

Bridgend Local Plan Examination: Session 10 - Minerals

INSPECTORS AGENDA OF MATTERS AND ISSUES

Issue 4: Other Minerals

Potential hard rock shortfall in the Vale of Glamorgan

Bridgend County Borough Council (BCBC) have produced no evidence to corroborate their contention that there is a shortfall in reserves in the Vale of Glamorgan. On 19th November 2012, the Vale of Glamorgan Council Cabinet considered representations in response to the draft Vale of Glamorgan LDP and resolved that the current draft of the LDP should not be progressed, and that work should commence on a replacement version of the LDP. It is thus premature to reach any conclusion on the inability or otherwise of the Vale of Glamorgan to address shortfalls in their landbank, particularly when there are known resources of limestone adjoining existing quarries.

In relation to the specific questions raised:

(Q4a): the Council has appropriately considered cross boundary issues, but they do not have an evidence base to support the conclusion it has reached regarding the alleged inability of the Vale of Glamorgan to meet its landbank requirement; and

(Q4b): there is no evidence to support the conclusion that the Vale of Glamorgan cannot meet a shortfall in its landbank of reserves.

Maintaining the Supply of Aggregates and Non Aggregates

(Q4b): The need for a separate non aggregate land bank.

The Regional Technical Statement (RTS) notes that:

“Port Talbot iron and steel works which is dependent upon limestone feedstock form near Bridgend, is a strategically important operation at UK level and is also vital to the local economy. The process involved means that the highest possible chemical purity of limestone is required. Resources of high purity limestones are only found in very restrictive areas of Britain and within only limited parts of South Wales..... (Paragraph 8.88)

The RTS concludes that:

“Separate details of industrial uses should be collected and monitored, and projections of future requirements be made, covering a longer period than for aggregate; and

Bearing in mind the paucity of high quality limestone resources, locally and nationally, and the environmental / economic necessity to use stone of the highest chemical purity, it is advised that the resources should be carefully assessed and rigorously safeguarded in LDP’s (Paragraphs 3.92 and 3.93) (my underlining).

This advice is not followed through into policy SP6 of the LDP, or via any supporting text, which does not refer to these very important non aggregate uses. It is similarly inconsistent with paragraph 49 of MTAN1 which expressly allows for longer landbanks in excess of 20 years to be provided in exceptional circumstances to supply material for a particular specification. These are the very circumstances at Cornelly Quarry, and the need for a long term safeguarded supply to satisfy the long term needs and investment at Port Talbot Steelworks. The inter-relationship between Cornelly Quarry and Port Talbot Steelworks is an issue of national importance, re-enforced by the fact that Cornelly Quarry is owned by Tata (but operated by Tarmac).

(Q4c): Extent of aggregate and non aggregate landbank

The LDP Background Paper 5: Minerals (May 2012) notes on paragraph 5.2 that output from Cornelly Quarry has previously been in excess of 1m tonnes per annum (but currently in the range of 0.5 – 0.7 m tonnes per annum), with output from Gaens Quarry previously being in excess of 0.2 m tonnes per annum. The LDP indicates in paragraph 4.3.1 that the landbank is approximately 40 years.

It is understood that this landbank is based upon assumed reserves of some 33m tonnes at Cornelly Quarry, some 10m tonnes at Grove Quarry, and some 1.4m tonnes at Gaens Quarry. This gives a total reserve of some 44.4m tonnes, and an arithmetic landbank of some 40 years assuming combined sales from Cornelly and Gaens Quarries of some 1.1m tonnes per annum. However, prior to the onset of the recent depressed economic conditions, combined sales from Cornelly and Grove exceeded 1.5m tonnes per annum, which if repeated would reduce the landbank to some 29 years. This highlights the caution which should be exercised in placing undue reliance upon an arithmetic landbank to ensure steady and adequate supplies.

It should also be noted that the reserves are not equally distributed. The reserves at Gaens Quarry are likely to be exhausted within the plan period, which would then leave just one operating unit (Cornelly). The implications of this supply change have not been considered in the LDP.

The landbank is the sum of the total permitted reserves, but it does not reflect constraints which may result in reduced access to the reserves. At Gaens Quarry, part of the reserve lies beneath a historic quarry tip which would need to be removed to expose the underlying reserve. At Cornelly, of the total reserve of 33m tonnes, only some 14.9 m tonnes is classed by Tarmac as being 'unconstrained' in terms of future working. The remaining reserve of some 18.7 m tonnes is 'constrained' partly by lying beneath the existing processing plant site, and partly by lying below the current floor of the quarry (at 3m AOD) where there are uncertainties associated with the outcome of an Environment Act Review (discussed below). The unconstrained reserves at Cornelly represent a 'landbank' of only some 12 – 15 years depending on output.

The landbank also disguises issues of quality in the overall landbank, and the proportion of the reserves and sales used for non aggregate purposes. The demand for sinter for use in the Port Talbot Steelworks has averaged some 400,000 tonnes per annum over the last 10 years, with a peak of nearly 650,000 tonnes. The demand for steel (and thus raw materials) fluctuates, but in the event that Tata commission the new blast furnace which is being constructed at Port Talbot, then it is reasonable to surmise that this may lead to an increase in the demand for sinter. The composition of the deposit at Cornelly is complex and not all of the limestone meets the exacting specification for the high purity limestone which is required, nor is the high purity limestone evenly distributed within the quarry. This re-enforces the

need for flexibility and an additional resource allocation to ensure that supplies of high purity limestone to Port Talbot Steelworks can be maintained into the long term.

Question 4D: Need for additional extensions at Cornelly (and Gaens) Quarry to maintain a 10 year land bank.

The premise of this question infers that all that is required is a “10 year landbank”. This is incorrect in that MTAN1 paragraph 49 requires that a “minimum 10 year landbank of crushed rock should be maintained (noting that longer periods are appropriate for high quality material (ref RTS), and that the landbank should be in place for the **entire** plan period” This means that there should be a 10 year landbank still in place at the end of the plan period i.e. in this case a 10 year landbank at 2021. This is particularly important in view of the slippage with the preparation of the LDP which, when adopted, will have a life of only some 8 years from 2013.

Cornelly Quarry and Gaens Quarry have enjoyed the benefit of long standing ‘extension’ allocations (via very site specific safeguarding policies), most recently in the Bridgend Unitary Development Plan adopted on 12th May 2005. The ‘allocations’ dates back to the (draft) Mid Glamorgan Minerals Local Plan for Limestone Quarrying (March 1995), which itself is founded in a series of reports on individual quarries dating back to 1989 (reference Cornelly Group of Quarries 1989). The land at Stormy Down Airfield, as an extension to Cornelly Quarry, has thus been contemplated for over 20 years (and similarly land at Pant Mawr as an extension to Gaens Quarry).

The requirement to plan for the release of additional land as an extension to Cornelly Quarry is threefold, namely:

- (i) To ensure a secure long term source of limestone for the steel industry at Port Talbot, to compliment the long term investment decisions and security of supply to that facility;
- (ii) To properly control incremental development at Stormy Down Airfield which is prejudicing the ability to exploit additional reserves of high purity limestone form land to the east of Cornelly Quarry; and
- (iii) To reflect uncertainty associated with the outcome of an Environment Act ROMP Review of planning conditions controlling ongoing operations at Cornelly Quarry.

The Environment Act application was ‘called in’ by the Welsh Government (then the Welsh Office) in 1998, and remains undetermined. Until the outcome of the ROMP Review process is known, there is uncertainty as to whether any restrictions will be imposed on working rights, which might limit the volume of reserves which can be extracted, and thus the duration of operations and ongoing supply. The Environment Agency and CCW have expressed concern about the possible hydrogeological / ecological effects of de-watering the quarry on the Kenfig Pool and Merthyr Mawr SAC’s. Extensive studies have been undertaken by Tarmac which demonstrate that significant effects have not (and will not) occur. However, this information has not yet been formally endorsed by the EA and CCW and it is likely that the ROMP Review application will ultimately be determined at a Public Inquiry, possibly in 2013/2014. The outcome of the ROMP application is thus uncertain.

In the meantime, BCBC have requested Tarmac to impose a voluntary depth restriction on the quarry pending the outcome of the Review process. Such a restriction would impose severe constraints on the accessibility of consented reserves (discussed above as

'constrained reserves'), and thus any 'really supply' land bank. Tarmac has not acceded to this request, but it provides an insight into possible issues regarding the availability of reserves at Cornelly Quarry, and uncertainty as to the extent of the future landbank.

In order to provide flexibility, and maintain the long standing forward planning strategy for Cornelly Quarry, it is important that a further extension is allocated for Cornelly Quarry. This will provide security of supply which will underpin long term investment decisions which are being made at the Port Talbot Steelworks.

Gaens Quarry faces similar circumstances in that the Environment Act ROMP Review for Gaens also been called in by the Welsh Government (in 1998) and remains undetermined. Similar uncertainty is associated with Gaens Quarry in terms of the final outcome of the ROMP Review process, and whether restrictions might be imposed on the depth of quarrying at Gaens and thus the availability of reserves from Gaens, which in turn will affect the duration of quarrying at Gaens (based upon existing reserves) and the overall extent of the landbank. The allocation of land as a lateral extension to Gaens Quarry provides flexibility to address constraints on the availability of reserves which may emerge from the Environment Act process, and more generally, would provide for a longer term future for Gaens Quarry.

These issues introduce considerable uncertainty in to the long term futures of both Cornelly and Gaens Quarries, and this uncertainty needs to be reflected in the reinstatement of long standing allocations. Clearly, the circumstances associated with any application for quarrying within allocated areas would need to be considered on its merits at the time, in the context of the issues relevant to the respective quarries, and the extent of the landbank and issues of need prevalent at that time. Thus, it is readily apparent that the inclusion of an 'allocation' does not infer any automatic presumption that planning permission will be granted for quarrying within that allocated area, but it would provide some security to the minerals industry that there is a recognition of the importance of securing access to reserves which will allow for continuity of supplies to important aggregate and non aggregate markets.

(Q4e): The need for Allocation

It follows from the above factors that the previous UDP 'allocations' of extensions to Cornelly and Gaens quarry should be reinstated, comprising the land to the east of Cornelly Quarry, within the western area of the Stormy Down Airfield, and land at Pant Mawr to the north of Cornelly Quarry, and east of Gaens Quarry. This would provide a degree of certainty in forward planning, and assist in securing the "rigorous safeguarding" of the high purity limestone at Cornelly Quarry which is advocated in the RTS, but which is not evident via ad hoc development control decisions at Stormy Down, and the REG4 policy and proposal which is discussed below.

(Q4f): Dormant Reserves

BCBC need to divulge the figures used for their arithmetic landbank calculation, and whether the figures include dormant reserves.

Issues 5: ENV9 Mineral Safeguarding Areas

(Q5a): Re-introduction of the UDP Safeguarding Policy

The difficulty with policy ENV5, and the notation on the Proposals Map, is that the proposed safeguarding policy relates to all limestone deposits, the vast majority of which are irrelevant in terms of the likelihood of being able to exploit the deposits. The underlying purpose of the

safeguarding policy is thus seriously diluted. In contrast, the safeguarding of the areas in the UDP was more focused in its definition of specific areas, which provided greater status and thus enhanced safeguarding protection (UDP policies M41, M42 and M43). These specifically designed safeguarded areas are now 'lost' within a vague and generic policy and Proposals Map. Thus, notwithstanding the preference for formal 'preferred area' allocations as extensions to Cornelly and Gaens Quarries, there would, as a minimum, be merit in reinstating the originally defined 'UDP safeguarding areas' which, by virtue of being small and site specific, had the inferred status of representing 'preferred areas' for future extraction. (See also comments in response to policy REG4).

Issue 6: REG 4 Former Stormy Down Airfield

MPPW emphasises that mineral deposits which society may need should be safeguarded and protected from other types of permanent development which would either sterilise them or hinder extraction (paragraph 13). Policy REG 4 and the associated allocation on the Proposals Map are wholly inconsistent with this requirement (and with policy ENV9).

The claim by BCBC that developments on the former Stormy Down Airfield are 'temporary' is illogical and unconvincing giving that the 'temporary permissions' are for periods of 35 years. The BCBC suggestion that this is acceptable in context of an overall arithmetic 40 year land bank is misleading and complacent. If it transpires, for reasons adduced in response to Q4d above that additional land needs to be released to satisfy requirements for high purity limestone (or aggregate), then the ability to satisfy that demand, from an acknowledged unique resource at Cornelly Quarry, will be compromised by the 'temporary' developments at Stormy Down.