

PREFACE ITEM

CONSULTATION BY TORFAEN COUNTY BOROUGH COUNCIL
APPLICATION REFERENCE 03/09336 PROPOSED RECLAMATION OF
FORMER OPENCAST WORKINGS, RECOVERING OF SECONDARY
AGGREGATES AND CONSTRUCTION OF NEW ACCESS ROAD
AFFECTING PUBLIC RIGHTS OF WAY AT TIR PENTWYS,
HAFODYRYNYS.

Torfaen County Borough Council has consulted this Council on an application to recover 4.75 million tonnes of aggregates from a former opencast coal site near Hafodyrynys. The matter was reported to this Committee on 10 June 2015 when it was resolved that:

Torfaen County Borough Council be advised that this Planning Authority objects to the application on the grounds of its detrimental impact on residential amenity, highway safety and air quality.

The previous report is attached at Appendix A.

It had not been possible to fully assess the impact of the proposal on the Air Quality Management Area at Hafodyrynys due to lack of information. However, following the resolution on 10 June it became apparent that the applicant had submitted additional information in respect of the AQMA, which had not been passed on to this Council.

In a letter dated 17 April 2015 the applicant confirmed that consideration had been given to the potential for impact on air quality in Hafodyrynys as a result of lorry movements associated with the proposed development. The Annual Average Daily Traffic flow (AADT) on the A472 Hafodyrynys Road is 16,111 of which 3.7% (596) are HGVs. The Transport Assessment sets out that the number of predicted additional HGV movements through Hafodyrynys AQMA will be a theoretical maximum of 25 movements a day (12.5 trips). This figure would amount to a 0.15% increase in overall traffic movements and a 0.2% increase in the percentage of HGV movements in relation to total traffic flow.

The letter states that, based on the design manual for roads and bridges (DMRB), a quantitative assessment of the potential air quality impact is required where a development will result in high changes in flow, for example roads where daily traffic flows will change by 1,000 AADT or more, or where there is a high proportion of heavy duty vehicle traffic, for example, where HDT flows will change by 200 AADT or more. If none of the roads in the network meet the criteria, the impact can be considered to be neutral in terms of air quality.

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In this case the predicted daily HGV movements through the Hafodyrynys AQMA is significantly below the DMRB criteria and, even allowing for local factors such as topography, the HGVs resulting from the Tir Pentwys scheme will not result in a significant worsening of the nitrogen dioxide levels in Hafodyrynys. The nature of deliveries to market means that deliveries during the morning and evening peak will largely be avoided and the applicant concludes that there will be no adverse impact on air quality as a result of the development.

Head of Public Protection has been consulted on the new information and comments that: -

“The additional information adequately explains why an in depth air quality impact assessment is not required for the development. Therefore, this removes any objection raised on the lack of information with respect to air quality.”

RECOMMENDATION

That, in view of the additional information now received, no objection be raised to the proposed development on the grounds of air quality.

PREFACE ITEM

Consultation by Torfaen Council – Application reference 03/09336: Proposed reclamation of former opencast workings, recovery of secondary aggregates and construction of new access road affecting public rights of way at Tir Pentwys Hafodyrynys.

An application was made to Torfaen County Borough Council (TCBC) in 2003 for the above development. This council has been consulted as an adjoining local authority as the site lies near the county boundary.

The site, which extends to circa 56 hectares, comprises a deep narrow ravine, a former unrestored opencast coal extraction void, bounded by linear tips of mineral waste from the opencast workings, which ceased several decades ago.

The site lies approximately 4 kilometres west of Pontypool, 2 kilometres south-east of Abertillery and 3 kilometres north-east of Swffryd. Whilst it is approximately 2 kilometres from the county borough boundary at the nearest point, it occupies a prominent position on an elevated plateau and can be seen from certain parts of the east of the county borough including Pen-Y-Fan Country Park and the Croespenmaen area.

The mineral waste tips have been identified as containing gritstone capable of producing aggregate. The overburden at the site is comprised mainly of a deposit of Pennant Sandstone and it is therefore inferred that the tips contain high specification material suitable for the wearing courses of road construction. Such material is valued for its skid resistance and strength and is an important national resource.

The application proposes to excavate the mineral waste tips in the eastern part of the site in order to recover the gritstone for road surfacing and other products for the construction industry. The residual material would be used to restore the former opencast coal site. No drilling or blasting operations would take place. The material would be processed on site. It is estimated that the overall yield of recoverable rock from the site would be approximately 4.75 million tonnes and the operations would take place over 11 years at a rate of 250,000 tonnes per annum.

Concern was expressed by local residents and by members of the Planning Committee that the application contained insufficient information about certain elements of the reclamation works, including the timing and sequence of tree planting, grass seeding and heath restoration, proposals for overcoming the lack of soils, the exposed location, risk of vandalism, grazing by stock from the adjacent common and management of the restored site. These comments were passed to Torfaen Council on 6 February 2004. However, the application was not determined and TCBC invited the applicant to consider a wider range of alternatives to those proposed.

In 2006, the applicant submitted supplementary information relating to air quality, highways and transportation, and noise, and exhibitions were held in the local area, including one at a venue in Hafodyrynys. Additional alternatives were put forward, leading to the applicant promoting a southbound route to the A472 at Cwm Y Glyn.

On 17 August 2006, following consideration by Planning Committee, this council advised TCBC that CCBC strongly objected to the development by virtue of the danger and detriment to residential amenity that will be caused by the generation of heavy vehicles through the Crumlin area and requested a meeting with TCBC.

In 2013, a second supplementary environmental statement was submitted for the proposed development, containing minor amendments to the 2006 documents and providing updated information in respect of certain issues, including ecology and landscape.

Additional information was requested by this council in respect of the impact of the proposed development on the Air Quality Management Area in Hafodyrynys. However, the applicants have now indicated that they do not intend to submit any further information and are pressing for the determination of the application. TCBC has therefore requested this council's final comments.

Consultation Response

Group Manager Transportation Planning (2 May 2013) – Traffic movements resulting from the development equates to 140 movements per day, with peak hour movements of 18 vehicles, 12 of which would be by HGVs. The assumed percentage distribution split of HGVs at the A472/Crumlin Road junction results in only 25% of vehicles west toward Newbridge. The proposed development will have a negligible impact on the highway network.

Countryside Services Manager – The success of the restoration, and therefore, the effect on distant views of the site from Caerphilly county borough, will depend on the proposals for the management of the restored landscape, including the transition from conifer woodland to wet grassland in the south of the site and the removal of the conifer woodland on the northern rim.

Head of Public Protection – Hafodyrynys Road, Crumlin was designated as an Air Quality Management Area in September 2013 due to a failure to meet the national air quality objectives. The area is affected with unacceptable levels of nitrogen dioxide, which is primarily associated with vehicle exhaust emissions and is a respiratory irritant. It has not been possible to fully assess the impact of the proposed development on the AQMA as additional information requested from the developer, via TCBC has not been received.

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Recommendation:

1 That TCBC be requested to take into account the effect of the proposal on the Air Quality Management Area in Hafodyrynys in any decision and to ensure that the proposals for management of the restored landscape are appropriate.

2 That two letters of objection received in connection with the 2013 Second Supplementary Environmental Statement be forwarded to TCBC for consideration.