

Rebecca Evans AS/MS
Cabinet Secretary for Economy, Energy and Planning
Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-06-1476
Ein cyf/Our ref RE/10551/24

Carolyn Thomas MS
Chair - Petitions Committee
Senedd Cymru
Cardiff Bay
Cardiff
CF99 1SN

5 March 2025

Dear Carolyn,

Thank you for your letter regarding the petition for a 1,000 metre mandatory buffer zone for all new and existing quarries.

As I outlined during the legislative proposal debate back in October 2024, I do not agree that new legislation would be appropriate or effective as circumstances vary on a case-by-case basis. Planning policy is more nuanced than legislation and is capable of being locally placed based, and sensitive, reflecting local circumstances. Should evidence suggest policy or advice is no longer effective, consideration will be given to reviewing guidance. This would not be so easily achieved through the legislative route.

A mandatory buffer zone of 1,000 metres could bring about unintended consequences preventing the use of land for other purposes; prohibiting or adversely impacting on the provision of key infrastructure, for example.

The minimum distances of the buffer zones currently set out in Mineral Technical Advice Note 1: Aggregates (MTAN1) of 200 metres for hard rock and 100 metres for sand and gravel were arrived at through careful consideration and consultation.

If the minimum distance of a buffer zone were to be extended, sensitive land uses such as housing would still exist within the buffer zone. A blanket increase in the minimum size of a buffer zone could have wider implications by sterilising the use of the land for other purposes.

The 200m buffer zone outlined in national policy is a minimum distance and 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. The maximum extent of the buffer zone would depend on a number of factors: the size, type and location of workings, the topography of the surrounding area, existing and anticipated levels

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Correspondence.Rebecca.Evans@gov.wales
Gohebiaeth.Rebecca.Evans@llyw.cymru

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

of noise and dust, current and predicted vibration from blasting operations and availability of mitigation measures.

It is important to understand that buffer zones will of necessity vary in size depending on the mineral being extracted and the nature of the operation. All buffer zones must be clearly defined and indicated on the local development plan proposals map.

As Planning Policy Wales (PPW) sets out, it is also important to provide policies which safeguard potential mineral resources from other types of permanent development which would either sterilise them or limit extraction either now, or in the future as technology changes.

Where planning permission is granted, it will be subject to planning conditions which are monitored, and if necessary, enforced by the local planning authority. Planning conditions can impose, for example, an adequate and appropriate monitoring scheme of the environmental consequences of aggregates extraction. In some cases, periodic checks may be sufficient but in others, continuous monitoring and regular audit reports may be necessary. Access to monitoring locations must be available to the operator, and location of dust emission sources away from sensitive development.

Where quarry operators are found to be exceeding or otherwise breaching the conditions attached to a planning permission, LPAs have a number of powers to take enforcement action to ensure mining operations are brought back within the parameters set out in the consent.

A Breach of Condition Notice can put mine operators on notice that further exceedances of planning conditions would result in criminal prosecution and a serious breach of planning control can be addressed by a Court injunction.

Most breaches of planning control are addressed through the issue of an Enforcement Notice. In considering the merits of serving an Enforcement Notice, the decisive issue for an authority is whether the breach of planning control would unacceptably affect public amenity or the existing use of land and buildings meriting protection in the public interest.

Yours sincerely,

A handwritten signature in black ink that reads "Rebecca Evans". The signature is written in a cursive, flowing style.

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