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Llywodraeth Cymru
Welsh Government

Ein cyf / Our ref: SF/CS/2272/14
All Local Authority Cabinet Members with
Responsibility for Planning

CC Chief Executives
Chief Planning Officers

25 July 2014

Dear Colleague

Minerals Technical Advice Note 1: Aggregates (2004) (MTAN 1) requires the preparation and review of Regional Technical Statements in each Regional Aggregate Working Party area. Regional Technical Statements for both South and North Wales were completed in 2008 and the 1st review was published on 25 July 2014.

The purpose of this clarification letter is to confirm the basis on which I have provided endorsement of the Regional Technical Statement (RTS) 1st Review and to set out support for the approach taken in the RTS 1st Review regarding the calculation of landbank for the purposes of the RTS apportionment process.

Ministerial Endorsement of the RTS 1st Review

Local Development Plans Wales (2005) states that new and existing cross boundary work should be integrated into Local Development Plans (LDPs) and notes the Regional Technical Statements as a mechanism for securing cross boundary work. I expect that the RTS 1st Review will continue to provide a valuable strategic basis for securing a joint approach to mineral planning for aggregates in Wales, for providing a robust framework for future working and for informing the preparation of Local Development Plans. The RTS 1st Review will also be capable of being a material consideration when determining relevant planning applications.

The North and South Wales Regional Aggregate Working Parties (RAWPs) have provided an advisory view at each stage of the formulation process, drawing on their technical expertise. However, the RAWPs themselves have not had a role in endorsing the final outcome. Final endorsement of the RTS 1st Review, following a formal consultation exercise, has been given by myself and local authorities.

The basis of my endorsement is that the RTS 1st Review represents an important outcome of collaborative working which will facilitate the implementation of national planning policy contained in *Minerals Planning Policy Wales (2000)* and *MTAN 1 Aggregates (2004)*.

Landbank calculations for the purposes of the RTS 1st Review

Firstly, MTAN 1 (paragraph 45) states that “...*Development plans should include an assessment of:*

... the current landbank and state how many years of mineral extraction the landbank will provide, based on the latest 3 years production figures...”

And

“..this will allow for sensible forward planning for the extraction of resources that will be set out in the Regional Technical Statement...”.

According to MTAN 1 the landbank calculation should be based on the latest three years production figures. The RTS 1st Review has used a 10 year average as the basis for making the landbank calculation. This a pragmatic means of avoiding the risk of under-provision, which could occur if reliance were placed on a 3 year average that spanned the recent economic recession.

This letter clarifies that the use of the 10 year average for the purposes of this calculation is appropriate given the economic circumstances experienced in the recent past.

Secondly, MTAN 1 (paragraph 47), in relation to dormant sites, states that they should “*clearly be shown in the landbank calculations as a separate category*”.

This sentence is potentially open to interpretation. The position adopted in the RTS 1st Review is that permitted reserves at dormant sites are excluded from the landbank calculations but listed separately.

The implication is that where such reserves exist it is left to the individual local planning authority concerned to assess whether or not they offer a realistic prospect of contributing to the future supply of aggregate during the period covered by their Local Development Plan. Where they do, such reserves can be offset against any requirement that otherwise may exist for new allocations. Where they are unlikely to be worked, however, this gives the local planning authority the flexibility to identify new allocations and/or to grant new permissions for minerals working in more acceptable locations.

The process by which landbanks are established should be robust and transparent. This letter clarifies that the interpretation of paragraph 47 taken in the RTS is appropriate.

Thirdly, MTAN 1 (paragraph 49) says where “*..landbanks already provide for more than 20 years of aggregates extraction, new allocations will not be necessary...*”.

When MTAN 1 was written it was presumed that a plan period would be 10 years. This predated the onset of Local Development Plans and does not reflect the Local Development Plan period of 15 years. The implication is that it may not be sufficient to conclude that having a 20 year or more landbank will result in the required minimum landbank throughout the plan period. Therefore, it would be prudent to come to this conclusion only if there was in place a landbank of 25 years or more.

This letter clarifies that it is where landbanks already provide for more than 25 years of aggregates extraction that new allocations will not be necessary.

Finally, I am grateful for your authority's collaborative work on, and endorsement of, the RTS 1st Review. The documents can be found on the Regional Aggregate Working Party websites at:

<http://www.swrawp-wales.org.uk/>

<http://www.grhgca-cymru.org.uk/>

Yours sincerely

A handwritten signature in black ink, reading "Carl Sargeant". The signature is written in a cursive style with a large, sweeping initial 'C'.

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