

	 <p>CYNGOR SIR YNYS MÔN ISLE OF ANGLESEY COUNTY COUNCIL</p>	<p>Defnydd swyddfa yn unig:</p> <p>Rhif Cynrychiolydd:</p> <p>Dyddiad derbyn: 25/3/15 (ebor)</p> <p>Dyddiad cydnabod:</p>
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**Cynllun Datblygu Lleol ar y Cyd Adnau Ynys Môn a Gwynedd 2011-2026
Ffurflen Sylwadau**

Diogelu Data - Y modd y bydd eich sylwadau a'r wybodaeth a roddwch i ni yn cael eu defnyddio. Bydd yr holl wybodaeth a gyflwynir yn cael ei gweld yn llawn gan staff yr Uned Polisi Cynllunio ar y Cyd sy'n ymdrin â'r Cynllun Datblygu Lleol ar y Cyd (CDLI ar y Cyd). Bydd eich enw a'ch sylwadau fel y maent wedi'u nodi yn eich ffurflen sylwadau yn cael eu cyhoeddi, ynghyd ag ymateb y Cyngor. Bydd hyn yn gymorth i ddangos fod yr ymgynghoriad wedi'i wneud yn iawn. Nodwch hefyd y gall y ffurflen hon gael ei rhoi i unrhyw Ymchwiliad Cyhoeddus ar y CDLI ar y Cyd.

Byddai'n well gennym pe baech yn cyflwyno'ch sylwadau'n uniongyrchol ar-lein. Fel arall, gellir llenwi fersiwn electronig o'r ffurflen hon ar-lein yn www.gwynedd.gov.uk/cdli neu www.ynysmon.gov.uk/cdli. Dylech llenwi ffurflenni ar wahân ar gyfer pob sylw yr hoffech ei wneud. Cewch ffurflenni sylwadau ychwanegol gan yr Uned Polisi Cynllunio ar y Cyd drwy ffonio 01286 685003 neu gellir eu llawr lwytho o wefan y Cyngor yn: www.gwynedd.gov.uk/cdli neu www.ynysmon.gov.uk/cdli neu gallwch lungopio'r ffurflen hon. Wrth wneud sylwadau, defnyddiwch dudalennau ychwanegol os oes angen, gan nodi rhif y dudalen yn glir.

RHAN 1: Manylion cyswllt

	Eich manylion/ Manylion eich cleient	Manylion yr Asiant (os yw hynny'n berthnasol)
Enw	Dafydd Gareth Jones	
Cyfeiriad	Gwasanaeth Cynllunio Mwynau a Gwastraff Gogledd Cymru,	
Cod Post		
Rhif Ffôn		
Cyfeiriad e-bost		

RHAN 2: Eich Sylwadau a Newidiadau a Awgrymir. (Defnyddiwch un adran Rhan 2 ar gyfer pob sylw yr hoffech ei wneud)

2a. Ar ba ran o'r Cynllun Adnau yr ydych chi'n gwneud sylwadau?	
Polisi rhif (nodwch)	Mwyn3 Mwyn6
Paragraff rhif (nodwch)	Rhestr Safleoedd Tywod a Graean Cychfeydd Rhagod Safleoedd Mwynau
Cynigion/ Map Mewnosod (nodwch y rhif cyfeirnod)	Map Cynigion 1
Map Cyfyngiadau	Map Cyfyngiadau Môn a Gwynedd
Atodiadau (nodwch)	Mwynau

2b. A ydych yn gwrthwynebu neu gefnogi?			
Gwrthwynebu	<input type="checkbox"/>	Cefnogi	<input checked="" type="checkbox"/>

2c. Rhowch fanylion eich sylwadau ar y Cynllun Adnau.

Nid yw'r ardaloedd diogelu mwynau (Polisi Mwyn1) yn ymddangos ar y map rhyngweithiol ar gwefan Cyngor Gwynedd na chwaith y cyfan o'r ardaloedd chwilio a ffafir tywod a graean ym mholisi Mwyn3.

Anghysondeb gyda'r ardaloedd chwilio a ffafir sydd wedi'u hadnabod ar gyfer tywod a graean ym Mholisi Mwyn3 a Map Cynigion 1.

Angen diweddarau'r cylchfeydd rhagod safleoedd mwynau sydd wedi'u hadnabod ar Map Cynigion 1.

Nodiant ar gyfer rhai o'r cyfyngiadau sydd wedi'u mapio yn anodd ei dehongli, e.e. diogelu tywod a graean lle mae'r ardal yn croesi gyda dynodiadau eraill megis 'ardaloedd tirwedd arbennig'.

2ch. Os yw eich sylw yn 2c yn fwy na 100 o eiriau, darparwch grynodedb os gwelwch yn dda (dim mwy na 100 o eiriau.

2d Rhowch fanylion y newidiadau yr hoffech eu gweld i'r Cynllun Adnau

Angen cynnwys yr oll ardaloedd chwilio a ffafrir sydd wedi'u hadnabod ar gyfer tywod a graean ym Mholisi Mwyn3 ar Fap Cynigion 1, h.y. sicrhau fod yr ardaloedd canlynol yn cael eu marcio ar y map cynigion yn ogystal i'r rhai sydd wedi'u cynnwys eisoes sef;

- Fferm Bodychain, Llanllyfni
- Derwyn Fawr, Garndolbenmaen,
- Llecheiddior Uchaf, Garndolbenmaen.

Diweddarau'r cylchfeydd rhagod safleoedd mwynau sydd wedi'u hadnabod ar Map Cynigion 1 i gynnwys Chwarel Nanhoron a dyddodion gweithio mwynau Nant Gwrtheyrn. Mae angen adolygu'r sefyllfa i gynnwys cronfeydd wrth gefn newydd o fwynau (os caniateir) ond hefyd yr ymarferoldeb o gynnwys safleoedd bychan, fel Nant Gwrtheyrn a chyflwyniad Gorchmynion Gwahardd ailgychwyn cloddio ar unrhyw safle mwynau 'cwsg', e.e. Chwarel Dorothea.

Mae angen cynnwys yr ardaloedd diogelu mwynau, (Polisi Mwyn1) ar y map rhyngweithiol sy'n ymddangos ar gwefan Cyngor Gwynedd a hefyd y cyfan o'r ardaloedd chwilio a ffafrir tywod a graean ym mholisi Mwyn3.

2dd. Ydi'r Cynllun yn gadarn?																			
Ydi				<input checked="" type="checkbox"/>				Nac ydi				<input type="checkbox"/>							
2e. Os ydych chi'n meddwl nad yw'r Cynllun Adnau yn gadarn, pa brawf cadernid ydych chi'n meddwl y mae'n ei fethu? (Ticiwch isod os gwelwch yn dda) <i>Rhoddir mwy o fanylion am y profion cadernid ar gefn y ffurflen hon</i>																			
Gweithdrefnol				Cysondeb								Cydlyniaid ac Effeithiolrwydd							
P1	<input type="checkbox"/>	P2	<input type="checkbox"/>	C1	<input type="checkbox"/>	C2	<input type="checkbox"/>	C3	<input type="checkbox"/>	C4	<input type="checkbox"/>	CE 1	<input type="checkbox"/>	CE 2	<input type="checkbox"/>	CE 3	<input type="checkbox"/>	CE 4	<input type="checkbox"/>

Rhan 3: Beth sy'n digwydd nesaf?

Ar y cam hwn o broses y CDLI ar y Cyd, dim ond sylwadau ar bapur y gallwch eu gwneud (a elwir yn 'sylwadau ysgrifenedig'). Fodd bynnag, gall yr Arolygwr alw ar y rheini sydd am newid y Cynllun i ymddangos a siarad â'r Arolygwr mewn 'sesiwn gwrandawriad' yn ystod yr Ymchwiliad Cyhoeddus. Dylech gofio y bydd yr Arolygwr yn rhoi'r un pwys i'ch sylwadau ysgrifenedig ag i'r rheini a wnewch ar lafar yn y sesiwn gwrandawriad.

3a. A ydych am i'ch sylwadau gael eu hystyried fel 'sylwadau ysgrifenedig' neu a hoffech siarad mewn sesiwn gwrandawriad yn yr Ymchwiliad Cyhoeddus? (Ticiwch un o'r isod)

Nid wyf am siarad mewn sesiwn gwrandawriad ac rwy'n fodlon i'm sylwadau ysgrifenedig gael eu hystyried gan yr Arolygwr.	<input checked="" type="checkbox"/>
Hoffwn siarad mewn sesiwn gwrandawriad.	<input type="checkbox"/>

**3b. Os hoffech siarad, cadarnhewch pam rydych yn ystyried ei bod hi'n angenrheidiol i chi siarad yn y Gwrandawriad.****3c. A fydddech yn hoffi cael gwybod am y canlynol (Ticiwch y blychau perthnasol)**

Cyflwyno'r dogfennau a'r dystiolaeth i'r archwiliad	<input checked="" type="checkbox"/>
Cyhoeddi adroddiad yr Arolygydd	<input checked="" type="checkbox"/>
Mabwysiadu'r Cynllun	<input checked="" type="checkbox"/>



Os ydych wedi darparu dogfennau ychwanegol i gefnogi'ch sylwadau, rhestrwch hwy isod:

Llofnod: 	Dyddiedig: 25 Mawrth 2015
Dafydd Gareth Jones	

DIOLCH AM EICH SYLWADAU AR Y CYNLLUN ADNAU

Cofiwch gynnwys unrhyw ddogfennau perthnasol (e.e. Arfarniad Cynaliadwyedd) gyda'r ffurflen hon.

Dylech ddychwelyd ffurflenni sylwadau wedi'u llenwi i'r Uned Polisi Cynllunio ar y Cyd:

AR-LEIN – drwy lenwi'r ffurflen electronig yn www.gwynedd.gov.uk/cdll neu www.ynysmon.gov.uk/cdll

DRWY E-BOST - polisicynllunio@gwynedd.gov.uk

DRWY'R POST - ei hanfon i: Uned Polisi Cynllunio ar y Cyd, Llawr Cyntaf, Swyddfeydd Cyngor Dinas Bangor, Ffordd Gwynedd, Bangor, Gwynedd LL57 1DT

**DYLECH DDYCHWELYD Y FFURFLENNI SYLWADAU DDIM HWYRACH NA 5.00yh ar 31 Mawrth 2015
NI FYDD SYLWADAU A DDERBYNNIR WEDI'R AMSER A'R DYDDIAD YMA YN CAEL EU HYSTYRIED**

Profion Cadernid

Prawf	Profion Gweithdrefnol
P1	Nid yw wedi'i baratoi yn unol â'r Cytundeb Cyflawni yn cynnwys y Cynllun Cyswllt Cymunedol.
P2	Nid yw'r cynllun a'i bolisiau wedi bod drwy Arfarniad Cynaliadwyedd yn cynnwys Asesiad Amgylcheddol Strategol.
	Profion Cysondeb
C1	Mae'n gynllun defnydd tir nad yw'n rhoi ystyriaeth i gynlluniau, polisiau a strategaethau perthnasol eraill sy'n ymwneud â'r ardal neu ardaloedd cyfagos.
C2	Nid yw'n rhoi ystyriaeth i bolisi cenedlaethol.
C3	Nid yw'n rhoi ystyriaeth i Gynllun Gofodol Cymru.
C4	Nid yw'n rhoi ystyriaeth i'r strategaeth gymunedol berthnasol.
	Profion Cydlynad ac Effeithiolrwydd
CE1	Nid yw'r cynllun yn gosod strategaeth gydlynol ble mae ei bolisiau a'i ddynodiadau yn llifo'n rhesymegol ohono a/neu pan fo materion trawsffiniol yn berthnasol, nid yw'n gydnaws â'r cynlluniau datblygu a ddarparwyd gan awdurdodau cyfagos.
CE2	Nid yw'r strategaethau, y polisiau na'r dynodiadau'n realistig nac yn briodol o ystyried y dewisiadau amgen a/neu nid ydynt wedi'u seilio ar sail tystiolaeth gredadwy.
CE3	Nid oes mecanwaith clir ar gyfer gweithredu a monitro.
CE4	Nid yw'n rhesymol hyblyg i alluogi iddo ymdrin ag amgylchiadau sy'n newid.

Noda Deddf Cynllunio a Phrynu Gorfodol 2004 mai pwrpas ymchwiliad i Gynllun Datblygu Lleol (y Cynllun) yw ystyried a yw'n "gadarn". Golyga hyn y dylai unrhyw un sydd am roi sylwadau ar y Cynllun Adnau neu wrthwynebu iddo geisio dweud pam nad yw'n gadarn a beth sydd ei angen er mwyn ei wneud yn gadarn. Yn y cyd-destun hwn, gellir ystyried cadarn i olygu ei ystyr gwreiddiol o "*dangos barn dda*" a "*y gellir ymddiried ynddo*". Er mwyn asesu'r Cynllun Adnau, rydym yn defnyddio'r 10 prawf uchod. Bydd y Cynllun Adnau yn cael ei archwilio gan Arolygwr annibynnol a benodir gan Lywodraeth Cymru a thasg yr Arolygwr fydd ystyried a yw'r Cynllun yn gadarn.

Os ydych yn cynnig newid i'r Cynllun Adnau, fe ddylech nodi'n glir pa brawf/broffion cadernid y credwch y mae'r Cynllun Adnau yn ei fethu/eu methu. Mae'r profion mewn tri grŵp – 'Gweithdrefnol' (dau prawf); 'Cysondeb' (pedwar prawf) a 'Cydlynad ac Effeithiolrwydd' (pedwar prawf). Os hoffech wneud sylwadau ar y ffordd y mae'r Cynghorau wedi paratoi'r Cynllun Adnau, mae'n debygol y byddai'ch sylwadau neu'ch gwrthwynebiadau yn disgyn o dan un o'r profion gweithdrefnol. Os hoffech wneud sylwadau neu wrthwynebu i gynnwys y Cynllun Adnau, gallai fod yn gymorth i chi edrych ar y profion 'cysondeb' a 'cydlynad ac effeithiolrwydd'.

Sylwadau Dros y We / Representations via the Internet

Rhif Sylw / Rep Id: **258**

Enw / Name: **Ellesmere Sand & Gravel Company Limited [2686]**

Rhan: **POLISI MWYN6**

Section: **POLICY MWYN6**

Math / Type: **Gwrthwynebu / Object**

Crynodeb o'r Sylw:

Nodir ym Mholisi Cynllunio Mwynau Cymru (2000) Nodyn Cyngor Technegol Agregau (2004) ganllawiau yng nghyswllt Cylchfeydd Rhagod. Er mai 100m yw'r pellter swyddogol oddi wrth ddatblygiad sensitif ar gyfer chwareli tywod a gro, caiff hwn ei ddiffinio fel unrhyw adeilad y mae pobl yn ei ddefnyddio'n rheolaidd ac mae'n cynnwys manau lle ceir tai, hosteli, manau cyfarfod, ysgolion ac ysbytai lle dylid disgwyl safon dderbyniol o fwynder. Gellid gostwng y gylchfa ragod 100m lle nad yw'r safle cloddio mwynau'n cael fawr ddim effaith.

Representation Summary:

Buffer zone guidance is set out in Mineral Planning Policy Wales (2000) and the Aggregates Technical Advice Note (2004). Although for sand and gravel quarries 100m is the defined standoff from sensitive development this is defined as any building occupied by people on a regular basis and includes housing areas, hostels, meeting places, schools and hospitals where an acceptable standard of amenity should be expected. Where there is very limited impact from the mineral extraction site the 100m buffer zone may be reduced.

Sylw Llawn / Full Representation:

Buffer zone guidance is set out in Mineral Planning Policy Wales (2000) and the Aggregates Technical Advice Note (2004). Although for sand and gravel quarries 100m is the defined standoff from sensitive development this is defined as any building occupied by people on a regular basis and includes housing areas, hostels, meeting places, schools and hospitals where an acceptable standard of amenity should be expected. Where there is very limited impact from the mineral extraction site the 100m buffer zone may be reduced.

Newid(iadau) i'r Cynllun

As set out in Policy MWYN3 Preferred Areas of Search the site at Bodychain, Llanlyfni identifies two farmste

Change(s) to the Plan

As set out in Policy MWYN3 Preferred Areas of Search the site at Bodychain, Llanlyfni identifies two farmsteads that while inhabited would enjoy a 100m buffer zone. Flexibility is sought to allow buffer zones to be reduced/removed where there is very limited impact from the mineral extraction site as identified by the pink line on the attached plan.

Profion Cadernid / Soundness Tests: x, viii, ix

Sylwadau Dros y We / Representations via the Internet

Rhif Sylw / Rep Id: **259**

Enw / Name: **Lafarge Tarmac Trading Limited [2735]**

Rhan: **POLISI MWYN6**

Section: **POLICY MWYN6**

Math / Type: **Gwrthwynebu / Object**

Crynodeb o'r Sylw:

Nodir ym Mholisi Cynllunio Mwynau Cymru (2000) Nodyn Cyngor Technegol Agregau (2004) ganllawiau yng nghyswllt Cylchfeydd Rhagod. Er mai 200m yw'r pellter swyddogol oddi wrth ddatblygiad sensitif ar gyfer chwareli craig galed, caiff hwn ei ddiffinio fel unrhyw adeilad y mae pobl yn ei ddefnyddio'n rheolaidd ac mae'n cynnwys manau lle ceir tai, hosteli, manau cyfarfod, ysgolion ac ysbytai lle dylid disgwyl safon dderbyniol o fwynder. Gellid gostwng y gylchfa ragod 200m lle nad yw'r safle cloddio mwynau'n cael fawr ddim effaith..

Representation Summary:

Buffer zone guidance is set out in Mineral Planning Policy Wales (2000) and the Aggregates Technical Advice Note (2004). Although for hard rock quarries 200m is the defined standoff from sensitive development this is defined as any building occupied by people on a regular basis and includes housing areas, hostels, meeting places, schools and hospitals where an acceptable standard of amenity should be expected. Where there is very limited impact from the mineral extraction site the 200m buffer zone may be reduced.

Sylw Llawn / Full Representation:

Buffer zone guidance is set out in Mineral Planning Policy Wales (2000) and the Aggregates Technical Advice Note (2004). Although for hard rock quarries 200m is the defined standoff from sensitive development this is defined as any building occupied by people on a regular basis and includes housing areas, hostels, meeting places, schools and hospitals where an acceptable standard of amenity should be expected. Where there is very limited impact from the mineral extraction site the 200m buffer zone may be reduced.

Newid(iadau) i'r Cynllun

Flexibility is sought to allow buffer zones to be reduced/removed where there is very limited impact from the

Change(s) to the Plan

Flexibility is sought to allow buffer zones to be reduced/removed where there is very limited impact from the mineral extraction site.

Profion Cadernid / Soundness Tests: x, viii, ix

Sylwadau Dros y We / Representations via the Internet

Rhif Sylw / Rep Id: **318**

Enw / Name: **Jones Bros Ruthin [2911]**

Rhan: **POLISI MWYN6**

Section: **POLICY MWYN6**

Math / Type: **Gwrthwynebu / Object**

Crynodeb o'r Sylw:

Dylid symleiddio a diwygio'r polisi a'r cyfiawnhad er mwyn caniatáu:

1. Yn lle cynhwysir, bydd cylchfeydd rhagod yn cael eu gosod ar yr isafswm pellter angenrheidiol, ar sail achos yn ôl achos, yn rhoddedig ar fesurau rheoli deddfwriaethol eraill.
 2. Dylai cylchfeydd rhagod 100m cael eu gweithredu ar echdynnu o dyddodion gweithiol cerrig called lle nad yw ffrwydiadau yn cael eu caniatáu fel MTAN1.
 3. Mewn amgylchiadau eithriadol caniateir estyniadau i weithrediadau gweithio mwynau, yn cynnwys gweithio dyddoion gweithrediadau mwynau o fewn cylchfeydd rhagod diffiniedig, lle gellir dangos nad oes ardrawiad annerbyniol ar ddatblygiad sensitif presennol.
 4. Adolygu ac egluro anodiad map CDLI.
- Darparir polisiâu amnewid (gweler atodiad)

Representation Summary:

The policy and justification should be simplified and revised, allowing for:

- 1 Where applied, Buffer zones to be set as the minimum necessary distances, on a case-by-case basis, given other related legislative control measures.
- 2 100 m buffer zones should also apply to extraction from hard rock mineral working deposits where no blasting is permitted, as MTAN1.
- 3 Extensions to mineral working operations, including working of mineral-working deposits, within defined buffer zones may be permitted in exceptional cases where it is shown that there would be no unacceptable impact on existing sensitive development.
- 4 Review and clarify the LDP map annotation.

Sylw Llawn / Full Representation:

The draft policy is unclear, inconsistent and contradicts National Policy and guidance.

A summary of related National policy and guidance references, including MPPW (which permits mineral extraction and other developments having regard to site-specific considerations, including the type and working methods, and location/proximity of existing built up areas) is presented in Appendix 1.

This representation response is based on the following grounds:

1. Buffer zone minimum distances.

Policy MWYN 6 fails to recognise the flexibility set out in Para 71 of MTAN 1 which is clear that, in certain cases, minimum distances could be reduced where there are, for example, other means of control which mean there is very limited impact from the mineral extraction site. Furthermore, Policy MWYN 6 suggests developments will be refused in cases where notional buffer zones cannot achieve the minimum distances required. This again fails to recognise that site features and other control measures can provide effective protection for amenity, and sets a rigid rule of refusal. The aims of planning policies and controls should not duplicate other, more effective legislative measures, where applicable.

2. Application to mineral working deposits.

Policy MWYN 6 Explanation Para 7.5.76. In stating that extraction from mineral-working deposits will be treated as hard rock quarries (i.e. in applying a 200m buffer zone distance) this paragraph contradicts MTAN 1. The explanation paragraph also contradicts the Policy which states that buffer zones will be applied in accordance with the minimum distances referred to in MTAN 1. MTAN 1 categorises 'others where no blasting is permitted' as appropriate for the 100m buffer zone distance. The removal of mineral from mineral-working deposits would require no blasting, nor the use of hydraulic breakers, except in exceptional circumstances. As a consequence of the contradictory wording, planning applications relating either to extraction from mineral working deposits, or to new mineral working, would be considered with reference to two, contradictory, policy approaches, leading to uncertainty for applicants and for neighbours.

Sylwadau Dros y We / Representations via the Internet

3. Buffer zones and existing development

In many cases the buffer zones indicated on the draft Proposals Maps overlap existing housing, including former quarrymen's cottages and more recent residential areas built near existing mineral workings. The Policy MWYN 6 and Explanation do not set out how proposals to re-activate dormant mineral workings will be considered in relation to such parts of buffer zones, leading to uncertainty for operators and residents.

4. New development within buffer zones

MPPW suggests that allowances could be made for circumstances 'where the site of the new development in relation to the mineral operation would be located within or on the far side of an existing built up area which already encroaches into the buffer zone'.

Paragraph 4 of Policy MWYN 6 states that 'Development within a buffer zone which is less than the recommended distance will be refused....' The meaning of this policy wording is not clear: if it is intended that buffer zones smaller than the 100m or 200m recommended in MTAN1 will be protected from development, then applicants could argue that proposals in buffer zones of the recommended size should be allowed. If the intent is that development closer to the mineral working than the recommended 100m or 200m will be refused unless there are clear and justifiable reasons, then the words 'which is less than the recommended distance' are not needed. If the intent is to distinguish between Sensitive Development (para 3 of policy MWYN 6) and other development, then a clearer wording is needed.

An additional confusion linked to Policy MWYN 6 relates to the inclusion of Criterion 2 in Policy MWYN 4 'Mineral Development' which allows mineral development, including expansions, subject to 12 criteria.

Proposals would need to satisfy Criterion 2: 'There is a suitable buffer between mineral development and sensitive development'. Para.7.5.73 explains that 'suitable buffer' relates to MTAN 1 and MTAN 2 distances. However, Criterion 2 makes no reference to Policy MWYN 6.

5. Presentation of buffer zones on Proposals Map

The buffer zones indicated on the draft Proposals Maps are, in many cases, the result of many overlapping zones around adjacent mineral-working permissions. The origin and extent of each zone is therefore unclear, particularly where large complexes of part - active and part-dormant mineral working are involved.

Appendix 1 - National Policy Guidance and 'Buffer Zones'

The relevant policy documents include Minerals Planning Policy Wales (MPPW) (2001) and the accompanying MTAN1 'Aggregates', 2004

MPPW (para.40) describes the context for 'Buffer Zones'. The policy does not represent a complete and negative stance towards new mineral extraction or towards sensitive development located within a buffer zone. In essence, the policy provides for an exceptional, cautious approach i.e. it suggests that allowances could be made for circumstances 'where the site of the new development in relation to the mineral operation would be located within or on the far side of an existing built up area which already encroaches into the buffer zone'. MPPW also suggests that 'the maximum extent of the buffer zone would depend on a number of factors...' and 'Buffer zones will of necessity vary in size depending on the mineral being extracted and the nature of the operation, but must be clearly defined and indicated in Unitary Development Plans.'

MTAN 1: Aggregates 2004 defines 'buffer zones' as 'An area of land separating a mineral site from potentially sensitive land uses such as housing, and which acts as a physical barrier'. Chapter C 'Reducing the impact of aggregates production' recommends minimum distances, unless there are clear and justifiable reasons for reducing the distance (e.g. other means of control). For Sand and gravel workings (and others where no blasting is permitted) the minimum distance is set as 100 metres: for hard rock quarries, the distance is 200 metres. The MTAN advises that 'The buffer zone should be defined from the outer edge of the area where extraction and processing operations will take place, including site haul roads, rather than the site boundary, as there may be land within site boundaries where mineral activities are limited or no operations are proposed so that the impact of the proximity of such land is negligible'.

Newid(iadau) i'r Cynllun

1 The policy wording should be simplified, with a clearer justification and explanation. A supporting, adopted

Sylwadau Dros y We / Representations via the Internet

Change(s) to the Plan

- 1 The policy wording should be simplified, with a clearer justification and explanation. A supporting, adopted Supplementary Planning Guidance could amplify and provide additional details (including for dormant quarry sites).
- 2 Delete all references to 'notional buffer zone', as this provides uncertainty for all parties involved, including neighbouring residential occupiers and potential investors in the community at large. Sentence 2 of the first paragraph would be better deleted entirely, and the words 'Planning applications for mineral working, including...' inserted at the start of paragraph 2.
- 3 Replace Para. 7.5.76 sentence 4 with 'For the purposes of clarity, sand and gravel shall include extraction from hard rock mineral working deposits where no blasting is permitted'.
- 4 The Policy should be re-written to state more clearly how development proposals within buffer zones would be considered. We suggest: 'Proposals for other development within the buffer zones identified on the Proposals Map and any new buffer zones will be refused unless a clear and justifiable reason '
- 5 The buffer zones in the Proposals Map should be drawn to exclude existing development close to existing mineral workings (including dormant and active workings).
- 6 The buffer zones should be presented on the Proposals Map so that the boundary of each existing mineral working (including dormant and active workings) is clearly shown, and the applicable buffer zone extending from that boundary can be seen.
- 7 Explanation para 7.5.73 to Policy MWYN 4 'Mineral Development' should refer to MWYN6 and not attempt to define buffers separately. We suggest 'Policy MWYN6 defines a 'suitable buffer' and its application.'

Policy MWYN6 would then read as follows:

POLICY MWYN 6: BUFFER ZONES AROUND MINERAL SITES

Planning applications for mineral extraction within the buffer zones identified on the Proposals Map will not normally be permitted unless a new buffer zone can be provided to reflect the minimum distances referred to in MTAN1: Aggregates. A buffer zone in accordance with the minimum distances referred to in MTAN1: Aggregates and MTAN2: Coal will also be applied to all new permissions for mineral working.

Planning applications for mineral working, including extensions to existing mineral workings, will only be granted where a suitable buffer can be maintained between mineral development and sensitive development (in particular housing, hospitals and schools) as defined by MTAN1: Aggregates.

Proposals for sensitive development (in particular housing, hospitals and schools) as defined by MTAN1: Aggregates, within the buffer zones defined on the Proposals Map and any new buffer zones will be refused. Proposals for other development within the buffer zones defined on the Proposals Map and any new buffer zones will be refused unless clear and justifiable reason is provided, and it can be demonstrated that there will be no adverse impacts or conflicts with the mineral operation.

Within the Development High Risk Areas for Coal identified on the Proposals Map, development shall only be granted within settlement boundaries where it can be demonstrated that the potential for subsidence has been the subject of geotechnical investigation and that appropriate measures to minimise the impact of subsidence by ensuring best practice to design and control of development may be applied including mitigation in the form of remediation and prior extraction where appropriate.

Explanation para 7.5.76 would read:

7.5.76 The Councils recognises the benefits of establishing such zones in protecting local amenity and sensitive areas whilst maintaining the viability of approved mineral working. The buffer zones identified in the Proposals Maps have been specified in accordance with the criteria set out in MTAN 1: Aggregates. The minimum distances required are 100 metres for sand and gravel and 200 metres for hard rock quarries. For the purposes of clarity, sand and gravel shall include extraction from hard rock mineral working deposits where no blasting is permitted. The buffer zones identified in the Proposals Maps as well as any new buffer zones are defined from the outer edge of the area where extraction and processing operations can take place including site haul roads.

	 <p>CYNGOR SIR YNYS MÔN ISLE OF ANGLESEY COUNTY COUNCIL</p>	<p>For office use only:</p> <p>Representor No. 2998/602</p> <p>Date received: 27/3/12 er</p> <p>Date acknowledged:</p>
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**Anglesey and Gwynedd Deposit Joint Local Development Plan 2011-2026
Representation Form**

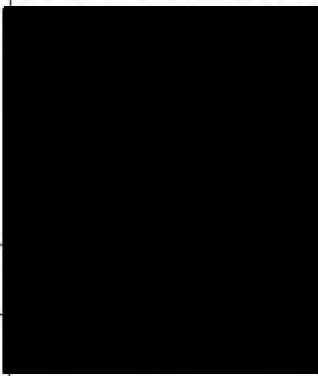
Data Protection

How your representation and the information that you give us will be used. All information submitted will be seen in full by the Joint Planning Policy Unit staff dealing with the Joint Local Development Plan (Joint LDP). Your name and comments as set out in your representation form will be published together with the Councils' response. This helps to show that the consultation was carried out properly. Please note that this form may also be made available to any Public Examination on the Joint LDP.

We would prefer that you submit your representations directly online. Alternatively, an electronic version of this form can be completed online at www.gwynedd.gov.uk/ldp or www.anglesey.gov.uk/ldp Separate forms should be completed for each comment that you wish to make.

Additional representation forms can be obtained from the Joint Planning Policy Unit on 01286 685003 or may be downloaded from the Council's web site at: www.gwynedd.gov.uk/ldp or www.anglesey.gov.uk/ldp or you may photocopy this form. When making comments please use additional sheets as required clearly numbering each consecutive sheet.

PART 1: Contact details

	Your details/ Your client's details	Agent's details (if relevant)
Name	James Smith Planning Liaison Manager The Coal Authority	
Address	Planning and Local Authority Liaison Department, 	
Postcode		
Telephone Number		

PART 2: Your Comments and Suggested Changes. (Please use one Part 2 section for each comment that you wish to make)

2a. Which part of the Deposit Plan are you commenting on?	
Policy number (please specify)	MWYN6
Paragraph number (please specify)	
Proposals/ Inset Map (please specify ref no.)	
Constraints Map	
Appendices (please specify)	

2b. Are you objecting or supporting the Deposit Plan?			
Objecting	<input checked="" type="checkbox"/>	Supporting	<input type="checkbox"/>

2c. Please provide details of your representation on the Deposit Plan.
<p>The final paragraph of Policy MWYN6 appears to attempt to combine the issues of land instability arising from the legacy of coal mining and the potential for prior extraction of coal to avoid the sterilisation of the finite resource with buffer zones around mineral sites. These are two distinct planning issues, the last paragraph is identifying the circumstances in which coal extraction may be permissible in areas where coal working may not be acceptable.</p> <p>Where there is a possibility of new development taking place in areas at high risk of instability arising from mining legacy, it is important that consideration is given to the issue of land instability as set out in Section 13.8 of PPW(7). The Coal Authority does not consider that the reference to land instability should be included within a policy relating to buffer zones around mineral sites. This confuses two distinct issues, the first part of the policy relates to advice in MTAN2 paragraphs 32 to 33 on 'Buffer Zones'. Whereas the last paragraph relates to advice in MTAN2 paragraphs 26 to 31 and 49 to 54 on 'Areas Where Coal Working is Not Acceptable'. Where other LDPs have mixed these issues within a single policy this has led to confusion and at public examination it has always been agreed necessary to separate out these issues into distinct separate policies.</p> <p style="text-align: right;"><i>Please use additional sheet if necessary. Please state how many additional sheets have been used.....</i></p>

2ch. If your response to 2c above exceeds 100 words, please provide a summary (no more than 100 words).

The final paragraph of Policy MWYN6 appears to attempt to combine the issues of land instability arising from the legacy of coal mining and the potential for prior extraction of coal to avoid resource sterilisation with buffer zones around mineral sites. These are two distinct planning issues. The Coal Authority does not consider that the reference to land instability should be included within a policy relating to buffer zones around mineral sites.

2d. Please detail the changes you wish to see made to the Deposit Plan.

The Coal Authority recommends that the last paragraph of Policy MWYN6 should be moved into a new policy.

2dd. Is the Deposit Plan sound?

Yes



No



2e. If you think that the Deposit Plan is unsound which test of soundness do you think that it fails? (Please tick below). More details are provided at the back of this form.

Procedural		Consistency				Coherence & Effectiveness													
P1	<input type="checkbox"/>	P2	<input type="checkbox"/>	C1	<input type="checkbox"/>	C2	<input checked="" type="checkbox"/>	C3	<input type="checkbox"/>	C4	<input type="checkbox"/>	CE 1	<input type="checkbox"/>	CE 2	<input type="checkbox"/>	CE 3	<input type="checkbox"/>	CE 4	<input checked="" type="checkbox"/>

Part 3: What Happens Next?

At this stage of the Joint LDP process, you can only make comments in writing (these are called 'written representations'). However, the Inspector may call on those who want to change the Plan to appear and speak to the Inspector at a 'hearing session' during the Public Examination. You should bear in mind that your written comments on this form will be given the same weight by the Inspector as those made verbally at a hearing session.

3a. Do you want your comments to be considered by 'written representations' or do you want to speak at a hearing session of the Public Examination? (Please tick one of the following)

I do not want to speak at a hearing session and am happy for my written comments to be considered by the Inspector.	<input checked="" type="checkbox"/>
I want to speak at a hearing session.	<input type="checkbox"/>

3b. If you wish to speak, please confirm which part of your representation you wish to speak to the Inspector about and why you consider it to be necessary to speak at the Hearing.

N/A

3c. Would you like to be informed about the following (Please tick the relevant boxes)

Submission of documents and evidence to the examination	<input checked="" type="checkbox"/>
Publish Inspector's report	<input checked="" type="checkbox"/>
Plan's adoption	<input checked="" type="checkbox"/>

If additional documents have been provided to support your representations, please list below:

Signed: James Smith	Dated: 27 March 2015
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THANK YOU FOR YOUR COMMENTS ON THE DEPOSIT PLAN

Please do not forget to enclose any relevant documentation (e.g. a Sustainability Appraisal) with this form.

Completed representation forms should be returned to the Joint Planning Policy Unit at:

ONLINE – By completing the electronic form at www.gwynedd.gov.uk/ldp or www.anglesey.gov.uk/ldp

BY EMAIL – planningpolicy@gwynedd.gov.uk

BY POST – By sending to: Joint Planning Policy Unit, 1st Floor, Bangor City Council Offices, Ffordd Gwynedd, Bangor, Gwynedd LL57 1DT

REPRESENTATION FORMS SHOULD BE RETURNED BY NO LATER THAN 5.00pm on the 31st March 2015

Test of Soundness

Test	Procedural Tests
P1	It has not been prepared in accordance with the Delivery Agreement including the Community Involvement Scheme.
P2	The plan and its policies have not been subjected to Sustainability Appraisal including Strategic Environmental Assessment.
	Consistency Tests
C1	It is a land use plan which does not have regard to other relevant plans, policies and strategies relating to the area or to adjoining areas.
C2	It does not have regard to national policy.
C3	It does not have regard to the Wales Spatial Plan.
C4	It does not have regard to the relevant community strategy.
	Coherence and Effectiveness Tests
CE1	The plan does not set out a coherent strategy from which its policies and allocations logically flow and/or, where cross boundary issues are relevant, it is not compatible with the development plans prepared by neighbouring authorities.
CE2	The strategy, policies and allocations are not realistic and appropriate having considered the relevant alternatives and/or are not founded on a robust and credible evidence base.
CE3	There are no clear mechanisms for implementation and monitoring.
CE4	It is not reasonably flexible to enable it to deal with changing circumstances.

The Planning and Compulsory Purchase Act 2004 states that the purpose of the examination of a Local Development Plan (the Plan) is to consider whether it is "sound". This means that anyone who wants to comment on or object to the Deposit Plan should seek to say how it is unsound and what is needed to make it sound. Sound may be considered in this context within its ordinary meaning of "*showing good judgement*" and "*able to be trusted*". To assess the Deposit Plan we use 10 tests as set out above. The Deposit Plan will be examined by an independent Inspector appointed by the Welsh Government and it will be the Inspector's job to consider whether the Plan is sound.

Where you propose a change to the Deposit Plan you should therefore make clear which test(s) of soundness you believe the Deposit Plan fails. The tests are in 3 groups - 'Procedural' (2 tests); 'Conformity' (4 tests); and 'Coherence and Effectiveness' (4 tests). If you wish to comment on the way in which the Councils have prepared the Deposit Plan, it is likely that your comments or objections would fall under one of the procedural tests. If you wish to comment on or object to the content of the Deposit Plan, it may help to look at the 'consistency' and the 'coherence and effectiveness' tests.