

Nicola Gandy

From: gaynor ball <[REDACTED]>
Sent: 10 December 2012 22:22
To: programme.officer
Subject: responses to the questions
Attachments: question and answer.wps

Nicola Gandy
Programme Officer
Bridgend Local Development Plan Examination

Dear Nicola Gandy,

In response to your written correspondence Wednesday, 5 December 2012

I am forwarding on this information to be included in the Formal Consultation process.

We respectfully request that you please ensure that this contribution is brought forward to the LIVE consultation at Hearing Session 10 on 9th January 2013

and at all relevant times and discussions in the process of forming the L.D.P. Policies .

Also could you please inform me of receipt of this e. mail

Thank you for your attention and consideration .

Yours sincerely ,

Gaynor Ball, Secretary of PACT

For the attention of:-

Robert Mellor BSc DipTRP DipDesBEnv DMS MRTPI MRICS

Dear Sir,

We would like the following information to be considered and the points discussed diligently during the "Live" consultation period and whenever appropriate.----Thank you in anticipation.

Qn3e. How does PACT consider that a policy constructed along the lines they suggest should be worded and would it satisfy relevant tests of soundness at paragraph 4.35 of Local Development Plans Wales (2005) such as: C2; CE2; and CE4?

'4.35 'The presumption will be that the LDP is sound.....'

Coherence & Effectiveness Tests

CE1: the plan sets out a coherent strategy from which its policies and allocations logically flow and, where cross boundary issues are relevant, it is compatible with the development plans prepared by neighbouring authorities'

Response:-

The Opencast site at Parc Slip/Margam crosses two counties and therefore the LDP'S of both are relevant. It was of concern that Neath Port Talbot wanted a buffer zone previously of only 200 metres in their UDP. We would hope that with the new recommendations of the Coal Mtan , BCBC would choose to adopt the maximum distances and not follow NPT 'S UDP in wanting to have less of a distance.

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C2: it has regard to national policy

To Quote from:-

Minerals Technical Advice Note 2:Coal -2009

29. In defining these areas where coal working will not be acceptable, MPAs should take into account that coal working will generally not be acceptable within 500 metres (m) of settlements, or within International and National Designations of environmental and cultural importance. The SEA/SA of the LDP may identify additional areas of constraint for the LDP period. These could

include, for example, Air Quality Action Zones; areas where demonstrable cumulative and in-combination effects mean that an area cannot absorb further environmental impacts; and where clear evidence can be provided that coal development would have an adverse effect on proposals to attract or retain investment in an area.

Reponse:-

Opencast , especially in the Kenfig Hill/Margam area, is of cumulative effect on the surrounding communities . No restoration has been carried out for decades.

45. MPPW states:

1) *The proposal should be environmentally acceptable or can be made so by planning Conditions or obligations, and there must be no lasting environmental damage.*

2) *If this cannot be achieved, it should provide local or community benefits which clearly outweigh the disbenefits of likely impacts to justify the grant of planning permission.*

The community is strongly against any future Open cast Mining here and would like to see an L.D.P. that does not put the working of coal in Bridgend County put before the environment ,health, and local population .We want a lean, clean and green future

and the long- awaiting restoration and the re-instatement of Public Footpaths and cut off road links.

We are pleased that the recommended buffer zone of 500m ,taken from the CM Tan advice, has been included in the LDP, but even that distance will have impacts on the surrounding communities

We believe that the L.D.P should encourage even more much needed clean Industry into the county ,to balance out the inequality that exists and ill-health statistics.

Opencast companies would promote the word balance in dealing with energy policy. As part of the planning requirement there is supposed to be a balance between environment and industry. This is impossible to achieve where opencast is concerned. A balance cannot be achieved when opencast rips open green countryside, its wild life and amenity, destroys countryside rural views and replaces them with a bleak industrial moonscape.

Hopefully, continued environmental pressure will result in open cast production declining. But we should also be looking at the total economic costing here, including the environment and health. Ecological costs and the effect on The' Natural Capital' of clean air, fertile soil, clean water and visual landscape are never fully taken into account. The cost to the N.H.S. from the negative health impacts has not been assessed. If coal mining is recognised as being a contributing factor of the legacy of ill health in Wales, then it should be accepted that this ongoing opencast situation needs remedy.

How can you 'cost' the environment and the destruction and damage to communities? The opencast companies say that their environmental record has improved, but some communities see no restoration, weak legislation, suffer from noise, dust, and the encroaching over dominance of a working site within their midst

LDP 2006-2021

4.1 Natural Environment

Development proposals will not be permitted where they will have an adverse impact upon:

The integrity of the County Borough's countryside;

The character of its landscape;

Its biodiversity and habitats; and

The quality of its natural resources including water,

air and soil.

BCBC-- UDP

2.1. SUSTAINABLE DEVELOPMENT

The need for social progress which recognises the needs of everyone;

The necessity for effective environmental protection;

The requirement for a prudent use of natural resources;

The importance of economic growth and employment.

BCBC-- UDP

3.6.5. DEVELOPMENT IN 'GREEN WEDGES'

The designation of each 'Green Wedge' is based upon the following five objectives, which are consistent with the advice contained in *PPW (2002)* (section 2.6 refers):-

To prevent the coalescence of settlements;

To manage urban form through controlled expansion of urban areas;

To assist in safeguarding the countryside from encroachment;

And

LDP --Policy ENV6

Nature Conservation

4.1.28 The protection and enhancement of wildlife corridors and networks is considered to be essential to secure the longer-term protection of biodiversity in the County Borough.

4.1.29 Schedules 5 and 8 of the *Wildlife and Countryside Act 1981* and Part III of the *Conservation (Natural Habitats & etc.) Regulations (1994)*

'Disturbing Their habitats.'---

(N.B. It has been confirmed that there are a strong presence of Brown Hares in the vicinity and they are a listed priority species for Conservation in the U.K. BAP and the LBAP and also they are of principal conservation importance in Wales under section 74 of the Crow Act 2000 .

34.Safeguarding shallow coal resources

PACT are worried about the importance of safeguarding coal reserves for the future and protection for coal operations. This seems to over-ride the protection of communities quality of life, enabling developments to occur close to their homes and hinders the protection of the countryside from future dusty, noisy, ugly, environmentally destructive developments . We surmise then that different companies can resubmit plans for coal extraction in the area of Parc Slip/Margam at any time in the future.

Surely identifying where the coal is does not mean it has to be worked . By over emphasizing and repeating its importance it is not therefore striking a balance ..

The Open Cast Mine here at Parc Slip/Margam has finished and it has been Mothballed and the community are awaiting the site to be restored .

BCBC-- UDP

2.2.9. MINERALS

To examine whether there are sites which are acceptable environmentally for opencast coal extraction and which would bring about benefits to the local community

30. It is for the MPA to define a "settlement" and a settlement boundary, but they should also ensure through the development control process that there are no unacceptable impacts on individual houses or sensitive properties. The research undertaken by BGS used a grouping of ten properties as the baseline for a settlement, which has the advantage of a coherent spatial approach.

Pen-Y Bryn Village is a settlement which will be impacted upon. Although it lies within Neath Port Talbot Borough, as this is a cross boundary development, it has relevance here.

---The Minerals Local Plan for West Glamorgan (1995) defines an area extending beyond the boundary of the Country Park . "Margam Park and its Periphery ",as an area of SIGNIFICANT Environmental Sensitivity..The boundary of the Park periphery follows the Western side of Heol Y Glo (Pen-y Bryn Road) continuing North Eastward through the village.

Policy M1 states that a presumption against Mineral development should be in place where Tourism would be prejudiced.

N.B. { There are at present local Tourism facilities that rely on the rural landscape ,tranquility and countryside features as part of their attraction e.g. Bed and Breakfast Holiday Chalets for dis-abled at Pen-Y Bryn ,as well as Horse Riding establishments and cycle networks ,right of Way footpaths etc. }

In fact there has been quite recently Tourism strategy in Neath/ Port talbot that promoted Tourism and also encouraged Equestrian Tourism for the area .

Open Cast Mining or any industrialization of the rural locality locally would be totally incompatible with the afore mentioned initiatives.

The BCBC L.D.P. should reflect this by protecting the rural area strongly and by adequately implementing the numerous relevant advice points in the CMTAN and previous policies.

BCBC-- UDP

2.2.1. ENVIRONMENT

To continue to protect the countryside for the sake of its landscape, natural resources, and to conserve and enhance its agricultural, ecological, geological, physiographic, historical, archaeological and recreational value.

BCBC-- UDP

2.2.7. SPORT AND RECREATION

To protect existing recreation facilities against inappropriate development and encourage their wider public use;

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[CE2: the strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base](#)

Response:-

A Health Impact Assessment was carried out by Cardiff Institute of Society, Health and Ethics in 2005. (<http://www.wales.nhs.uk/sites3/Documents/522/Kenfig%20Hill%20Final%20-%20Dec%202005.pdf>)

These were their conclusions:-

‘This HIA has shown that the likely negative impacts on health and wellbeing of an extension to the Margam Opencast site are far in excess of positive health impacts. In coming to a decision on the future of opencast mining in this area, the HIA Steering Group recommends that the following principles should prevail:

1. Individual health and wellbeing should be the prime consideration and, where there is doubt, the precautionary principle should be applied.

WHIASU December 2005 NPHS 62

2. The economics of coal extraction should not override the basic human rights of the local population.

3. Sustainable development and a move away from reliance on fossil fuels should be an underlying aim.’

Entire generations have suffered the deprivation caused by the physical abuse of the local landscape, countryside heritage, buildings, trees, habitats, archaeological sites and many other reminders of the areas history and peoples experiences have been lost for ever.

Nobody knows or values their amenity more than the local people who have appreciated the views, grown up, walked amongst and used the area for recreation, work and exercise, who have seen the wildlife and know the species that live in the habitats. No amount of restoration can ever replace the lost years for the people of our communities!

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[CE3: there are clear mechanisms for implementation and monitoring](#)

Response:-

We have **no faith** in the monitoring system as we have seen it allow ‘acceptable’ levels of dust pollution, which are not acceptable to the surrounding communities.

PACT know from experience that the thresholds for monitoring the impacts of dust, noise Etc. are too high and appear to exist in order to give legality and acceptance to the ongoing impacts that people have to endure. Everything that the people complain about is said to be well within government guidelines and limits, even though people are experiencing unacceptable, annoying and worrying impacts.

PACT are also aware that the methods of monitoring and the equipment used is inadequate and far from scientific, but results are constantly used to give acceptance and respectability to the ongoing situation.

Opencast , especially in the Parc Slip/Margam area, is of cumulative effect on the surrounding communities .The prolonging of industrial opencast in the rural area is detrimental to the existing and potential inward investment, leisure and tourism activities.

It is detrimental to the both the physical and mental health and well- being of the locality, creating polluting and harmful dust emissions, destroying views and exercise amenity, causing stress, worry and depression, and has wide reaching consequences both of local concern and of a wider impact.

2.2.14. IMPLEMENTATION, RESOURCES AND MONITORING

To monitor and evaluate the UDP so as to inform the community, plan users and the planning authority about the effectiveness of the policies and proposals, and to provide an input to review and subsequent alteration

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[CE4: it is reasonably flexible to enable it to deal with changing circumstances](#)

Response:-

How can further opencast fit in with the targets aimed at reducing global warming and promoting sustainability and renewable energy, as opencast *cannot* be a form of clean coal technology? It will add to the contribution of fossil fuels to climate change.

Eight of the ten worst ill health regions of the UK have been named as Welsh local authorities, including Neath/Port Talbot and Bridgend. It is now time for serious action to improve the inequalities that are widening. The mining industry has contributed to Wales' present legacy of ill health, the way forward is to accept that opencast mining is not an asset to the physical environment or health and well being of the Welsh communities that are vulnerable.

Opencast coal mining is of commercial importance only to the private companies who exploit the coal in Wales, on the cheap for them, to the great social, health and environmental cost of the local people.

‘THE LDP VISION

By 2021, Bridgend County Borough will be transformed to become a sustainable, safe, healthy and inclusive network of communities comprising strong, interdependent and connected settlements that can offer opportunities, an improved quality of life and environment for all people living, working, visiting and relaxing in the area.’

**PACT BELIEVES THAT IN ORDER TO
‘IMPROVE THE QUALITY OF LIFE FOR THE RESIDENTS OF BRIDGEND COUNTY BOROUGH
IN WAYS WHICH ARE COMPATIBLE WITH THE
PRINCIPLES OF SUSTAINABLE DEVELOPMENT ’
BCBC NEEDS TO LOOK AT OTHER METHODS OF ENERGY PRODUCTION THAT ARE NOT
IMPACTING ON THE QUALITY OF LIFE, HEALTH, AMENITY AND ENVIRONMENT OF
THE COMMUNITIES.**

To conclude this correspondence PACT would like to emphasize that we feel it appropriate and necessary to see a strong presumption against Open Cast Mining brought forward into the L.D.P.for the specific area of Parc Slip/Margam .

The CMTAN2 by W.A.G.should be consulted fully and brought effectively into the LDP order to reflect best practice and advice ,with the strong purpose of strengthening a presumption against Open Cast Mining in Parc Slip/Margam environs and periphery that has already existed.

.Thank you for your attention and consideration .

Yours sincerely ,

Gaynor Ball, Secretary of PACT

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