

**A Statement of Sub-Regional Collaboration for North East Wales:
*The approach to meeting the sub-regional need for aggregate minerals
through the Local Development Plan***

1. Introduction

- 1.1 This Statement of Sub-Regional Collaboration (SSRC) has been prepared in collaboration between Denbighshire County Council, Flintshire County Council and Wrexham County Borough Council to inform the Examination in Public (EiP) of the Deposit Flintshire Local Development Plan (LDP), and future reviews of Denbighshire and Wrexham LDP's.
- 1.2 This statement concerns the policy approach proposed under Strategic Policy STR16: Strategic Planning for Minerals¹ and Policy EN25: Sustainable Supply of Minerals². These policies were drafted to meet the needs of aggregate through the Flintshire LDP as identified in the Regional Technical Statement for Aggregates provision North Wales (RTS first review). However, since the publication of the Deposit Draft Flintshire LDP, in accordance with Minerals Technical Advice Note 1: Aggregates, the RTS has been reviewed and a consultation draft of its second review (RTS 2) has been published.
- 1.3 The figures originally quoted in Policy STR16 for the allocation requirements for aggregate minerals are derived from the RTS first review. The allocations set out in Policy EN25 are proposed to deliver the apportionment figures of the RTS first review. RTS2 has now increased the apportionment for the future provision of land-won primary aggregate in Flintshire for both crushed rock and sand and gravel. The apportionment of sand and gravel has increased the allocation required from 1.4 million tonnes to at least 3.543 million tonnes. In relation to crushed rock, the requirement has increased from 3.84 million tonnes to at least 35.928 million tonnes. Flintshire now need to demonstrate how this increased apportionment will be met throughout the Plan period.
- 1.4 Where any individual authority is unable to meet their own provision, the RTS2 has also introduced a new requirement for all Local Planning Authorities (LPAs) to agree Statements of Sub-Regional Collaboration (SSRCs) in respect of their contributions to the future provision of land-won primary aggregates. SSRCs are required to be prepared, collaboratively, by all constituent LPAs within each RTS sub-region (as defined by the RTS 2nd Review) as part of the evidence base needed to support each Local Development Plan (LDP). This approach to work on an inter-authority collaborative way has been endorsed by all the Policy Member Groups of the North-East Wales Sub-Region.

¹ <https://consult.flintshire.gov.uk/portal/planning/ldp/ldp/ldp?pointId=s15579244024931#section-s15579244024931>

² <https://consult.flintshire.gov.uk/portal/planning/ldp/ldp/ldp?pointId=s15580199690391#section-s15580199690391>

- 1.5 Emerging Policy STR16 of the deposit draft Flintshire LDP provides the Strategic Policy which sets out the approach that has been taken with respect of sustainably managing mineral resources in Flintshire, and the wider region. Policy EN25 provides details of the allocations set out in the plan to demonstrate how a sustainable supply of minerals can be provided for.
- 1.6 Emerging Policy STR16 of the deposit draft Plan states, under criterion iii, that the required 1.4 million tonnes of sand and gravel and 3.83 million tonnes of crushed rock will be sustainably managed through contributing towards the regional need in collaboration with Wrexham County Council. Emerging Policy EN25 proposes allocations to extend to four existing quarries that would yield 2.3 million tonnes of sand and gravel and 24 million tonnes of crushed rock which would have been more than sufficient to meet the requirements of the RTS first review. It has now been acknowledged by Officers that this figure quoted in Policy STR16 is now out of date with the publication of the RTS2.
- 1.7 As part of the Council's response to the consultation on the Deposit Draft Flintshire Local Development Plan, it is suggested that the Council would have no objection to change the wording of point iii of Policy STR16 to allow for changes of apportionment figures and allocation requirements in future subsequent reviews of the RTS. It has been suggested that the wording would be amended; subject to the agreement by the Inspector to:
iii. Flintshire will contribute to the regional supply of minerals in collaboration with Denbighshire and Wrexham County Borough Councils to accord with the apportionment figures contained in the published Regional Technical Statement."

2. The Supply of Sand and Gravel

- 2.1 Emerging Policy STR16 of the draft Deposit Flintshire LDP states that *"Flintshire's important mineral resources will be sustainably managed by: iii. Contributing towards the regional supply of mineral through the allocation of 1.4 million tonnes of sand and gravel."*
- 2.2 A number of sites were proposed for inclusion in the Flintshire LDP when Flintshire called for further Candidate Sites. Two of which are proposed as allocation within the Deposit Flintshire LDP in Policy EN25: Breedon Southern Limited's Ddol Uchaf Quarry that would yield 1.4 million tonnes, and Breedon's Fron Haul Quarry that would yield 0.9 million tonnes of sand and gravel. A summary of the material planning considerations associated with the two sites has been included within the Minerals Background Paper for Flintshire to assist the Inspectors in understanding the constraints associated with the sites and to provide certainty as to their deliverability.
- 2.3 The draft RTS2 has now increased the apportionment for the future provision of land-won primary aggregate for sand and gravel within Flintshire. The Flintshire apportionment of sand and gravel has increased the allocation required from at least 1.4 million tonnes to at least 3.543 million tonnes.

- 2.4 The sand and gravel allocations proposed in the emerging Policy EN25 of the Flintshire deposit draft LDP amount to 2.3 million tonnes. This would leave a shortfall of at least 1.243 million tonnes to be accounted for throughout the plan period. Whilst the North Wales Minerals and Waste Planning Service are in discussions with mineral operators to establish if other sites can be identified in the County which would yield sufficient sand and gravel to meet the required apportionment, the shortfall is so small it would not warrant the investment required for the opening of a new quarry site. Therefore, it is proposed to work in collaboration with our partner authorities in the north east sub-region; Denbighshire County Council and Wrexham Borough Council to meet the apportionment shortfall sub-regionally in identifying either a new green-field site, or an extension of an existing sand and gravel site.
- 2.5 The draft RTS 2 states that new allocations totalling at least 1.565 million tonnes will need to be identified within the Wrexham area. Again, this amount is too small to warrant the investment required for the opening of a new quarry. However, the North Wales Minerals and Shared Planning Service are also in discussions with Breedon Southern Limited with regards to a potential extension to their 'Borras' Quarry, and also another quarry operator with regards to the establishment of a new site within Wrexham to meet the shortfalls identified for Flintshire and Wrexham and to work collaboratively. Should there be unconstrained and economically viable sand and gravel resources available adjacent to Borras Quarry which would deliver the apportionment requirements of the RTS2 for both Flintshire and Wrexham, it would be more sustainable in environmental and economic terms to extend an existing site, rather than develop a new green-field site.
- 2.6 The draft RTS 2 does not require Denbighshire to make future provision for land won sand and gravel. Although Denbighshire has a zero apportionment for sand and gravel, and no existing permitted reserves within the County, there are potential resources within the County boundary; particularly within the Clwyd Valley between Denbigh and Ruthin. Some however, fall within the Bryniau Clwyd Area of Outstanding Natural Beauty (AONB), but others do not. It may be possible for these unconstrained areas to be worked in the future, as alternatives to the deposits in Flintshire, should that become necessary.
- 2.7 Therefore, the sub-regional apportionment figures set out in the RTS2 for Flintshire and Wrexham will be met by working collaboratively. In relation to the unconstrained sand and gravel resource in Denbighshire, this would be safeguarded through the Minerals Safeguarding areas identified on the Constraints Map of the Denbighshire LDP for and safeguarded for future requirements. Agreement of this shared arrangement has also been sought by the North Wales Regional Aggregate Working Party (RAWP) and confirmation of this agreement will be provided prior to Examination of the Flintshire LDP.

3. The Supply of Crushed Rock

- 3.1 As part of the Wrexham LDP process, Flintshire County Council and Wrexham County Borough Council agreed to work collaboratively in order to meet the crushed rock apportionment for Wrexham as the crushed rock resource is heavily constrained. At the Wrexham Planning Policy Panel on 17 November 2015, Members agreed to a collaborative approach with Flintshire to meet the need for additional crushed rock through the LDP at the Preferred Strategy stage. This has emerged as Strategic Policy STR16 as detailed above. Similarly, Flintshire's Planning Strategy Group on 8 October 2015 and 18 April 2019 endorsed this approach. Demonstrating that the sub-region has a history of inter-authority collaboration in meeting the needs for aggregate minerals.
- 3.2 This approach has been published in the Flintshire Preferred Strategy and Emerging Policy STR16: Strategic Planning for Minerals, which demonstrates its commitment to making provision in this way. Emerging Policy STR16 states that *"Flintshire's important mineral resources will be sustainably managed by: iii. Contributing towards the regional supply of mineral through the allocation of... 3.84 million tonnes of crushed rock through the extension to existing quarries, in collaboration with Wrexham County Borough Council."*
- 3.3 A number of sites were proposed for inclusion in the Flintshire LDP when Flintshire called for further Candidate Sites. Two of which are proposed as allocation within the Deposit Flintshire LDP in Policy EN25: Cemex's Pant Y Pwll Dŵr Quarry in Halkyn that would yield 13 million tonnes, and Tarmac's Hendre Quarry that would yield 11 million tonnes of crushed rock. A summary of the material planning considerations associated with the two sites has been included within the Minerals Background Paper to assist the Inspectors in understanding the constraints associated with the sites and to provide certainty as to their deliverability.
- 3.4 Furthermore, Tarmac has indicated that they will be submitting a planning application for the deepening and a lateral extension of their Hendre Quarry. The submission of the planning application has been delayed due to the Covid-10 pandemic. However, it is understood that the submission will be prior to the adoption of the Flintshire LDP. It is considered that there is sufficient policy framework within the Flintshire UDP for a determination of an extension of a quarry and policy support in the Flintshire UDP for such an extension.
- 3.5 Flintshire's apportionment of crushed rock requirement within the draft RTS2 has increased from at least 3.84 million tonnes to at least 35.928 million tonnes. It is acknowledged that these are substantial increases of required future crushed rock provision in comparison with the requirements set out in the RTS First Review. Amongst other things, the figures reflect the resurgent importance of Flintshire in exporting limestone aggregate to the North West of

England. The crushed rock allocations proposed in the emerging Policy EN25 of the Flintshire's deposit draft LDP detailed above, amount to a considerable 24 million tonnes. However, this would leave a shortfall of at least 12 million tonnes to be accounted for throughout the plan period. Whilst the North Wales Minerals and Waste Planning Service are in discussions with mineral operators to establish if other sites can be identified in the County which would yield sufficient crushed rock to meet the required apportionment, this may still not be sufficient. Therefore, it is proposed to work in collaboration with Denbighshire County Council in order to meet the shortfall.

- 3.6 As such, the total allocations required for in Flintshire have however been minimised by increasing the sub-regional contributions from neighbouring Denbighshire, so as to utilise the existing permitted reserves in Denbighshire. Within Denbighshire there are a surplus of existing permitted crushed rock reserves. There are a number of mothballed sites within Denbighshire which has resulted in a landbank of 25.2 years. Therefore, no further allocations for crushed rock are required to be identified within the Denbighshire LDP review. The draft RTS 2 states that *"in the longer term, however, it may become necessary for Denbighshire to take on a greater share of crushed rock production within the sub-region than is presently the case, and there would be merits in collaborative working between all three Local Planning Authorities within the north east Wales sub-region."*
- 3.7 This Statement of Sub-Regional Collaboration confirms the intent for Denbighshire and Flintshire to take a collaborative approach to meeting the sub-regional needs of crushed rock.
- 3.8 *Denbigh Quarry*
- 3.8.1 The North Wales Mineral and Waste Planning Service, are in discussions with Breedon Southern Limited with regards to a lateral extension of the Graig/ Denbigh Quarry within Denbighshire. This is proposed to yield an additional 5.4 million tonnes of crushed rock. The submission of the planning application for the extension to the quarry has been postponed due to the Covid-19 pandemic. However, the company has shown a commitment to making this planning submission and submitted a request for a Scoping Opinion for the proposal and hosted a public consultation event in December 2019. The local community are therefore aware of this project which will be submitted for planning approval. Should planning permission be granted, this additional 5.4 million tonnes would be used to off-set the shortfall of apportionment required to be made by Flintshire, thus contributing to the Sub-Regional apportionment. Agreement of this shared arrangement has been sought by the North Wales Regional Aggregate Working Party (RAWP). Confirmation of this agreement by the North Wales RAWP will be provided prior to Examination of the Flintshire LDP.

- 3.8.2 In terms of providing certainty for deliverability of an extension to Denbigh Quarry, the resource located to the west is largely unconstrained. It is considered to be more sustainable in environmental, and economic terms to extend an existing site, rather than develop a new green-field site. There is a Committee resolution to extend the life of the current extant planning permission consents extraction of mineral until 31 August 2028 subject to the signing of a deed of variation of the existing section 106 agreement.
- 3.8.3 The permitted quarry site comprises approximately 28 hectares of land and the proposed extension area is approximately 5 hectares in extent. To the north, west and south the contiguous land is rural, predominantly agricultural fields and woodland comprising pasture and a mix of ancient and more recent woodland. Craig Mawr Wood to the north of the proposed extension site is a Site of Special Scientific Interest (SSSI) and another SSSI (Graig Quarry) is situated 150m to the southeast of the proposed extension area. Further to the south, at a distance of approximately 250m from the southern boundary of the application site is the northern boundary of the town of Denbigh. The eastern boundary of the proposed extension is the existing quarry which is, itself, bounded on the east by Graig Road, with the Colomendy Industrial Estate further to the east.
- 3.8.4 The existing quarry is accessed off Graig Road via a purpose-built access road that is owned by the applicant Company and all access to the extension area would be via the existing site. Use of this access is exclusive to Breedon Southern Limited and dedicated to its operations at Denbigh quarry.
- 3.8.5 The proposed extension area consists of agricultural fields in arable use to the west of the existing working area and to the south of the Crest Mawr woodland. The surrounding area comprises pasture and arable fields.
- 3.8.6 The proposed extension could supply up to 5.4 million tonnes of limestone suitable for processing into aggregate products as a continuation of the Company's existing business. At existing rates of output this would extend the life of the quarry by approximately 27 years. The extant permission for Denbigh Quarry will, again at current rate of sales, result in the site's exhaustion by 2025, within the proposed Plan period.
- 3.8.7 Due to its location, it is considered that Denbigh Quarry has a key strategic role in limestone product supply. The quarry also produces aggregate to meet a local need and the production of agricultural lime which also meets a local need. An extension would realise a further 5.4 million tonnes of the same high quality limestone and would extend the life of the site until approximately 2047 depending on production rates.
- 3.8.8 The nearest residential property is located more than 200 metres from the quarry boundary, and therefore outside the recommended buffer-zone for

hard rock quarries as stated within MTAN 1. The closest residential dwellings to the proposed extension are located at the northern end of Bryn Seion approximately 250 to the south of the extension application boundary therefore, the proposed extension would not bring the extraction area of the quarry closer to residential properties. The amenity of these and other local properties would be safeguarded through mitigation measures including standoff areas and the use of temporary landscape screening landforms within the application boundary i.e. more than 250m from the edge of these properties.

- 3.8.9 The existing quarry transport infrastructure and access to the public highway would be used to gain access to the public highway adopting current routing requirements for mineral extracted from the extension area. The existing access road to the Plas Chambres road is specified at condition No.15 of the existing permission as the dedicated access to the site.
- 3.8.10 The additional reserve of circa 5.4 million tonnes would be exported in HGVs via the existing haul road to the A525/A543 roundabout through the Colomendy Industrial Estate below the current output limit of 400,000 tonnes per annum. As a result, there would be no significant change in terms of vehicular activity associated with the quarry when compared with the current and ongoing situation.
- 3.8.11 The output rate of the quarry would remain unchanged at 200,000 tonnes per annum. The current consent restricts output at 400,000 tonnes per annum by condition No.4 and therefore the quarry currently operates well below the permitted extraction rate and the proposed output rate should the quarry extend would remain unchanged. There are no operational concerns that have been raised in relation to the local highway network.
- 3.8.12 There is one public footpath within the application site boundary (footpath ref: 508/6) which helps to connect Denbigh to the northern rural area. At the point where footpath 508/6 departs the development envelope of Denbigh another footpath (508/5) departs in a north westerly direction passing within 50m of the proposed extension. Footpath 508/6 is on the boundary between the existing quarry and the proposed extension running north to south.
- 3.8.13 Should planning permission be granted, Footpath 508/6 would be required to be diverted from its current position in a south westerly direction, adjacent to the Crest Mawr SSSI and beyond the wood-line, to meet and connect with footpath 508/5. Besides the potential amenity effects on rights of way users (e.g. potential visual, noise and dust, consideration would be given to the need for the permanent diversion of footpath ref: 508/6 and the routing and timescales of this diversion to facilitate the carrying out of mineral extraction and restoration.

- 3.8.14 In relation to agricultural land classification (ALC), the Predictive ALC Map for Wales notes the site to be Grade 2 and Subgrade 3a that would be lost to the proposed extension.
- 3.8.15 In relation to archaeological interests associated with the existing quarry site, archaeological investigations, comprising a field survey and desk based research work were undertaken as part of the planning application resulting in the 1992 planning permission. No items of archaeological interest were found. However, further studies would be done as part of a future planning application/ environmental statement for a lateral extension.
- 3.8.16 In terms of the impact on ecology, nature conservation and habitats, a study would be carried out to identify and evaluate the wildlife value of the extension site that would be part of the environmental statement.
- 3.8.17 In relation to visual impact, this would be assessed at the planning application stage and a landscape and visual impact assessment would accompany the environmental statement.
- 3.9 Wrexham County Borough Council are not required to identify any crushed rock sites as the RTS 2 recognises the constraints imposed by the Bryniau Clwyd AONB, therefore, the level of crushed rock provision has been set to zero within the RTS 2. Small areas of crushed rock resources do exist, however, just outside the AONB in the southern-western part of those areas, If any such opportunities arise, these would contribute to the Sub-Regional Apportionment.
- 3.10 Should planning permission be granted for Denbigh Quarry, it is proposed that the potential reserves yielding 5.4 million tonnes would be used to offset Flintshire's apportionment requirements. Combining the 5.4 million tonnes with the two crushed rock allocations of 24 million tonnes, this would amount to 29.4 million tonnes of provision, thus presenting a shortfall of 6.5 million tonnes of crushed rock to be sought via windfall sites over the Plan period.
- 3.11 The provision of allocations for 24 million tonnes of crushed rock proposed at the start of the plan process, provides a considerable amount of certainty that these sites would be delivered and progressed to a planning application in the future. Indeed we are certain that a planning application for the extension at Hendre will be submitted prior to the examination of the Flintshire LDP. This approach provides far more certainty for deliverability in the future compared to the plan that shows a preferred area which may not be deemed viable by the minerals industry for future extraction. Furthermore, it is understood that the LDP is only required to demonstrate a 10 year supply of crushed rock at any one time during the plan period which the proposed allocations/extension in Denbigh Quarry would demonstrate. Additional provision will be identified at subsequent reviews of the LDP.

4. Windfall sites

- 4.1 As stated above, the North Wales Minerals and Waste service are in discussions with land owners and mineral operators in the Sub-Region to explore the possibilities of further extensions of existing sites, and indeed green-field sites for both sand and gravel, and crushed rock. These discussions have been hindered by the Covid-19 Pandemic, however, work will continue in the meantime prior to the examination of the Flintshire LDP. Therefore, additional information may be available to append to this Statement of Sub-Regional Collaboration in the future as an addendum to provide additional evidence and certainty in meeting the sub-regional needs for aggregate minerals prior to the examination of the Flintshire LDP.
- 4.2 Emerging Policy EN26 of the Deposit Flintshire LDP provides criteria against which a proposal would be assessed. Therefore, there is provision within the deposit Flintshire LDP to assess future windfall sites, should they arise prior to the subsequent review of the LDP when additional sites may be identified.

5. Subsequent Reviews of the RTS

- 5.1 The RTS is required to be reviewed every five years. Therefore, the apportionment figures set out in the RTS may well fluctuate in the future. Aggregate sales may decline due to the effect of Brexit and Covid-19. Construction levels may decline and result in a downturn in the economy. Therefore, reserves may not be depleted in such a way as predicted in the RTS2. The resultant effect would be that the landbank would rise, and therefore the requirement to provide additional allocations may be reduced.

6. Conclusion

- 6.1 With a combination of allocations proposed in emerging Policy EN25 of the Flintshire LDP, coupled with future planning applications for extensions of existing quarries, or new green-field sites throughout the sub-region, along with possible fluctuations of the apportionment figures in subsequent reviews of the RTS, Officers are confident that by working collaboratively at a sub-regional levels, the need for aggregate mineral will be met over the Plan period.
- 6.2 This Statement has been prepared in collaboration between Denbighshire County Council, Flintshire County Council and Wrexham County Borough Council. The evidence provided in this statement provides sufficient certainty for the Examination in Public of the Flintshire LDP that the apportionment figures for the future provision of land-won primary aggregate in Flintshire for both crushed rock and sand and gravel, as stated in the RTS2 can be provided on a sub-regional level through inter-authority collaboration.

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