils think more about the long-term, work better with other organisations and communities to prevent problems and take a more joined-up approach.

The Act has seven well-being goals which are:



Each public body mentioned in the Well-being Act must carry out sustainable development.

“The action a public body takes in carrying out sustainable development must include:

- a. setting and publishing objectives (“well-being objectives”) that are designed to maximise its contribution to achieving each of the well-being goals, and
- b. taking all reasonable steps (in exercising its functions) to meet those objectives.”

(source - Part 2 ‘ Improving Well-being section 3 ‘well-being duty on public bodies’ paragraphs (1) and (2).)

In the Act “sustainable development” means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals.

The Act specifies five ways of working: long-term, integration, involvement, collaboration and prevention. Each of these will be incorporated into the RLDP process.

3.1.3 Changes to the Regulation of Waste

There have been a large number of changes to the waste industry and the way in which it is regulated in recent years. These changes have been introduced to encourage the sustainable management of waste, reduce the regulatory burden where it is appropriate to do so, for example End of Waste, and to increase regulation where there is just cause to do so. The most significant changes are discussed below.

The requirement to separately collect waste came into force from the 1st of January 2015. The requirements apply to waste from all sources, including commercial and industrial waste, and mean that separate collections for paper, metal, plastic and glass must be provided or, where a collection is comingled, it must be processed to an appropriate standard. This requirement is in addition to the requirement to pre-treat waste prior to disposal in landfill which has been in place since 2007.

3.1.4 Landfill Tax

Landfill Tax rates have increased significantly since the LDP was adopted. The rate in 2012/13 was £64 per tonne for the standard rate and £2 per tonne for the lower rate. Landfill tax is currently £88.95 per tonne for the standard rate and £2.80 for the lower rate. This significantly reduces the ability of landfill sites to compete with other waste management types which are not subject to the tax.

3.1.5 National Planning Policy - Minerals

Minerals Planning Policy Wales has been incorporated within Planning Policy Wales, however, its content remains the same. Minerals Technical Advice Note 1 and 2 also remain in place. MTAN 1 advises that where landbanks already provide for more than 20 years of aggregates extraction, new allocations will not be necessary. However, Clarification Letter CL-05-14 has since advised that this does not reflect the Local Development Plan period of 15 years, the implication being that it may not be sufficient to conclude that having a 20 year or more landbank is sufficient and that it would only be prudent to come to this conclusion if there was in place a landbank of 25 years or more.

The British Geological Society published a National Aggregate Safeguarding Map in November 2012 prior to adoption of the LDP which the Council dealt with during the examination process. As a consequence of the publication of the Map the extent of areas identified under the safeguarding policy was increased and buffers applied around the areas to be safeguarded.

In December 2018, the Welsh Government published Planning Policy Wales 10. The biggest changes are to the approach to energy minerals. Conwy has no coal resources and this is therefore of no relevance to the County Borough. Exploitation of gas at depth is also considered unlikely because of the presence of more easily accessible coal bed methane in Denbighshire and Flintshire Coalfields.

3.1.6 National Planning Policy - Waste & Key Waste Policy Documents

Since the LDP was adopted a number of policy changes have occurred which have implications for waste. Planning Policy Wales has been revised a number of times with significant changes to waste policy. The requirement to produce Regional Waste Plans has been removed, although there is still a requirement to carry out monitoring to ensure that sufficient disposal and recovery capacity exists within a region. Development Plans must demonstrate how the National Waste Strategy, including the Collections, Infrastructure and Markets Sector Plan (2012) and any monitoring update, have been taken into account.

The National Waste Strategy was published in 2010, however, a series of Sector Plans are in the process of being produced which are of relevance to the LDP. Technical Advice Note 21 has also been revised to ensure that the land use planning framework reflects the requirements of the National Waste Strategy and associated Sector Plans.

3.2 Regional Level Impacts

For minerals, the provision for aggregates within individual local authorities, groupings of authorities or regional groupings is guided by the Regional Technical Statement (RTS) for aggregates, which is a requirement of paragraph 50 of Minerals Technical Advice Note 1: Aggregates (March 2004) (MTAN). This technical statement is currently under review and is due to be published early in 2020. The revised RTS will make recommendations for any apportionments necessary to ensure an adequate supply of crushed rock and sand & gravel aggregates, including the nationally recommended minimum provision of 7 years sand & gravel and 10 years crushed rock as set out in Paragraph 49 of MTAN1 are available for the entire duration of any given LDP, recognising the spatial availability of suitable minerals resources across each local authority area.

At this time there remains a significant landbank of permitted crushed rock reserves in Conwy which is predicted to last the full LDP period plus the required 10 years landbank, and it is considered unlikely that there would be any significant requirement to make additional provision. Depending upon the outcome of the RTS review in 2020 there may be a requirement for neighbouring authorities to work collaboratively to meet any regional or sub regional apportionments if any LA is not able to make their own provision. An absence of commercially viable and unconstrained sand & gravel resources, mainly on account of them being located in flood risk areas of the coastal strip and vale of Conwy river plains, or narrow upland stream deposits, means that any provision potentially required of Conwy for sand & gravel is more likely to be met by an apportionment on Gwynedd subject to the RTS Review

Since the publication of the RTS in early 2020 will occur during the production / examination of the Deposit LDP, the policy and any necessary requirements for allocations (site specific allocations, preferred areas or areas of search) would need to be carried out as part of the future review and monitoring of the LDP.

For Waste, a number of regional monitoring reports have been published which show that local authority collected waste arisings in the County have generally declined since 2008 and recycling rates have generally increased. The main conclusion to date has been that there is no additional need for disposal capacity within the region and that any further requirement for residual waste treatment capacity should be carefully considered to ensure that the facility would not result in overprovision.

The expansion of existing facilities and development of new facilities has greatly influenced how waste is managed and where. Local authorities have had financial impetus to procure dedicated capacity for the management of food wastes and residual wastes. A number of facilities have been developed across Wales in response to this, including Parc Adfer and the AD facility at Rhualt, Denbighshire which are of direct relevance to Conwy. Both facilities have been procured to manage wastes collected by Conwy Council. Parc Adfer also has capacity to manage some commercial and industrial wastes, though the amount that could be managed would depend upon the Partner Authorities' requirements. The development of such facilities may impact on commercial waste management companies who rely on local authority contracts.

As a consequence of reducing volumes of waste being deposited in landfill sites, the economic viability of landfill has been impacted. A number of disposal sites have closed in Wales before being completed due to the costs associated with operating versus the revenue generated by deposits. The remaining landfill sites in the North Wales region are operated by commercial companies who could make similar operational decisions. This could leave the region with insufficient capacity and a policy framework which would then require an additional site/s to be identified. Ultimately, this is a matter that the Welsh Government needs to address.

3.3 Local Context, Policies and Strategies

3.3.1 Conwy Corporate Plan 2017-2022

The purpose of the Corporate Plan is to present Conwy County Borough Council's Priorities for the five years from 2017 to 2022. The priorities are the areas that the Council want to focus special attention on in order to support the achievement of the citizen outcomes.

The outcomes are as follows:

- People are educated & skilled
- People are safe and feel safe
- People have access to affordable, appropriate, good quality accommodation that enhances the quality of their lives.

- People are healthy & active
- People live in a county that has a prosperous economy
- People value and look after the environment
- People live in a county where heritage, culture and the Welsh language thrive
- People in Conwy contribute to their community. They are informed, included and listened to.

Across all areas of work the Council is committed to ensuring that the needs of the present are met without compromising future generations, endeavouring to make the best decisions in light of financial restraints. In addition the Corporate Plan gives a commitment to consider the impact of policies on rural communities, those protected under Equalities legislation and people living in poverty. The Council will also promote the Welsh language, and build confidence to be progressive. Harnessing the potential of technology to improve performance, business processes and efficiencies is a strategic priority up until 2022.

3.3.2 Local Waste Management Facilities

There are a range of waste management facilities in Conwy, including two disposal sites: Llanddulas, which manages non-hazardous waste, and Ty Mawr Farm, which manages inert waste. The Council operates a number of civic amenity sites and a bulking station and the remainder are operated by private companies. The Background Paper on Waste Management details permitted facilities in Conwy, i.e. those sites which have an environmental permit issued by Natural Resources Wales which allows them to manage waste. The limited number of facilities compared with many other North Wales authorities is likely to reflect the rural and constrained nature of the County Borough.

A number of planning permissions have been granted within the County Borough since the LDP was adopted, as detailed within the Background paper on Waste Management. In addition to this, there have been enforcement investigations at a site in Abergele which is in the process of being regularised through the submission of a planning application. The waste management uses within the site have intensified and the site now manages significantly more waste than previously. Significantly, the site now produces a Refuse Derived Fuel (RDF) which is exported off site for recovery and this capacity is significant in a local context.

4. LDP Policy – Current position

The LDP was adopted in October 2013 and has to date been through the Annual Monitoring process four times. The next section of this topic paper addresses the key findings that have arisen from the Annual Monitoring Reports (AMRs). The current LDP policies on Minerals and Waste can be found at Appendix 2 for reference.

5. LDP AMR findings and Review Report Conclusions.

The AMR demonstrates that a series of planning consents regarding waste have been granted within Conwy, and outside Conwy but within the North Wales region, to deal with arisings from Conwy. Conwy Council forms part of the North Wales Residual Waste Treatment Partnership which has procured capacity to manage up to 200,000 tonnes per annum residual waste. Although the facility is being developed in Flintshire, it will serve the Partner authorities, including Conwy. Conwy has also entered into partnership with Denbighshire and Flintshire to procure food waste treatment capacity, resulting in the development of an anaerobic digestion facility in Denbighshire.

For minerals, annual monitoring has demonstrated that there are extensive permitted reserves within the County Borough which meet the need identified by the RTS over the Plan Period and beyond.

Table 2 below has been taken from the LDP Review Report and suggests which LDP Minerals and Waste policies require a significant or a light-touch review.

Table 2: Minerals and Waste Policies requiring review (source: revised from LDP Review Report.)

| Policy | Comment |
|--|---|
| MWS/1 Minerals & Waste | Revise to incorporate latest evidence base (new strategic policy) |
| MWS/2 Minerals | Revise to incorporate latest evidence base |
| MWS/3 Safeguarding Hard Rock and Sand and Gravel Resources | Revise to incorporate latest evidence base |
| MWS/4 Quarry Buffer Zones | Revise to incorporate latest evidence base |
| MWS/5 Proposals for Waste Management | Revise to incorporate latest evidence base |
| MWS/6 Locations for Waste Management Facilities | Revise to incorporate latest evidence base |
| MWS/7 Use of Industrial Land for Waste Management Facilities | Revise to incorporate latest evidence base |
| MWS/8 Landfill Buffer Zone | Functioning effectively – minor amendments may be required |

In terms of policy performance, although national policy and guidance has changed with respect to waste, policies MWS/6 and MWS/7 have been sufficiently flexible to enable waste infrastructure to be delivered. TAN 21 includes a regional requirement for monitoring which will monitor progress and level of need with respect to recovery and disposal and where necessary identify where additional provision needs to be made. In the event that additional provision is identified as necessary in Conwy the waste policies would need to be reviewed to ensure that an appropriate allocation can be identified. It is not considered necessary to identify a monitoring target or trigger level within the monitoring for the LDP to address this, as a review of policy would be prompted by the significant contextual change demonstrated by the Waste Planning Monitoring Report.

Policy MWS/5 includes a test that requires proposals to demonstrate they meet a need identified within the Regional Waste Plan or a need arising at the local level. Since the requirement to produce and have regard to the Regional Waste Plans has been removed from national policy and guidance, the strict application of this test could result in the approval of proposals that are contrary to national policy and/or guidance. In reality, however, when making decisions regarding proposals for waste management the Local Authority has been obliged to consider whether any material considerations would support a different decision being taken. The changes to national policy and guidance would be considered significant in this respect. It is, however, recommended that this policy is amended during the review of the LDP to enable this inconsistency to be addressed and to ensure that the ‘need’ test is applied in line with TAN 21.

Following a subsequent review of evidence base, section 8 of this paper addresses the above table again and makes recommendations as to how each policy should be changed to reflect updated evidence base to be taken forward in the RLDP.

6. Updated LDP Evidence Base

6.1 Waste Management Background Paper 36

This Background Paper is a technical document which provides further information on the drivers for change from European and National Government level and how this will impact upon Conwy. The main points from this paper have been summarised under the headings of this Topic Paper.

6.2 Minerals Background Paper 37

This background paper explains how the LDP will ensure that aggregate reserves are identified and safeguarded for future generations. The main points from this paper have been summarised under the headings of this Topic Paper.

7. Sustainability Appraisal / Strategic Environmental Assessment

Work on the SA/SEA has commenced. The policies for the Minerals and Waste in the RLDP will have regard to the SA/SEA. The Sustainability Appraisal Scoping Report outlines the proposed approach to the RLDP's Sustainability Appraisal (SA), incorporating Strategic Environmental Assessment (SEA), to ensure that it meets social, economic and environmental objectives. The SA/SEA is an important process in identifying areas of change and mitigation measures to ensure the RLDP is sustainable and in compliance with the Planning (Wales) Act and the Well-being of Future Generations Act.

The SA/SEA scoping report poses a number of questions to ensure that the new policies and sites have a sustainable focus. For minerals and waste the questions are as follows:

Will the RLDP:

- Minimise the production of waste?
- Promote the principles of circular economy?
- Treat and process waste with minimal environmental impact?
- Minimise the demand for raw materials and the need for minerals extraction?
- Promote the use of local resources and minimise the importation of minerals?

The policies will be reviewed in line with these guiding principles to ensure that the RLDP is as sustainable as possible.

8. Potential Land Use Policies and Proposals

This section will be developed further as the LDP review progresses

Strategic Policy MWS/1 Minerals and Waste

Strategic Policy MWS/1 Minerals and Waste, is the overarching policy for waste and is supported by a number of detailed policies, including MWS/5, MWS/6, MWS/7 and MWS/8. Policy MWS/1 does not make any reference to the need to drive the management of waste up the Waste Hierarchy, in line with national policy and should be revised accordingly.

Policy MWS/2 Minerals

This policy refers to the existing quarries at Penmaenmawr, Llysfaen (Raynes) and St George. It is likely that that a policy similar to this will be retained in the revised Local Development Plan.

Policy MWS/3 Safeguarding Hard Rock and Sand and Gravel Resources is a detailed policy which clarifies that infrastructure including jetties and rail heads are also safeguarded. The LDP safeguards sandstone with potential for high specification aggregate, which is identified as a Category 1 mineral within the Aggregate Safeguarding Maps. The distribution of this type of mineral near the surface is very limited in North Wales compared with South Wales which has extensive deposits. Deposits within the County Borough are small, isolated, and in locations where development pressure is likely to be limited to agriculture and wind farm development. The application of a 200m buffer has resulted in relatively large areas being safeguarded which is unnecessary and disproportionate. Given the above, it is recommended that this mineral is no longer safeguarded through the LDP.

Category 1 and 2 sand and gravels have been safeguarded through the LDP. The deposits are generally poorer quality sands and gravels, narrow, following rivers and within the flood plain. A study published in 2004 considered the potential sand and gravel resources of North West Wales. Two resource blocks in the Conwy Valley, from south of Llanrwst to a little short of Conwy, were identified as of potential, though three quarters of the block in Llanrwst is already sterilised. Very little is known geologically about the sand and gravel elsewhere, though from the BGS mapping it is understood to be generally poorly sorted and locally clayey. There has been no pressure to work the sand and gravels within Conwy to date. There has also been no pressure to work high quality sand and gravels within Denbighshire despite a positive policy framework within which extraction would be supported. In light of this, it is recommended that only Category 1 sand and gravels are safeguarded within the County Borough. There are numerous small, isolated deposits within the County Borough which would not be viable to work on a commercial basis. Once a buffer is applied this results in a much larger area to be safeguarded which is disproportionate and unnecessary. It is therefore also recommended that small, isolated deposits of less than 100m at the widest point are not safeguarded.

Category 1 and 2 hard rock (or crushed rock), including limestone, are safeguarded through the LDP. High purity limestone outcrops on the Great Orme and has been historically exploited. Lower quality limestone has been worked historically at Llanddulas, and is still worked within the County Borough at Raynes Quarry and St George. The same outcrop is also worked at Denbigh, Denbighshire. Igneous rocks are identified as Category 2 and are worked at Penmaenmawr. Penmaenmawr is a diorite quarry which historically exported rail ballast to England by rail, however, this has significantly declined in recent years. Notwithstanding this, it is considered that, given that this material has limited distribution in Conwy outside of the National Park and that there is commercial interest in working it, it should be safeguarded within the LDP.

The policy wording within Policy MWS/3 is considered generally appropriate to ensure that the presence of economically important mineral is given adequate consideration during the determination of applications for non-mineral development. The changes recommended above would require the proposals maps to be amended.

Policy MWS/5 Proposals for Waste Management

Policy MWS/5: Proposals for Waste Management: supports proposals where they meet a need identified in the North Wales Regional Waste Plan or need arising at a local level; subject to existing or approved facilities being unable to meet the need; supports the recovery of value from the waste; links requirements contained within other Plan policies.

LDPs no longer have to have regard to the Regional Waste Plan which is now a number of years out of date and no longer relevant for the purposes of waste planning. The Collections, Infrastructure and Markets Sector (CIMS) Plan is confirmed by TAN 21 as providing the starting point in establishing whether there is an adequate network for the disposal and recovery of mixed municipal waste, as updated by the regional monitoring. The CIMS identified a capacity gap of between 203 and 468 thousand tonnes per annum for residual

waste treatment. This variation is due to uncertainty regarding arisings and the success of waste reduction programmes and recycling initiatives. In relation to landfill, the CIMS identified that, worst case scenario, landfill would run out in 2016/17 and best case scenario landfill void would last indefinitely.

The CIMS cautions against the overprovision of facility types and TAN 21 advises that overprovision will only be justified on the basis that the facility would be sustainably located. There is, therefore, a balance to be made between ensuring provision is sufficient whilst avoiding excessive provision. In respect of landfill capacity, TAN 21 identifies the level at which capacity should be maintained and a trigger for action. To date, the trigger for action has not been reached as each year the tonnage of waste being disposed of in landfill has declined. In relation to recovery of waste, significant capacity is in the process of being developed which would manage local authority wastes for the next 25 years. In respect of other waste facility types the level of need is much less clear, and, as long as facilities are appropriately located and move the management of waste up the waste hierarchy, overprovision is less likely to be harmful.

Policy MWS/6 Locations for Waste Management Facilities

Policy MWS/6 protects Llanddulas Quarry and Gofer for waste facilities and identifies a range of facility types which may be suitable at these sites. The requirement to allocate land for waste management was set out in the Regional Waste Plan 1st Review and the allocations deemed sufficient to meet the identified need. As detailed above, the Regional Waste Plans are no longer relevant and the need for land is no longer quantified. Capacity being developed within the region is sufficient to meet the lower threshold set out in the CIMS Plan and disposal capacity within the region is identified as currently sufficient. Nonetheless, waste management requirements need to be considered through the RLDP to ensure that there are genuinely available and suitable sites. Failure to address this matter through the RLDP leaves the Council open to applications on greenfield sites.

Llanddulas is owned by a private company, FCC, who currently operates a non-hazardous landfill and composting facility from the site. The area identified for future waste management operations has been the subject of two planning applications: 0/38815, which was approved in 2012 and has now lapsed and 0/43047 which was approved on 03/02/2017 for a waste transfer station which would manage up to 40,000 tonnes municipal wastes and 40,000 tonnes inert waste per annum.

Gofer is owned by the Council and is a former municipal landfill. The availability of Gofer came under scrutiny during an appeal, reference APP/T6905/A/15/3140639. The appeal was against refusal of planning permission, reference 0/41842, for the change of use of land to accommodate extension of an existing waste management site on land to the west of Gofer. The Council has commissioned a study to explore the potential of the site to accommodate development, taking into account contaminative issues on the site. The study was in two parts, the latter of which provided a detailed assessment of contamination and remediation required to facilitate development. The conclusion of the study is that the site can accommodate open air development but that the construction of a building would require such significant mitigation that the cost would be prohibitive. As a consequence, the allocation of Gofer needs to be reviewed through the RLDP process.

In addition to allocated sites, industrial land within the County Borough, Tre Marl Industrial Estate, which currently accommodates a major waste management site is due to be lost to an approved application for a new food superstore and restaurant. The waste operator is actively looking for an alternative location within the County Borough. The Council is looking to develop a transfer station to support the North Wales Residual Waste Treatment Partnership Project. Allocating sites would provide certainty to the industry and ensure that waste management facilities are developed in appropriate locations.

Policy MWS/7 Use of Industrial Land for Waste Management Facilities

Policy MWS/7 directs waste management facilities towards existing industrial estates and to rail freight facilities. The policy contains a sequential test which supports the development of sites outside development boundaries where existing or allocated sites are unavailable. Retaining a degree of flexibility is essential because not all waste management facilities are appropriate on industrial sites. There may also be locational reasons as to why a facility should be located in open countryside. The policy was used as one of the reasons for refusal in appeal reference APP/T6905/A/15/3140639.

Policy MWS/8 Landfill Buffer Zone

The policy applies a buffer of 250m around the landfill site, within which there will be a presumption against inappropriate development, which could include residential development, employment, tourism, and community facilities. The buffer zone has been identified because of the potential safety issues associated with gassing from the site and the potential for nuisance from the landfill activities. The underlying strata is limestone which would provide potential pathways for the migration of gas.

The operator of the landfill has indicated that the landfill site will cease accepting non-hazardous wastes within the lifetime of the LDP Review and is considering alternative uses on land within their control. At this stage it is recommended that the policy and associated buffer is retained, though its precise wording and extent may need to be reviewed in light of future intentions for the site.

Proposed Allocations

As part of the RLDP, the impact of allocating land was considered against the loss of mineral in areas underlain by mineral of economic importance. This exercise will need to be undertaken for any new sites proposed through the Review. Generally, because the allocations were small in scale and adjacent to existing sensitive development, it was concluded that their allocation would not result in the loss of important mineral. Development pressure within the County Borough is particularly significant along the coast, in areas underlain by limestone and will need careful consideration through the LDP Review to ensure that important mineral is not sterilised.

9. Further Evidence base needed

Site assessment for the retention of Llanddulas quarry site for waste management uses.

10. Conclusion

This Minerals and Waste Topic Paper seeks to establish the key issues to be addressed and the evidence required early in the RLDP process, but as the Plan will take at least three years before adoption, new evidence and issues may arise. Based on the current evidence available it is considered that the proposed approach to new and amended policies would provide a more robust basis to facilitate better management of waste (in land use terms) and safeguarding of mineral reserves. The North Wales Minerals and Waste Team who are leading on the review of LDP minerals and waste policy on Conwy's behalf will regularly review the evidence base to identify key strategic changes to policy objectives and evidence and then produce updates to the background papers and recommend changes to this Topic Paper.

Appendix 1 – Existing LDP policies

STRATEGIC POLICY MWS/1 – MINERALS AND WASTE

The Council will ensure that there is sufficient provision of mineral resources and waste management facilities, while safeguarding the natural and built environment by:

- a) Safeguarding permitted reserves of hard rock at Penmaenmawr, Raynes (Llysfaen), Llanddulas and St George and additional resources of hard rock as identified on the proposals map in line with Policies MWS/2 – ‘Minerals’ and MWS/3 – ‘Safeguarding Hard Rock and Sand and Gravel Resources’;
- b) Allowing future extraction of aggregate minerals only where there is a need to maintain stocks of permitted reserves in line with Policy MWS/2;
- c) Designating buffer zones around quarries to protect amenity and ensuring that mineral operations are not unduly constrained by other land users in line with Policy MWS/4 – ‘Quarry Buffer Zones’;
- d) Safeguarding sand and gravel resources as identified on the proposals map in line with Policy MWS/3;
- e) Identifying Llanddulas and Gofer (shown on the Key Diagram) as locations for waste management facilities in line with Policy MWS/6 – ‘Locations for Waste Management Facilities’;
- f) Considering the suitability of existing industrial land and/or land safeguarded for railfreight to accommodate new waste management facilities which are complementary to neighbouring uses in line with Policy MWS/7 – ‘Use of Industrial Land for Waste Management Facilities’, STR/6 – ‘Railfreight’ and EMP/3 – ‘New B1, B2 & B8 Office and Industrial Development on Non-Allocated Sites’;
- g) Meeting future additional need for new waste management facilities in line with Policy MWS/5 – ‘Proposals for Waste Management’;
- h) Designating a landfill buffer zone around Llanddulas landfill site to ensure that only appropriate development in this location is permitted in line with Policy MWS/8 – ‘Landfill Buffer Zone’.

POLICY MWS/2 – MINERALS

1. The existing quarries at Penmaenmawr, Raynes (Llysfaen) and St George will provide the Plan Area’s contribution to the regional supply of hard rock.
2. Applications for future extraction of aggregate minerals in other locations including extensions to existing quarries, within the Plan Area will only be permitted where there is a need to maintain stocks of permitted reserves having regard to the North Wales Regional Aggregates Working Party figures, or, where no figure exists, the demonstrated need of the industry concerned.

POLICY MWS/3 – SAFEGUARDING HARD ROCK AND SAND AND GRAVEL RESOURCES

1. The following resources and related facilities are included within the Safeguarded Hard Rock or Sand and Gravel designation:
 - a) The permitted reserves at Penmaenmawr Quarry, including processing areas, railhead and conveyor link;
 - b) The permitted reserves at Raynes Quarry, including processing areas and the areas occupied by the jetty and conveyor link;
 - c) The permitted reserves at Llanddulas Quarry (outside the area of the landfill site), including the areas occupied by the former jetty and former conveyor link;
 - d) The permitted reserves at St George Quarry, including processing areas;
 - e) Additional hard rock as identified on the Proposals Map;
 - f) Sand and Gravel resources as identified on the Proposals Map.
2. Planning permission will not be granted for any development within the Safeguarded Hard Rock or Sand and Gravel designation which could directly or indirectly harm the long-term viability of working those resources unless:
 - a) It can be demonstrated that the need for development outweighs the need to protect the mineral resource or;
 - b) Where such development would not have a significant impact on the viability of the mineral being worked or;
 - c) Where the mineral is extracted prior to the development.
3. In cases where the quality and depth of safeguarded hard rock or sand and gravel resources has not been proven, other forms of development may be consistent with the safeguarding approach provided that the applicant submits evidence, such as borehole samples, demonstrating that no commercially viable hard rock or sand and gravel resources would be affected.

POLICY MWS/4 – QUARRY BUFFER ZONES

There will be a presumption against inappropriate development within the quarry buffer zones.

POLICY MWS/5 – PROPOSALS FOR WASTE MANAGEMENT

Development proposals for the management of waste, including alterations and extensions to existing facilities, will only be permitted where:

- a) The proposal meets a need identified in the North Wales Regional Waste Plan, or need arising at a local level;
- b) The need cannot be met through other existing or approved waste management facilities or the proposed activity is unsuitable at those locations;
- c) Where possible, the proposal recovers value from the waste;
- d) The proposal accords with Strategic Policies NTE/1 – ‘The Natural Environment’ and CTH/1 – ‘Cultural Heritage’ and the Development Principles.

POLICY MWS/6 – LOCATIONS FOR WASTE MANAGEMENT FACILITIES

1. The Plan identifies and protects the following sites for waste management facilities as shown on the Proposals Map:
 - a) Llanddulas Quarry (north of the existing landfill site)
 - b) Gofer, Rhuddlan Road, Abergele
2. Subject to detailed assessment, the following operations may be suitable at these locations:
 - a) Materials Recycling
 - b) Waste Transfer Station
 - c) Recyclate Processing
 - d) Anaerobic Digestion
 - e) In-vessel composting
 - f) Household waste recycling centre
 - g) Mechanical Biological Treatment
 - h) Energy recovery

However, the list is not exhaustive and other proposals for the management of waste will be considered on their merits in accordance with the criteria in Policy MWS/5.

POLICY MWS/7 – USE OF INDUSTRIAL LAND FOR WASTE MANAGEMENT FACILITIES

1. Proposals for waste management facilities will generally be permitted on existing industrial sites and on sites safeguarded under Policy STR/6.
2. Where existing industrial sites are unavailable, proposals for waste management may be permitted outside development boundaries in line with Policy EMP/3 – ‘New B1, B2 and B8 Office and Industrial Development on Non Allocated Sites’.

3. In exceptional circumstances, where it can be demonstrated that a proposal has specific technical or spatial requirements which conflict with the requirements of Policy EMP/3, proposals for waste management facilities outside settlement boundaries which do not accord with Policy EMP/3 may be permitted.

POLICY MWS/8 – LANDFILL BUFFER ZONE

There will be a presumption against inappropriate development within the landfill buffer zone.