

Comments on the Mineral Safeguarding Assessment (appendix 10.2 - Environmental Statement) supporting the Proposed Development at Land at Ruthin Road, Wrexham

Report Ref: 14-854-R4-RevD

Date Issued: June 2024

Introduction

E3P have prepared the Mineral Safeguarding Assessment on behalf of Redrow Homes to support for their planning application for a large strategic residential development (1450 dwellings) located at Ruthin Road, Wrexham, planning application reference P/2024/1466.

The site area extends to 72.85ha and is located to the south west of Wrexham Town Centre extending to the west bound by Ruthin Road to the north of the site.

The majority of Wrexham Town is underlain by sand and gravel which has been sterilised by non-mineral development. The published geological plans in this area show the site to be underlain by glacial sand, silt, clay and gravel deposits. Borehole data in this area provided within the Mineral Safeguarding Assessment (table 4.2) shows clay deposit (borehole location SJ35 SW1107) with very little over burden (0.3m) at a depth of mineral of 3.35 metres and silt and gravel deposit (borehole location SJ34 NW550) with little overburden at a depth of mineral at 2.44m.

Comments are provided following review of the documents submitted in support of planning application reference P/2024/1466:

- Mineral Safeguarding Assessment - Ruthin Road, Wrexham Reference: Report Ref: 14-854-R4-RevD - June 2024 (Environmental Statement - Appendix 10.2)
- D9730.011D Parameter Plan - Access and Movement (3) 23 July 2024

Policy Framework

Minerals Planning Policy Wales, paragraph 13, states that *“Areas to be safeguarded should be identified on proposals maps and policies should protect potential mineral resources from other types of permanent development which would either sterilise them or hinder extraction... The potential for extraction of mineral resources prior to undertaking other forms of development must be considered.”*

Minerals Technical Advice Note 1: Aggregates, paragraph 32 states (in relation to sand and gravel) *“resources must be safeguarded for possible use by future generations.”*

The Welsh Government has issued a letter to Chief Planning Officers, dated 14th November 2012, which highlights that a national aggregates safeguarding map has been published. The letter goes on to advise that *“the Aggregate Safeguarding Map of Wales provides a key evidence base for Local Development Plan preparation, enabling*

plan strategies to fully recognise the importance of mineral resources and to avoid their unnecessary sterilisation. The map is accompanied by a technical guide which explains how the maps have been derived and identifies the categorisation of different mineral resources. Sand and gravel resources, specifically glacio-fluvial, brown sand and river terrace sand and gravel deposits are identified as *“those resources that have a national importance in Wales (and in some cases the UK)”*.

Although policy and guidance regarding safeguarding is limited, this is interpreted to mean that the main aim of policy is to prevent sterilisation of resources, and where not possible, ensure that mineral is extracted in advance of non-mineral development where possible. There is no guidance on how much of that mineral should be extracted prior to the non-mineral development.

The Adopted Wrexham County Borough Local Development Plan 2013-2028 (WCBLP) proposals map identifies the spatial extent of the MSAs. The Local Development Plan for Wrexham contains policies in relation to safeguarding and the proposed development site. The Plan’s “Policy SP3 Key Strategic Housing Sites” relates to an allocated site identified as “Land at Lower Berse Farm, Ruthin Road”, the subject of the proposed development site. The text accompanying the policy states that “In order to minimise the loss of mineral, a Prior Extraction Assessment will be sought in accordance with Policy MW1 as it is considered that any opportunities to recover mineral prior to housing development should be sought.”

Policy MW1 states that non-mineral development will only be permitted in a Mineral Safeguarding Area where it can be shown that:

- i. the mineral does not merit extraction; or*
- ii. there is an overriding need for the incompatible development; or*
- iii. prior extraction can be undertaken satisfactorily; or*
- iv. the development is temporary; or*
- v. essential mineral industry infrastructure would not be compromised.*

Critique of the Mineral Safeguarding Assessment

The applicant has prepared a Mineral Safeguarding Assessment in accordance with Wrexham’s safeguarding policy and has provided evidence to support their conclusion that prior extraction would not be economically viable, and therefore there is no exploitable resource. The report attempts to demonstrate that the mineral does not merit extraction.

The argument put forward by the applicant to justify why prior extraction would not be commercially viable relies heavily on reduced exploitable resource due to necessary land take to create safe angles around the periphery of the site.

The applicant concedes that deep mining of seams would be feasible subject to the protection of surface structures against subsidence. They state that *“the site is located*

within a Coal Authority reporting area but is not located in an area where shallow coal mining has occurred. The surrounding area has been subject to shallow coal mining, and as such a significant proportion of the economic coal is recorded to have been removed already”.

They go on to justify that the resource does not need safeguarding as the “*site is positioned within a sensitive locale with two schools present to the east and southern boundaries, residential property present to the north, east and south of the site and the River Clywedog to the south*”.

They conclude that prior extraction is likely to cause an environmental impact while the development of the site is unlikely to result in a significant impact and that the addition of quarrying activities would give rise to a number of additional environmental effects by virtue of:

- Noise from the plant associated with quarrying and noise from additional vehicles.
- Dust from the quarrying activities and impact on surrounding residential properties, environment and the listed building within the site.
- Noise and vibration from potential blasting.
- Landscape and visual impacts.
- Potential instability during deep excavations and slope/highwall features.
- Sustainability of sourcing suitable backfill materials and the future risks associated with gassing/collapse/settlement.
- Substantial impacts on ecology, particularly loss of ‘important’ hedgerows (as defined by the hedgerow regulations), from surface mining of sands and gravels.

The report fails to mention the amount of mineral resource present on site in terms of tonnages. Estimated tonnages have not been provided following the site investigations. The Local Planning Authority would need to know how much mineral would be sterilised if prior extraction didn’t take place both directly and indirectly. This information should have been presented within the assessment.

The report disregards the possibility of prior extraction of the sand for use in pipe bedding which the housing developer would require in the construction of all the requisite services of the proposed housing development. The possibility of sourcing an appropriate contractor should be explored. Sand could be extracted prior to the development in phasing which match the housing phasing blocks. There is potential for phasing and stockpiling the material. It may be appropriate to phase the prior extraction in the same phasing parameters as the housing blocks. Mobile plant and machinery could be brought into the site to wash and screen and then, stockpiles of sand could be maintained on site for the use in pipe bedding. This would provide a sustainable supply of sand which the project would otherwise be required to be imported.

It is acknowledged that this application site is important for Wrexham’s Housing Strategy and that it forms part of the Key Strategic Site 1 in the Local Development Plan. However, this application site and KSS1 impacts on minerals resource and that

need to provide housing, infrastructure and other community facilities in sustainable locations needs to be balanced with the need to safeguard an important resource.

The information does not include a topographical survey which would be useful to assess what the impact of prior extraction would be on the landform should the sand be extracted prior to the housing development being constructed. A topographical survey would be useful to establish from a landscape perspective if prior extraction would be appropriate in this location and to determine what the extent of prior extraction would entail as it is accepted that it would not be appropriate to remove the entire resource.

Without the topographical information this cannot be considered. Also, the report has not considered the impact of prior extraction from a flooding or drainage impact which would be expected to be able to assess if the resource was exploitable or not.

Conclusion

The Prior Extraction Assessment in its current form would not provide the Local Planning Authority with sufficient information to demonstrate that there are no exploitable resources at the site. Furthermore, the conclusion of the report that the mineral does not merit extraction has not been substantiated with sufficient evidence.

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