

ABERLLEFENNI QUARRY, ABERLLEFENNI DESIGN, ACCESS AND PLANNING STATEMENT D.MEREDITH AND SONS LTD DECEMBER 2023 2020.095_03



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1. Introduction

- 1.1 This Design, Access and Planning Statement accompanies an application by D. Meredith & Sons Ltd, for full planning permission for extraction of slate from mineral working deposits and associated restoration, continued use of part of the former tip as a minerals processing area together with associated works on land at Aberllefenni Quarry, Aberllefenni.
- 1.2 Following the enactment of the Planning (Wales) Act 2015 (the Act) the requirement for pre-application consultation on major development schemes was implemented. This includes the provision of mineral development.
- 1.3 The requirement to carry out pre-application consultation falls under Section 17 of the Act and the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) as amended by the 2016 Order. Guidance on carrying out the pre-application consultation requirements within the Act has been provided by the Welsh Government set out in Article 1 of the Town and Country Planning DMPWO (Amendment) 2016 'Guidance on Pre-application Consultation'.
- 1.4 This Design, Access and Planning Statement is issued as part of a suite of documents for Pre-Application Consultation prior to the submission of a formal planning application.
- 1.5 As required by the Town and Country Planning (Development Management Procedure) (Wales) Order (Amendment) 2016 the statement aims to address the following matters;
 - Explain the design principles and concepts that have been applied to the development;
 - Demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account;
 - Explain the policy or approach adopted as to access, and how policies relating to access in the development plan have been taken into account; and
 - Explain how any specific issues which might affect access to the development have been addressed.
- 1.6 The adopted development plan consists of the Anglesey and Gwynedd Joint Local Development Plan (LDP), which was adopted in July 2017.

1.7 Pre-application discussions have been undertaken with the North Wales Minerals and Waste Planning Service (NWMWPS) as the Mineral Planning Authority (MPA) and an Environmental Impact Assessment (EIA) screening application was submitted to the MPA under reference C23/0765/02/SC, which confirmed that the proposed development is not considered EIA development.

2. The site and context

2.1 The site of Aberllefenni slate quarries is located to the north-west of the village of Aberllefenni in the valley of the Afon Dulas, which is identified in Figure 2.1. Aberllefenni lies to the north of the village of Corris accessible from the A487 Trunk Road highway which connects the A470 to the north near Cross Foxes and lead south towards the town of Machynlleth.



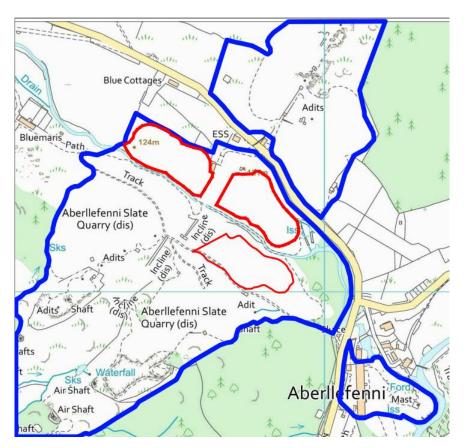
Figure 2.1 Aerial image identifying Aberllefenni slate quarries

- 2.2 The components of the application site are identified below and in Figure 2.2.
- 2.3 The application site forms part of the existing slate quarries of Aberllefenni and comprises the following:
 - **1. Valley floor tip** (light blue) which would be used to extract slate waste from mineral deposits (9,344sqm);
 - 2. Southern tip (green) which would be used to extract slate waste from mineral deposits (8,561sqm); and

3. Crushing yard (orange) – which will continued to be used for the processing of slate waste material, an operation which is on-going but does not benefit from the relevant planning permission (9,374sqm).



Figure 2.2 Areas of application site (identified approximately)



- 2.4 Aberllefenni slate quarry is located on the floor of a steep sided valley forming part of a more substantial extent of slate waste deposits, flanking two visually striking and imposing mine openings to the historic workings at Aberllefenni. The mineral deposits at Aberllefenni slate quarry extends along the valley floor into a more rural setting of agricultural grazing land and scattered dwellings to the north-west. Afon Llefenni runs between the valley floor tip and crushing yard to the north and the southern tip to the south, running down into the settlement of Aberllefenni.
- 2.5 Access to Aberllefenni slate quarries is via a local highway that provides access from the settlement of Aberllefenni to the south-east. There is a Public Right of Way (PRoW) runs along the highway serving the application site as well as a public footpath running along the southern boundary of the southern tip (see Figure 2.3).



Figure 2.3 Extract of plan identifying PROW (blue) and footpath (purple)

- 2.6 The application site lies within the Corris Special Landscape Area (SLA) and the Mineral Site Buffer Zone.
- 2.7 The site is partially within Zone C2: defined by Technical Advice Note (TAN) 15 as "areas of the flood plain without flood defences" (land shown in blue on the (Development Advice Map) DAM map) and partially in Zone B: "considered [by TAN 15] to be areas known to have been flooded in the past evidenced by sedimentary deposits" (land shown yellow on the DAM map). See Figure 2.4.



Figure 2.4 Extract of DAM by TAN 15

- 2.8 The Southern Tip is outside of areas shown to be at risk of flooding whereas the Valley Floor Tip and Crushing Yard are partially within Zone C2 (without significant flood defence infrastructure) and Zone B (areas known to have flooded in the past).
- 2.9 The flood map has been updated by NRW and more up to date flood maps are provided on the Flood Maps for Planning. An extract of the Flood Maps for Planning showing the application site has been provided in Figure 2.5.

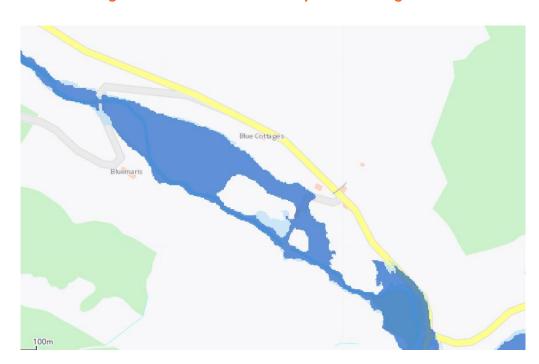
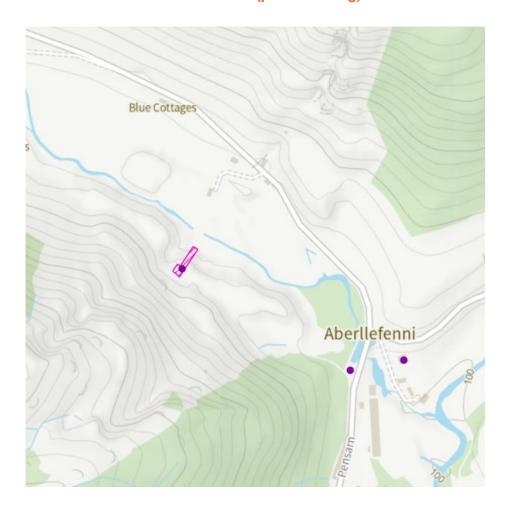


Figure 2.5 Extract of Flood Map for Planning

- 2.10 The majority of the Valley floor tip lies outside Flood Zone 3 on the Flood Map for Planning, with parts located in Flood Zone 2.
- 2.11 Coed Maes-Mawr, Coed Esgairneiriau a Cheunant Caecenau Site of Special Scientific Interest (SSSI) lies around 0.4km to the east of the application site and there are 13 non-statutory designated sites located within 2km of the application site. These consisted entirely of Wildlife Sites areas which have been classified as locally important for the conservation of wildlife in a county context, despite conferring no statutory protection.
- 2.12 A Water Balance Incline at Aberllefenni Slate Quarry is a Scheduled Monument and the Water Balance Incline and Drumhouse is a Grade II listed building. These lie close to the north-west of the Southern Tip. The Bell House is also a Grade II listed building and lies to the east of the Southern Tip and Plas Aberllefenni is a Grade II* listed building located further east. See Figure 2.6.

Figure 2.6 Extract of Historic Wales map identifying listed buildings (purple dot) and scheduled monument (pink hatching)



2.13 Eryri National Park Authority lies around 1.3km to the north, 1.8km to the west and 1.5km to the east of the application site.

Planning history

- 2.14 The application site is a slate quarry that has been active for a considerable time. It currently produces crushed slate products for decorative use in landscaping projects in addition to producing larger stone for decorative use and dimension stone for use in construction projects.
- 2.15 A summary of the site's relevant planning history is provided in Table 2.1.

Table 2.1 Summary of relevant site planning history

Application	Description of development	Decision
reference		
5/56/78A	Removal of material from a mineral working deposit. Time limited to 26 January 2018, where the development shall cease 20 years form the date of commencement and the site thereafter restored in accordance with the terms of conditions. This permission has therefore lapsed.	Granted 26 January 1998
C03M/0106/02/LL	Full planning application for change of use of underground quarry to visitor attraction and change of use of former smithy shed to ticket office	Granted 09 March 2004
C10M/0022.02/MW	Retrospective planning permission for an extension to mineral workings in order to remove waste slate and locate weighbridge. Time limited up until 31 December 2020.	Granted 05 May 2010
C16/0038/02/MW	Review of mineral planning permissions under the provisions of the Environment Act 1995 commenced with registration of application C97M/0126/02/MW on 06 August 1997 and comprised three 'GDO' permissions where and application for the determination of conditions and scheme of underground mining, surface working and tipping was submitted for the approval of the mineral planning authority. The relevant permissions are: DOL R/34 dated 13 March 1950 DOL R/2158 dated 28 October 1963 5/40/88 dated 19 May 1981 Tipping rights established on the application area under ROMP determination C97M/0126/02/MW for the disposal of waste from the adjacent mine. However, any tipping rights have not been utilised since the mothballing of the slate mine, and in light of this, the mineral planning authority has agreed to the postponement of the Periodic Review of operations under Schedule 14 of the Environment Act 1990, up until 08 January 2028.	Refused 10
C16/0038/02/MW	Removal of material from a mineral working deposit	Refused 10 March 2016
C17/0243/02/MW	Re-submission of application C16/0038/02/MW for the removal of material from a mineral working deposit	Refused 30 June 2017 and further dismissed on appeal on 21 June 2018

3. The proposed development

Use, amount, scale and layout

- 3.1 The proposal relates to the extraction of slate from mineral deposits in relation to the Valley Floor Tip and the Southern Tip. A total of 160,000 tonnes is to be removed over a period of 16 years (10,000 tonnes per annum), but with a capacity to export 250 tonnes a day over a 5.5-day week to supplement the supply of slate aggregate from the existing permitted reserves. It is proposed that the area be worked alongside the current operational areas whilst reserves are still available.
- 3.2 The application area is subject to tipping rights under planning permission DOL R/34 dated 26th March 1950, which is one of the three constituent minerals permissions subject to the Minerals Review (ROMPS) determination of conditions ref C97M/0126/02/MW, dated 8th January 1999. The ROMP determination and schedule of conditions relate to the underground mining operation and associated operations for the disposal of mineral waste which have temporarily ceased. In light of this, the mineral planning authority have agreed to the postponements of the Periodic Review of operations under Schedule 14 of the Environment Act 1990, up until the 8th of January 2028.
- 3.3 The proposal also seeks to regularise the planning position for continued use of the crushing yard as a materials processing facility.
- 3.4 Method of working will be by utilising a 360 degree tracked mechanical differ to provide material for use as walling stone, window sills, monumental stones, general fill as well as the processing of material for aggregates by means of a crusher and powerscreen.
- 3.5 The proposal includes working Monday to Friday from 07:30am to 06:00pm and Saturday working from 07:30am to 01:00pm.
- 3.6 The development would be carried out in a single phase over a period of 16 years to remove 160,000 tonnes (30,063m3 from the Valley Floor tip and 84,178m3 from the Southern tip) of material from the main body of the two deposits.
- 3.7 The proposal includes the provision of a 1m high bund along the south-western and northern sides of the Valley Floor tip.

Access

- 3.8 Haulage movements are estimated to comprise of a maximum of 12.5 loads per day based on 20-tonne loads over a 50-week working year and a 5.5 day working week via the existing vehicular access serving the site.
- 3.9 The existing permission on the adjacent tip includes an output condition which restricts haulage movements to 120 tonnes per day (6 x 8-wheeled loads or 20-tonnes loads) but subject to an overall cap of 10,000 tonnes per annum.

Appearance and landscaping

3.10 A single-phase restoration strategy would be implemented upon the cessation of operations which is expected to partially restore the site to ecological/amenity use but also to use the internal area as a yard space in conjunction with the existing quarry operation, principally for the storage of materials.

4. Policy context

4.1 National and local planning policy guidance considered relevant to the principle of this

development is set out in this section.

National planning policy and guidance

4.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, requires that a

planning application is determined in accordance with the Development Plan unless

material considerations indicate otherwise. Planning Policy Wales (PPW) Edition 11

sets out the land use planning policies of the Welsh Government. It is supplemented

by a series of Technical Advice Notes (TANs), Welsh Government Circulars, and

policy clarification letters, which together with PPW provide the national planning

policy framework for Wales.

Future Wales: The National Plan 2040

4.3 Future Wales – the National Plan 2040 is the recently produced national development

framework which sets the direction for development in Wales to 2040 at a strategic

level. It is a development plan with a strategy for addressing key national priorities

through the planning system, including sustaining and developing a vibrant economy,

achieving decarbonisation and climate-resilience, developing strong ecosystems and

improving the health and well-being of our communities.

Planning Policy Wales (PPW) (Edition 11, February 2021)

4.4 Paragraph 1.18 of Planning Policy Wales (PPW) states that "Legislation secures a

presumption in favour of sustainable development in accordance with the

development plan unless material considerations indicate otherwise to ensure that

social, economic, cultural and environmental issues are balanced and integrated."

4.5 PPW is underpinned by the principles of sustainable development and is in line with

the Welsh Government's Well-being agenda as set out in the relevant Act and

identifies that local planning authorities should exercise their planning functions with

the objective of contributing to the achievement of sustainable development PPW is

supplemented by a suite of Technical Advice Notes (TANs). The Welsh Government

has also produced guidance on Building Better Places, 2020, in response to the

Covid-19 situation.

- 4.6 The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation.
- 4.7 New development should contribute towards the delivery of sustainable development and improve the social, economic, environmental and cultural well-being of Wales.
- 4.8 Paragraph 2.27 states 'Planning authorities should ensure that social, environmental and cultural benefits are considered in the decision-making process...'.

Building Better Places (July 2020)

This outlined the Welsh Government's planning response to the COVID-19 pandemic. It states "The location, quality, size and features of our homes has influenced how we managed through the lockdown. The quality, flexibility and adaptability of our built environment has had a huge impact on how we provide healthcare and education, food and medical supplies. During this time, we have also seen the importance of local services and infrastructure with people spending more time in their local neighbourhoods. The continuation of people working from home and more locally is expected to be a long-term trend. We need to plan for these trends and, even more than before, ensure we are building homes and neighbourhoods that are great places to live, with easy access to services and appropriate infrastructure and greenspace."

Technical Advice Notes (TANs)

- 4.10 The relevant TAN's to be referred to for the proposed development are as follows:
 - Minerals Technical Advice Note (MTAN 1) 'Aggregates' (2004);
 - Technical Advice Note (TAN) 5 'Nature Conservation and Planning' (2009);
 - TAN 11 'Noise' (1997);
 - TAN 12 'Design' (2016);
 - TAN 15: 'Development and flood risk' (2004);
 - TAN 18 'Transport' (2007);
 - TAN 21 'Waste' (2017); and
 - TAN 23: 'Economic development' (2014).

Regional planning guidance

4.11 The Regional Technical Statement (RTS) for North Wales sets out an overarching objective to ensure sustainable managed supply of aggregates. The main purpose of the statement is to set out the strategy for the provision of the aggregates in the North Wales region.

Local planning policy and guidance

4.12 The adopted development plan consists of Anglesey and Gwynedd Joint Local Development Plan (JLDP), which was adopted in July 2017. Table 4.2 provides a summary of local planning policy which is of relevance to the proposed development.

Table 4.2 Summary of local planning policy and guidance

Policy	Summary of policy	
Strategic Policy PS1: Welsh language and culture	Seeks to promote and support the use of the Welsh language in the Plan area.	
Strategic	The Councils will expect new development to ensure sufficient provision of	
Policy PS 2: Infrastructure	essential infrastructure (either on-site or to service the site) is either	
and Developer	already available or provided in a timely manner to make the proposal	
Contributions	acceptable, be means of a planning condition or obligation.	
	Where essential, enabling and necessary infrastructure is required as a consequence of a scheme and cannot be provided on site, financial contributions will be requested, within limits allowed by legislation, to get essential investment off site.	
Strategic Policy PS5: Sustainable Development	Development will be supported where it is demonstrated to be consister with the principles of sustainable development.	
Strategic	Developments which have taken account and responded to matters which	
Policy PS6: Alleviating and adapting to the effects of climate change	support alleviating and adapting to the effects of climate change would be permitted.	
Strategic	Seeks to facilitate economic growth by:	
Policy PS 13:	 Safeguarding current land for employment and business uses; 	
Providing opportunity for	2. Allocating land for employment and business purposes;	
a flourishing	3. Facilitate appropriate windfall sites which become available to	

economy	satisfy additional need; and
	Supporting economic prosperity and sustainability of rural communities by facilitating appropriately scaled growth of rural enterprises, extension of existing businesses and diversification by supporting the re-use of existing buildings, the development 'live work' units, working from home, and by encouraging the provision of sites and premises in appropriate accessible locations
Strategic	The Councils will manage development so as to conserve and where
Policy PS 19:	appropriate enhance the Plan area's distinctive natural environment, countryside and coastline, and proposals that have a significant adverse
Conserving	effect on them will be refused unless the need for and benefits of the
and where	development in that location clearly outweighs the value of the site or area and national policy protection for that site and area in question.
appropriate	and hational policy protection for that site and area in question.
enhancing the	
natural	
environment Strategic	The Councils will contribute to regional and local demand for a continuous
Policy PS22:	supply of minerals in accordance with the key objectives and principles of
Minerals	sustainable development by taking account of details listed within the
Policy PCYFF	policy. The Plan identifies Development Boundaries for the Sub-regional Centre,
1:	Urban Service Centres, Local Service Centres, Service Villages and
Development	Local/Rural/Coastal Villages. Proposals within Development Boundaries
Boundaries	will be approved in accordance with the other policies and proposals of this
	Plan, national planning policies and other material planning considerations.
	Outside the development boundaries, development will be resisted unless it is in accordance with specific policies in this Plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential.
Policy PCYFF	A proposal should demonstrate its compliance with:
2: Development	1. Relevant policies in the Plan;
Criteria	2. National planning policy and guidance.
	Proposals should:
	3. Make the most efficient use of land, including achieving densities of a
	minimum of 30 housing units per hectare for residential development
	(unless there are local circumstances or site constraints that dictate a
	lower density);
	4. Provide appropriate amenity space to serve existing and future
	occupants;
	5. Include provision for storing, recycling and waste management during
	the construction period and occupancy period;
	6. Include, where applicable, provision for the appropriate management
	and eradication of invasive species;
	Additionally, planning permission will be refused where the proposed

	development would have an unacceptable adverse impact on:
	7. The health, safety or amenity of occupiers of local residences, other land
	and property uses or characteristics of the locality due to increased activity,
	disturbance, vibration, noise, dust, fumes, litter, drainage, light pollution, or
	other forms of pollution or nuisance;
	8. Land allocated for other development/uses.
Policy PCYFF	All proposals will be expected to demonstrate high quality design which
3: Design and	fully takes into account the natural, historic and built environmental context
Place Shaping	and contributes to the creation of attractive, sustainable places. Innovative
	and energy efficient design will be particularly encouraged.
Policy PCYFF	All proposals should integrate into their surroundings. Proposals that fail to
4: Design and	show (in a manner appropriate to the nature, scale and location of the
Landscaping	proposed development) how landscaping has been considered from the
	outset as part of the design proposal will be refused.
Policy MWYN	Mineral exploration, new working or extensions to existing operations will
3: Mineral	be granted to maintain the Plan area's landbank of aggregates, or to meet
Developments	a demonstrated need for other minerals provided the following criteria are
	met:
	There is no unacceptable harm to the amenity or health of local
	residents in terms of visual impact, levels of dust, noise, vibration, and light
	as a result of the operation itself or the resulting traffic movements;
	There is a suitable buffer between mineral development and sensitive
	development;
	3. There is no unacceptable harm to the stability and support of adjacent
	land;
	4. The development is sensitively screened and landscaped;
	5. The development will not have a significant adverse impact on sites of
	international, national, regional or local environmental, nature
	conservation, landscape and /or heritage importance;
	6. The proposal does not sterilize or otherwise prevent the working of other
	significant mineral deposits;
	7. There is no unacceptable harm to land drainage groundwater and water
	resources;
	8. The proposal ensures that the potential use of the resource is
	maximised and there is satisfactory disposal of any waste arising from the
	mineral operation;
	9. Where blasting is proposed, the proposal includes a scheme of blasting
	to demonstrate that it can be controlled to meet the conditions detailed in
	Mineral Technical Advice Note MTAN (Wales) 1: Aggregates, or any
	amendments;

- 10. The proposal includes a scheme for the after use of the site and details of the restoration and aftercare required to achieve it in accordance with Policy MWYN 9;
- 11. Wherever economically feasible, mineral waste or products should be transported by rail or water.

This policy is applicable to mineral exploration operations that fall outside the scope of Part 22 of the Town and Country Planning (General Permitted Development) Order 1995.

Policy MWYN 9: Restoration and after care

Applications for mineral working will be refused unless a comprehensive scheme for restoration, aftercare and after use, including details of proposed funding where necessary is included. Schemes must show progressive working and restoration unless it can be demonstrated that this is not practical without sterilising permitted reserves. The scheme should address the following matters:

- 1. The existing use of the site
- 2. Adjoining land uses
- 3. The proposed after-use of the site
- 4. The surrounding landscape character
- 5. The proposed final landform
- 6. The in-situ soil resource, its conservation during site working, and its use in the progressive restoration and afteruse
- 7. Timetable detailing the progressive restoration of the site to a high standard
- 8. The potential for natural recolonisation or for enhancing or providing wildlife habitats, agriculture, forestry, geoconservation and amenity use
- 9. The potential for community economic and recreational benefit
- 10. Other policies of the Plan

Policy AMG 2: Special Landscape Areas

Appropriate consideration should be given to the scale and nature of development within the SLA ensuring that there is no significant adverse detrimental impact on the landscape. The development should aim to maintain, enhance or restore the recognised character and qualities of the SLA.

Proposals should have regard to the relevant 'Statement of Value and Significance'.

Where appropriate, the Councils will require a Landscape and Visual Impact Assessment in order to consider the impact of the development on the designated area.

In exceptional circumstances, where development is necessary and could

	result in significant impact on the landscape, appropriate mitigation and
	compensation measures should be provided.
Policy AMG 3:	Proposals that would have significant adverse impact upon landscape
Protecting and	
enhancing	character as defined by the Landscape Character Areas included within
features and	the current Landscape Strategy for the relevant authority, must
qualities that	demonstrate through a landscape assessment how landscape character
are distinctive to the local	has influenced the design, scale, nature and site selection of the
landscape	development.
character	
AMG 5: Local	Proposals must protect and, where appropriate, enhance biodiversity that
Biodiversity Conservation	has been identified as
Conservation	being important to the local area by:
	a. Avoiding significant harmful impacts through the sensitive location
	of development.
	b. Considering opportunities to create, improve and manage wildlife
	habitats and natural landscape including wildlife corridors, stepping
	stones, trees, hedges, woodlands and watercourses.
	A proposal affecting sites of local biodiversity importance will be refused
	unless they can conform with all of the following criteria:-
	-
	That there are no other satisfactory alternative sites available for the
	development.
	2. The need for the development outweighs the importance of the site for
	local nature conservation;
	3. That appropriate mitigation or compensation measures are included as
	part of the proposal.
	Where necessary, an Ecological Assessment which highlights the relevant
	local biodiversity issues should be included with the planning application.
Policy TRA 2:	Parking provision for all modes of transport should be in accordance with
Parking	the Council's Parking Standards.
Standards	
Policy TRA 4: Managing	Proposals should be planned and designed in a manner that promotes the
Transport	most sustainable modes of transport having regard to a hierarchy of users.
Impacts	Proposals that would cause unacceptable harm to the safe and efficient
	operation of highways, public transport and other networks such as
	pedestrian, cycling and public rights of way will be refused.
Policy ISA 1:	Proposals will only be granted where adequate infrastructure capacity
Infrastructure Provision	exists or where it is delivered in a timely manner. Where proposals
LIONIPIOII	generate a directly related need for new or improved infrastructure and this
	is not provided by a service or infrastructure company, this must be funded
	by the proposal. A financial contribution may be sought to secure

	in a second to inform the second second selected weeks as the second selected weeks as the second se
	improvements in infrastructure, facilities, services and related works, where
	they are necessary to make proposals acceptable.
Policy AT 3: Locally or	Proposals will be required to conserve and seek opportunities to enhance
	buildings, structures and areas of locally or regionally significant non-
regionally significant	designated heritage assets, which create a sense of local character,
non-	identity and variation across the Plan area by:
designated	1. The sympathetic re-use of redundant and under-used historic buildings
heritage assets	and areas that are consistent with their conservation;
a33613	2. Ensuring that all development within the Plan area's historic public
	realm, including transport and infrastructure work, is sympathetic to the
	historic environment;
	3. Appropriate siting, massing, form, height, scale, detail and use of local
	materials.
Policy AT 4:	Proposals which may have a significant adverse impact on sites that are of
Protection of	potential national archaeological importance and their setting, or are of
non- designated	acknowledged local heritage importance, including sites of industrial
archaeological	archaeology that are not scheduled and their settings will:
sites and their	1. Be assessed in terms of the intrinsic importance of the 'site' and the
setting	potential extent of harm.
	2. Require, where appropriate, either an archaeological assessments and/
	or field evaluation by an archaeological body or a professionally qualified
	archaeologist in order to determine the archaeological impact of the
	proposed development before the Planning Authority determines the
	application.
	A proposal which affects locally important archaeological remains will only
	be granted if the need for the development overrides the significance of the
	archaeological remains.
	Where proposals are acceptable, a condition will be attached to the
	permission stating that no development should take place until an agreed
	programme of archaeological work has taken place.

5. Main considerations

Principle of development

5.1 The application site forms part of Chwarel Aberllefenni Quarry. The proposal relates

to the extraction of slate from mineral deposits in relation to the Valley Floor Tip and

the Southern Tip. A total of 160,000 tonnes is to be removed over a period of 16

years (10,000 tonnes per annum), to supplement the supply of slate aggregate from

the existing permitted reserves. It is proposed that the area be worked alongside the

current operational areas whilst reserves are still available.

5.2 The proposal also seeks to regularise the planning position for continued use of the

crushing yard as a materials processing facility.

5.3 A planning application for a similar development (C17/0243/02/MW) for removal of

material from working deposit was previously refused an in June 2017 and

subsequently refused on appeal in June 2018. The previously refused application

related to the Valley floor tip and they main issues relates to the effect of the

proposed development on the character and appearance of the locality, the living

conditions of local residents and flood risk.

5.4 At the time of the determination of the previously refused application and appeal, the

JLDP was a material planning consideration for the purposes of development control.

5.5 Planning Policy Wales sets out the Welsh Government's planning policy in relation to

mineral extraction. The Regional Technical Statement (RTS) for North Wales sets out

an overarching objective to ensure sustainable managed supply of aggregates. The

main purpose of the statement is to set out the strategy for the provision of the

aggregates in the North Wales region which includes the application site at

Aberllefenni.

5.6 As confirmed during the consideration of the previous application, the principle of re-

working slate tips is accepted as an alternative to proposals involving the winning and

working of material from virgin rock.

5.7 Strategic Policy PS22: Minerals of the JLDP notes that the Councils will contribute to

regional and local demand for a continuous supply of minerals in accordance with the

key objectives and principles of sustainable development by taking account of details

listed within the policy.

Policy MWYN 3: Mineral Deposits advises that mineral exploration, new working or extensions to existing operations will be granted to maintain the Plan area's landbank of aggregates, or to meet a demonstrated need for other minerals provided the following criteria are met:

1. There is no unacceptable harm to the amenity or health of local residents in terms of visual impact, levels of dust, noise, vibration, and light as a result of the operation itself or the resulting traffic movements;

2. There is a suitable buffer between mineral development and sensitive development;

There is no unacceptable harm to the stability and support of adjacent land;

4. The development is sensitively screened and landscaped;

5. The development will not have a significant adverse impact on sites of international, national, regional or local environmental, nature conservation, landscape and /or heritage importance;

6. The proposal does not sterilize or otherwise prevent the working of other significant mineral deposits:

7. There is no unacceptable harm to land drainage groundwater and water resources;

8. The proposal ensures that the potential use of the resource is maximised and there is satisfactory disposal of any waste arising from the mineral operation;

9. Where blasting is proposed, the proposal includes a scheme of blasting to demonstrate that it can be controlled to meet the conditions detailed in Mineral Technical Advice Note MTAN (Wales) 1: Aggregates, or any amendments;

10. The proposal includes a scheme for the after use of the site and details of the restoration and aftercare required to achieve it in accordance with Policy MWYN 9;

11. Wherever economically feasible, mineral waste or products should be transported by rail or water.

5.9 These are considered in turn below.

Flood risk

- 5.10 The site is partially within Zone C2: defined by Technical Advice Note (TAN) 15 as "areas of the flood plain without flood defences" (land shown in blue on the (Development Advice Map) DAM map) and partially in Zone B: "considered [by TAN 15] to be areas known to have been flooded in the past evidenced by sedimentary deposits" (land shown yellow on the DAM map).
- 5.11 The Southern Tip is outside of areas shown to be at risk of flooding whereas the Valley Floor Tip and Crushing Yard are partially within Zone C2 (without significant flood defence infrastructure) and Zone B (areas known to have flooded in the past).
- 5.12 The majority of the Valley floor tip lies outside Flood Zone 3 on the Flood Map for Planning, with parts located in Flood Zone 2.
- 5.13 The previously refused application in June 2017 and subsequently on appeal in June 2018 was refused on flood risk grounds.
- 5.14 The application is accompanied by a Flood Consequence Assessment (FCA). The FCA concludes that although parts of the development will be within zones B and C2, it is considered that no special measures are required to minimise the impact of any future inundation of the site during events more severe than the criteria set out in TAN 15. The justification tests set out in Sections 5 and 7 and Appendix 1 of TAN 15 can be satisfied, addressing comments raised during the previously refused planning application.

Residential amenity

- 5.15 JLDP Policy MWYN 5 addresses buffer zones around mineral sites and seeks these to reflect those of PPW Minerals Technical Advice Note 1 Aggregates ('MTAN 1') unless there are clear and justifiable reasons for reducing the distance, that is, where there is limited impact from the mineral extraction site. MTAN 1 notes the minimum distances to be 100 metres for sand and gravel quarries (and other workings where no blasting is permitted) and 200 metres for hard rock quarries.
- 5.16 The nearest dwelling is noted to be approximately 75m from the application site.

 Mineral extraction has been occurring in this part of Aberllefenni for many years.

Dust

- 5.17 The proposed operation has the potential to generate dust when climatic conditions allow. The potential to generate dust will arise from the following activities:
 - mechanical removal of material from waste tips;
 - loading/unloading of materials;
 - movement of vehicles on haul roads;
 - wind-whipping of product stockpiles.
- 5.18 Site operations will be carried out to minimise the creation of dust. A permanent water supply will be made available on site in all climatic conditions to ensure that the dust suppression systems can function effectively.
- 5.19 The site supervisor will make a visual inspection of dust emissions at the site perimeter at least twice daily to ensure that no dust blows off the site. The operating staff will continuously monitor dust emissions whilst any plant is in operation and will control dust emissions accordingly. Results of any monitoring exercises will be entered in the site log.
- 5.20 Water sprays and bowsers will be used to reduce dust levels on all site surfaces where necessary. This particularly applies to site roads, storage, loading and unloading areas. Vehicles carrying potentially dusty loads off site will be securely sheeted or sprayed with water to reduce dust emissions.
- 5.21 If there is a risk that dust will be emitted following a malfunction or breakdown the plant will be shut down for repairs and the stockpile handled in accordance with the procedures outlined below.
 - Stockpiles will be sprayed with water to prevent excessive drying and dust formation;
 - Stockpile height will be limited to 5 metres (pre-screening) and 5 metres (product).
 When the maximum height is reached the product stockpiles will be removed by a loading shovel or a 360o machine onto a vehicle for transport off site;
 - During very windy conditions stockpiles will be reduced in height and sprayed with water to prevent airborne transport of material;
 - Stockpiles will be located to ensure that vehicles leaving the site do not track through the material stockpiles to prevent deposit of debris on the highway. The deposit of material on the highway will be treated as an emergency and will be

cleaned. However, as the site benefits from a long haul road it is unlikely that such a problem will occur.

5.22 Where necessary, vehicles entering and leaving the site will have loads adequately sheeted to prevent the escape of dust.

Noise and vibration

- 5.23 The potential for noise impacts will arise from the operation of plant and machinery and movement of material around the site.
- 5.24 In terms of noise levels, the site is relatively remote with a scattering of dwellinghouses in the immediate vicinity that may be subject to noise impacts. Other than the aforementioned Blue Cottage, the nearest residential properties are around 400m to the south-east at Pensarn with another cottage approximately 170m to the west. Properties to the south-east are shielded from the application site due to slate tips, vegetation and the slope of the hillside.
- 5.25 What processing of material is required will be undertaken within the tip area and the bund provided by retention of the outer faces of the tip will provide an acoustic barrier to a certain degree. This will aid in reducing noise levels when processing activities are under way. The quarry faces and intervening land provides a screen between the processing area and residential premises. Placing the plant in this area means that it is effectively screened from the nearest residential properties with the resultant benefits that arise from the bund's shielding properties.
- 5.26 Due to the nature of the proposal, there will be no need to undertake soil-stripping operations, which have the potential to generate significant noise. Consequently, operations connected to the proposed development are not anticipated to generate excessive noise levels.
- 5.27 No blasting would be required to extract the mineral waste from the application site. The proposal includes the provision of a 1m high bund along the south-western and northern sides of the Valley Floor tip.
- 5.28 In addition, planning conditions could address, amongst other things, the nature and rate of mineral extraction, the location of processing plant and measures to reduce the scale of potential impacts from matters such as noise and dust.

5.29 Planning appeal APP/Q6810/A/18/3193684 concluded that given the specific circumstances of the application site, the nature of the proposed works and the scope of possible planning conditions, that no unacceptable effects on the living conditions of the occupiers of nearby dwellings would be expected.

Landscape, visual amenity, restoration, aftercare and afteruse

- 5.30 Aberllefenni is a very small rural settlement set amongst hillsides that display evidence of slate mining, not least by the presence of mine entrances and mineral wastes in elevated positions on hillsides.
- 5.31 The site covers an area that is also the subject of an existing planning permission for underground mineral working, surface extraction and disposal of associated waste. The applicant is the current owner of the mine. Although no slate is being extracted at present, under the Environment Act 1995 the mineral workings are an 'active' site for the purposes of the Review of Minerals Permissions ('ROMP'). As a consequence, slate mining could recommence at any time during the remaining period of that permission along with associated tipping on (at least part of) the application site.
- 5.32 Housing in the centre of the settlement is across the road from a slate works and to the northwest of this is the application site, which is an area of tipped mineral waste on the valley floor. Slate workings, a small river and fields lie immediately around the appeal site. From the appeal site, a number of dwellings can be seen to be in close proximity to the proposal.
- 5.33 The rolling hills around the appeal site are at times steep and rocky, often wooded or with forestry and these treed areas are separated by open areas of grassland and heather/heathland. The appeal site lies within the Corris Special Landscape Area ('SLA') and there are views north westward from the appeal site to nearby hillsides in the Snowdonia National Park.
- 5.34 Slate in Aberllefenni is noted to include deposits that are suitable for monumental works, and the sorted and stockpiled mineral to the south of the appeal site includes larger blocks of slate.
- 5.35 Slate mining has had a significant impact on parts of the landscape immediately around Aberllefenni and is a characteristic of the locality. However, the historic slate

mining features and wastes that cover parts of the hillsides around and below the mine entrances are nonetheless a minor component of the wider landscape.

- 5.36 The application is accompanied by a Landscape and Visual Impact Assessment (LVIA) report concludes that a minor neutral effect on the landscape would be expected which represents a change in the visual landscape that may be minor, but has neither beneficial or adverse effects, but demonstrates a continual working of an activity which although affect the landscape, will not constitute a major positive or negative effect. Rather it represents an acceptable working change.
- 5.37 The requirement for this change relates to the minor change regarding operations being carried out on a site which has historically had much greater and continuous quarry operations with a neutral impact as the positive and negative arguments balance each other out.
- 5.38 Reducing the level of mineral waste on the valley floor and restoring the appeal site would be sympathetic to the character and appearance of the locality by reinforcing landscape features that are apparent in the designated landscapes around Aberllefenni. If the appeal scheme were to be carried out, the slate wastes that would remain on the hillsides would continue to provide the setting for the historic mining features that contribute to the SLA. No significant effects are therefore expected in terms of the visual landscape.
- 5.39 A single-phase restoration strategy would be implemented upon the cessation of operations which is expected to partially restore the site to ecological/amenity use but also to use the internal area as a yard space in conjunction with the existing quarry operation, principally for the storage of materials.
- 5.40 The proposed site sections submitted as part of the application provide details of the proposed levels of the mineral workings following the extraction of slate proposed as part of this application. No further changes to land levels would be proposed as part of the restoration of the site, however, landscaping proposals which would be supportive of biodiversity enhancement are currently being developed along with a five-year aftercare period of management. Comments received in response to the PAC will inform the final proposals for the restoration of the site.
- 5.41 Given the characteristics of this landscape the appeal scheme would not be harmful to local character and appearance within the context of the active mineral planning permission.

Heritage assets and archaeology

- 5.42 Policy AT4: Protection of non-designated archaeological sites and their setting of the JLDP seeks to protect sites that are of potential national archaeological importance and their settings or are of acknowledged local heritage importance.
- 5.43 A Water Balance Incline at Aberllefenni Slate Quarry is a Scheduled Monument and the Water Balance Incline and Drumhouse is a Grade II listed building. These lie close to the north-west of the Southern Tip. The Bell House is also a Grade II listed building and lies to the east of the Southern Tip and Plas Aberllefenni is a Grade II* listed building located further east.
- The Archaeological Assessment and Evaluation of Setting Issue report by Govannon Consultancy concludes that Aberllefenni Slate Quarry is an exceptionally well-preserved industrial landscape where the opportunity exists to integrate profitable modern operations with the appropriate management of historic assets. Of the three areas within the quarry where further development is considered, the continued reworking anticipated by the proposed planning application will vary in its impact from very slight to moderate/fairly severe, and may in aggregate be considered slight. See the Archaeological Assessment and Evaluation of Setting Issue report by Govannon Consultancy for more details.

Biodiversity

- 5.45 Coed Maes-Mawr, Coed Esgairneiriau a Cheunant Caecenau Site of Special Scientific Interest (SSSI) lies around 0.4km to the east of the application site and there are 13 non-statutory designated sites located within 2km of the application site. These consisted entirely of Wildlife Sites areas which have been classified as locally important for the conservation of wildlife in a county context, despite conferring no statutory protection.
- 5.46 The application is accompanied by a Phase I Habitat Survey Preliminary Ecological Appraisal (PEA) and Otter Survey Report.
- 5.47 The PEA advises that there is no predicted significant effect on other priority species or habitats as the proposal does not increase the level of disturbance or activity or resulting in the destruction of habitat during operational works.

5.48 The Otter Survey Report does not identify a significant effect as a result of the proposal.

Pollution control

5.49 In order to prevent and minimise the risk of slate particulars from entering the nearby water course, it would be considered reasonable for a pollution prevention plan to be submitted and approved prior to the commencement of any work. This could be requested by way of a planning condition.

Community safety

5.50 The proposed development would be located within an existing quarry which is within private ownership and already has restricted public access for reasons of operational safety such as moving heavy plant. The nature of the development is not expected to pose any significant risks to the general public. Therefore it is not expected that the scheme would have any impact upon community safety.

6. Accessibility

Planning policy

- 6.1 The relevant national policies and guidance relating to accessibility are set out within:
 - Planning Policy Wales, Edition 11, (2021); and
 - Technical Advice Note 18 'Transport' (2007).
- 6.2 The relevant planning policies within the adopted JLDP are as follows:
 - PS 4 'Sustainable transport, development and accessibility';
 - TRA 1 'Transport network developments';
 - TRA 2 'Parking standards'; and
 - TRA 4 'Managing transport impacts'.

Movement to, from and within the development

- 6.3 Traffic generation as a result of the proposed development would not generate a large increase in additional HGV movements. As such, the proposed development is considered not to be detrimental to the safety of existing road users.
- 6.4 The application site is served by an unclassified road with an appropriate access point at the highway. This would allow for safe access and agrees to HGVs arriving at and leaving the site. Thereafter, vehicles would leave the site towards the village of Corris where they would join the major highway network at the A487.
- The application site occupies a rural location and cannot be served by any means of transportation other than road-going vehicles. As such, all material produced on the site will be taken off site by heavy goods vehicles typically capable of carrying up to 20 tonne loads.
- The proposal relates to the extraction of slate from mineral deposits in relation to the Valley Floor Tip and the Southern Tip. A total of 160,000 tonnes is to be removed over a period of 16 years (10,000 tonnes per annum), but with a capacity to export 250 tonnes a day over a 5.5-day week to supplement the supply of slate aggregate from the existing permitted reserves.

- 6.7 Haulage movements are estimated to comprise of a maximum of 12.5 loads per day based on 20-tonne loads over a 50-week working year and a 5.5 day working week via the existing vehicular access serving the site.
- 6.8 The existing permission on the adjacent tip includes an output condition which restricts haulage movements to 120 tonnes per day (6 x 8-wheeled loads or 20-tonnes loads) but subject to an overall cap of 10,000 tonnes per annum.

Parking

6.9 Sufficient space is available to accommodate staff parking requirements within the quarry site.



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