

PLANNING COMMITTEE	DATE: 12/04/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 4

Application Number: C20/1065/22/AC

Date Registered: 22/12/20

Application Type: Renewals and Variations of Condition(s)

Community: Clynnog

Ward: Clynnog

Proposal: Application under Section 73 of the Town and Country Planning Act to vary condition 1 on planning permission C10D/0487/34/MW to extend the life of quarrying and associated processing operations for a further four years to allow for the completion of mineral working with a further year for the completion of restoration

Location: Cefn Graianog, Llanllyfni, Caernarfon, LL54 6SY

Summary of the Recommendation: APPROVE SUBJECT TO CONDITIONS

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1. Description:

- 1.1 This proposal seeks an extension of time up until the 31st December 2024 for the continuation of minerals operations at Graianog Farm. This will ensure the non-sterilisation of the mineral reserve but also, to complete the restoration of the site in accordance with the permitted scheme of working and to provide ancillary infrastructure in support of proposals to win and work mineral from the quarry extension. The proposal does not include an extension to the actual footprint of the mineral operation only an extension of time for a further 4 years. Plant activities, processing, dispatch and extraction of mineral will be contained wholly within the boundaries of the existing site and the terms of conditions attached to the current planning permission.
- 1.2 The application site is located to the south of Llanllyfni, with the Eryri National Park 1,100m to the east and the Llyn AONB running alongside the western boundary of the restored workings. The existing site, including the processing facility, lagoons and restored historic workings extends to approximately 59 hectares, but essentially the current operation comprises of two main areas linked by an internal conveyor and roadway. The Lon Eifion cycleway is located to the east, Cors Gyflog SAC and SSSI to the south and a large area of rough, marshy grassland to the north.
- 1.3 A scheme of restoration and aftercare to agricultural use has already been implemented for the most part and will continue as present as the sequence of operations progress northwards. Both the scheme of archaeological recording and restoration to agriculture at this site are well documented but in addition, the proposal recognises that there is an opportunity to enhance nature conservation and biodiversity interests for the plant site and lagoons, as well as the formation of a lake in the northern most extent of the former working face. The application plans seek to rationalise the phased sequence of extraction and restoration of the site as the sequence of operations progress eastwards towards the area of extension granted in 2016 and which is subject to application C20/1063/22/AC.
- 1.4 The red line boundary of the application is the same as that determined in 1996 for development including; *'continuation of permitted operations, rationalisation of plant and silt disposal facilities, restoration at Cefn Graianog and 'extension to working area, re-phasing and restoration' at Graianog Farm'*. Whilst this amounts to some 59 hectares, only 21ha of operational land (*processing site, lagoons and eastern face of the current workings*) currently remains within the red line boundary of the original permission, given that approximately 38ha of land has been restored and taken out of aftercare.
- 1.5 The proposed development therefore does not fall within the description and criteria set out in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017. However, the development does fall within the description of development set out in Paragraph 2 to Schedule 2 of the Regulations (*quarries, open cast mining and peat extraction*) & paragraph 13 (*any change to or extension of development where that development is already authorised, executed or in the process of being executed, and the change or extension may have significant adverse effects on the environment*). Having screened and assessed the proposal in accordance with the development criteria under Schedule 3, it is considered that the likely impact of the development on the environment is insufficient to justify the submission of an environmental impact assessment with the planning application.

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2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Gwynedd & Môn Joint Local Development Plan 2011 - 2026.
- 2.2 Under the Wellbeing of Future Generations (Wales) Act 2015 the Council not only have a duty to carry out sustainable development, but must also take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act, and in making the recommendation the Council have sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed determination.

2.3 Anglesey and Gwynedd Joint Local Development Plan 2011 - 2026

Strategic Policy PS 1: Welsh Language and Culture

Strategic Policy PS 5: Sustainable Development

Strategic Policy PS 13: Providing Opportunity for a Flourishing Economy

Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment

Strategic Policy PS 20: Preserving and Where Appropriate Enhancing Heritage Assets

Strategic Policy PS 22: Minerals

POLICY AT 4: Protection of Non-Designated Archaeological Sites and Their Setting

POLICY AMG 1: Areas of Outstanding Natural Beauty Management Plans

POLICY AMG 3: Protecting and Enhancing Features and Qualities that are distinctive to the Local Landscape Character

POLICY AMG 5: Local Biodiversity Conservation

POLICY PCYFF 2: Development Criteria

POLICY PCYFF 6: Water Conservation

POLICY MWYN 3: Mineral Developments

POLICY MWYN 5: Buffer Zones Around Mineral Sites

POLICY MWYN 9: Restoration and Aftercare

POLICY GWA 1: Provision of Waste Management and Recycling Infrastructure

Supplementary Planning Guidance – Maintaining and Creating Distinctive and Sustainable Communities 2019

Supplementary Planning Guidance – Landscape Character 2009

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2.4 National Policies:

- Policies, guidance and general principles set out in the Welsh Government Planning Policy Wales, Edition 11 (February 2021),
- Future Wales - The National Plan 2040,
- Conservation of Habitats and Species Regulations 2017
- Technical Advice Note (Wales) 5: Nature Conservation and Planning (September 2009) Welsh Government
- Technical Advice Note (Wales) 11: Noise (October 1997) Welsh Government
- Technical Advice Note 20: Planning and the Welsh Language (October 2017) Welsh Government
- Technical Advice Note (Wales) 15: Development and Flood Risk
- Technical Advice Note (Wales) 23: Economic Development (February 2014) Welsh Government
- Technical Advice Note (Wales) 24: The Historic Environment (May 2017) Welsh Government
- Welsh Government Minerals Technical Advice Note (Wales) 1: AGGREGATES (March 2004) & North Wales Regional Technical Statement

3. Relevant Planning History:

- 3.1 The site has a long history of sand and gravel extraction dating back to the earliest known planning permission granted in May 1958, with documented evidence of the workings supplying material for several large-scale civil engineering contracts in the area including the Dinorwic Power Station, Stwlan Dam and several local road improvement contracts. The following permissions are specific to the application area;
- 3.2 In recent years, the site has been operational under planning permission 2/14/16G granted on the 1st March 1996, which includes both the Cefn Graianog processing area and the extractive operations at Graianog Farm. A further permission, C00D/0005/34/MW granted under in May 2000 to vary conditions 1 & 2 of this consent to alter the sequence of extractive operations. This variation enabled the operation to blend various mineral types within the working face to meet production/sales requirements and to rationalise the sequence of progressive restoration.
- 3.3 **C10/0487/34/MW** - Application submitted with an Environmental Impact Assessment. Planning permission granted subject to conditions on 23rd August 2011 – To vary conditions on an existing planning permission to extend the life of the quarrying operations up until 31 December 2020 and variation of a scheme of working under conditions 1&2 of planning permission 2/14/12G and C00D/0487/34/MW.
- 3.4 **C15/0299/34/MW** Granted subject to conditions on 22nd June 2015 – Construction of 3 ancillary silting lagoons and sociated works to provide the necessary capacity to enable the ongoing working of mineral and the provision of a closed system for the control of quarry water on site.
- 3.5 **C16/0816/34/MW** – Granted subject to conditions on 18th November 2016 - Proposed eastern extension for the extraction of sand and gravel and progressive restoration.

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4. Consultations:

Clynnog Community Council: No Objection

Llanllyfni Community Council: No Objection

Welsh Government
Transportation: Welsh Government as highway authority for the A487 trunk road does not wish to issue a direction in respect of this application.

Gwynedd Public Protection: No Response

Gwynedd Highways &
Transportation Unit: No objection to the application for an extension of time.

Gwynedd Council AONB
Manager: The Cefn Graianog works site is near Bryncir and close to the AONB boundary. The work was set up decades ago to provide sand and gravel locally and regionally. There is effective restoration work on the site in recent years which reduces the impact on the landscape. Given that only a limited time extension is under consideration and that there are no proposals to extend the site area, there are no concerns regarding the impact on the AONB.

Gwynedd Council Language
Consultant: No objection to the request for an extension of time from a linguistic point of view. It is considered that approving the application would have a neutral effect.

Gwynedd Archaeological
Planning Service: There are no archaeological concerns with the requested extension period.

CADW: No Objection

The impact of the quarrying operation on the settings of scheduled monuments has been previously considered and the extension of the period of time for the extraction of minerals and the restoration of the land will not alter this impact.

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Gwynedd Public Rights of Way: Must ensure that public footpaths number 42 and 42A (Clynnog) are looked after during and after this development.

Gwynedd Flood and Coastal Erosion Risk Management Unit: No comments with respect to land drainage or risk of flooding.

Welsh Water: Acknowledge that the proposed works are located on the opposite side of the road to our live 200mm trunk watermain and therefore, no objection in principle to this application. However, as per water plan previously sent, an abandoned watermain within the application site is afforded the same protection zone as the live trunk main. Therefore, unless the planning boundary can be amended outside the route of this main, we request the developers contact us as this main would need to be formally abandoned via deed of release, and capped off to eliminate risk of groundwater.

Eryri National Park: No Response

Scottish Power: No Response

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Gwynedd Biodiversity:

1st Consultation

- Each of the extant 3 permissions (C10/0487/34/MW, C15/0299/34/LL, C16/0818/34/MW) were assessed for likely significant effect under the Conservation of Habitats and Species Regulations when they were determined. None of these three permission was considered likely to have a significant effect on the conservation features of the Corsydd Eifionydd SAC and CCW/NRW were in agreement with these assessments. There is no change to the current permissions, therefore the previous assessments for likely significant effect remain the same and the proposal to extend the time of these permission is unlikely to have significant effect on the Corsydd Eifionydd SAC.
- In summary, the continuation of the current works at Cefn Graiangog will not effect Corsydd Eifionydd SAC for the following reasons:
 - The quarry and associated works is not within the SAC or nor is it within similar habitat that is contiguous with the Cors Cyfelog. Therefore no landtake within the SAC or loss of habitat associated with the bog.
 - The hydrology of the bog will not be altered.
 - A closed loop lagoon system within the quarry has been constructed to ensure that no pollution will enter the bog.
- Recommend that the restoration plans for the quarry, lagoons and processing areas seek to create habitats of high biodiversity value such as rush pasture (sharp-flowered rush & purple moor-grass) and wild flower meadow and small pool & scrapes. Microhabitats such as small scrapes and small pools and patches of scrub, assist in creating more diversity for wildlife in particular invertebrates. Rushes and tall grass provide cover for small mammals and reptiles. Would like to see more detail on all restoration plans, such as plans showing microhabitat features (scrapes, pools, scrub, dry stone walls etc.) with species lists for planting (shrubs & trees) and wild flowers for seed mixes.
- Recommend that sand martin nesting feature such as a high sand or earth bank be created.
- Non-native plant species that are listed under schedule 9 of the Wildlife and Countryside Act 1981 (as amended) and it is an offence to cause them to grow in the wild. The whole quarry site should be monitored regularly for non-native invasive plant species such as Japanese knotweed, Himalayan balsam and Buddleia. Each year the quarry site should be surveyed for these plants and a map showing their location and estimated amount should be provided to the LPA. These species should be removed in the appropriate way.

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2nd Consultation (Restoration Scheme for Plant Site)

- The planting scheme appears to be adequate for both the agricultural areas and the wildlife habitat creation areas but should also seek to create habitats of high biodiversity value as recommended above, including areas of rush pasture, small pools and scrapes and the creation of an earth bank to provide a sand martin nesting feature,

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- Advise against the use of a chemical herbicide and opt for a more natural method of weed control,
- Aftercare programme for wildlife habitat creation areas: cut after about six-to-eight weeks of growth, and repeat every two months throughout the first summer,
- Biodiversity Action Plan needs to include specific targets in order to ascertain if restoration has been successful to include a Phase 1 habitat map and annual species surveys for the whole site.

Quarry Inspectorate: No adverse comments to make relating to the application for an extension of time granted to extract and restore the quarry

Natural Resources Wales: 1st Consultation

No objections to the application, but have the following comments;

- From the information provided, NRW consider that the proposals may affect the Corsydd Eifionydd Special Area of Conservation (SAC), Cors Gyfelog Site of Special Scientific Interest (SSSI), and Cors Gyfelog National Nature Reserve (NNR), potential impact of pollution pathways to features of this site. Pathways may not result in an adverse effect if pollution prevention measures are adhered to/ implemented.
- No assessment of likely significant effect under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 has been undertaken by your authority or it has not been forwarded to NRW for consideration. Should you conclude that the proposed development is likely to have a significant effect on the European site, we look forward to being re-consulted. In the absence of this assessment, NRW cannot offer assurances that the proposals would not result in an adverse effect upon the SAC.
- Recommend that you consult your ecologist on any possible enhancement opportunities and landscaping proposal,
- We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.
- Environmental Management; The applicant is advised to follow the guidance within Guidance for Pollution Prevention 5 "Works and maintenance in or near water":

2nd Consultation (HRA Assessment)

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- Agree with Gwynedd in its assessment as competent authority under Regulation 63 of the Habitats and Species Regulations 2017 that a proposal to extend is unlikely to have significant effect on the Corsydd Eifionydd SAC.

Welsh Government Soils
Policy and Aricultural Land
Use: No Response

Gwynedd Countryside and
Access: No Response

Sustrans: No Response

Public Consultation: A notice was placed at a location close to the site on the 7th January 2021 and neighbouring residents were informed by letter. A notice appeared in the local press on the 20th January 2021 and no letters of objection have been received in response to statutory publicity on the application.

Assessment of the material planning considerations:

5. The principle of the development

- 5.1 Planning Policy Wales (PPW) (Edition 11, February 2021) sets out the Assembly Government's planning policy in relation to mineral extraction. Each MPA should ensure that their development plans make allowances to contribute to the supply of minerals that meet local, regional and national needs.
- 5.2 Gwynedd Council, along with all of the Welsh Authorities have endorsed the Regional Technical Statement produced by the North Wales Regional Aggregates Working Party which is currently the subject of a second review. The statement has been prepared in accordance with the provisions of the Planning Policy Wales and Technical Advice Note (Wales) 1: Aggregates (MTAN1), to set out an overarching objective to ensure a sustainable managed supply of aggregates; "*.... so that the best balance between environmental, economic and social considerations is struck, while making sure that the environmental and amenity impacts of any necessary extraction are kept to a level that avoids causing demonstrable harm to interests of acknowledged importance*". The main purpose of the Regional Technical Statement is to set out the strategy for the provision of the aggregates in the North Wales region.
- 5.3 It assesses the environmental capacity of each authority to contribute to an adequate supply of primary aggregates. The Council, as Mineral Planning Authority, is required to maintain a landbank of permitted reserves of aggregate minerals with current guidance stating a minimum 7 year landbank for sand and gravel. Since the first Review RTS was published, the overall level of permitted aggregates reserves in North Wales has diminished.

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- 5.4 The apportionment for sand and gravel for Gwynedd following the Second RTS Review has been calculated at 3,834 million tonnes. The reserves of sand and gravel are currently 1.175 million tonnes inclusive of workings at Llecheiddior Uchaf, Penygroes and the current extension at Graianog and are insufficient to provide the full 7 years landbank at the end of the plan period. The RTS recognises therefore, that there is a shortfall of sand and gravel for which new allocations in Gwynedd totalling a minimum 2.659 million tonnes will need to be identified in the forthcoming review of the Joint Local Development Plan. This figure takes into account the permitted reserves of sand and gravel that may be offset against the apportionment requirements.
- 5.5 Amongst other objectives, Planning Policy Wales recognises that mineral working is different from other forms of development in that extraction can only take place where the mineral is found to occur and that the development is transitional and cannot be regarded as a permanent land use even though operations may occur over a long period of time. The material extracted at the quarry is used for direct building products, sea defence works, decorative cobbles but mainly to supply ready mixed concrete outlets throughout North West Wales including the National Park, Anglesey and parts of Conwy.
- 5.6 The continuation of sand and gravel extraction at Cefn Graianog will ensure that the Council can fulfil its apportionment obligations in the RTS, of supplying minerals for the North Wales sub-region and maintain a 7 year landbank of sand and gravel. There are few permitted reserves of sand and gravel in North West Wales and this proposal will secure an essential supply of sand and gravel for the local building economy. This will reduce the need to import materials from outside Gwynedd, thereby minimising costs and carbon emissions.
- 5.7 Although the site is located between AONB & National Park designations, there are no other landscape or environmental designations within or close to the application boundary. Subject to the consideration of all other material planning considerations, it is considered that the development complies with the requirements of Strategic Minerals Policy PS 22 & Policy MWYN 3 of the Anglesey and Gwynedd Joint Local Development Plan 2011 – having regard to current national policy for maintaining a landbank of mineral reserves in accordance with the guidance contained in MTAN1 (Wales) Aggregates and the Regional Technical Statement. Furthermore, it is not considered that the proposal to continue mineral operations at Cefn Graianog will compromise the safeguarding obligations for potential waste sites under policy GWA 1.
- 5.8 In addition to the principle of the need for the development, the essential planning issues in this case are addressed below;

Visual Amenities

- 5.9 The site itself is not subject to any national or local landscape constraints such as Landscape of Outstanding Historic Interest or Special Landscape areas as defined in the local development plan. However, the site is located adjacent to the Llyn AONB with the Eryri National Park located approximately 1,100m due east of the plant site at its nearest point.
- 5.10 The quarry is located entirely within the Central Llyn Landscape Character Area (LCA) which broadly relates to the central plateau above the 50m contour. The Nantlle landscape of outstanding historic interest is located approximately 1000m north east of the quarry and it is not considered that the proposal will impact on the nature and historic fabric of this landscape designation or the cultural significance of the slate quarrying areas. However, quarrying has and continues to impact

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upon the local landscape and there is a history of commercial exploitation of sand and gravel resources within the Central Llyn LCA for well over 60 years. The character area forms a buffer between the Llyn AONB to the west and Snowdonia National Park to the east and its key characteristics are defined in the Gwynedd SPG (Landscape Character November 2009) as;

- Generally homogenous area interspersed by prominent hills such as Mynydd Cennin and Y Foel and where landform is dominated by the impact of glacial deposits,
- Essentially agricultural in nature, having large forestry plantations such as Bwlch Derwin,
- Historic elements including prehistoric and medieval features, although they are often isolated within the larger extent of 19th Century enclosures.

- 5.11 The existing operational area including the processing site, lagoons, the working face and transport corridor measures approximately 21 hectares. The development in combination with the extended area for the winning and working of sand and gravel and the water management system measures approximately 29ha and has the potential for significant cumulative impacts on views into and out of the Llyn AONB and the National Park. However, it is the plant site as viewed from the adjacent A487 Trunk Road that remains the most visually prominent feature although such impacts may be tempered to a degree by a limited period of working (4 additional years) and the phased scheme of extraction and restoration which is nearing completion.
- 5.12 The working of sand and gravel is relatively dynamic when compared with hard rock quarrying as reserves are commonly found under agricultural land and may be worked relatively quickly by means of a mechanical excavator. As a consequence, the mineral planning authority requires progressive restoration to offset the loss of amenity and productive land to mitigate for the impacts of such working. To date worked out sites have been effectively reinstated to their original use, mainly agriculture, and now blend in with the surrounding landscape. Approximately 38ha of land within the red line boundary has been restored and taken out of aftercare since the grant of permission in 1996. A recent inspection of the former southern lagoon area revealed that the concept of restoration to rough grazing has largely achieved its objective, but in addition, the plant site is located in a prominent location, adjacent to a SSSI and SAC, and the type and quality of the restoration will play a major role in the long-term future appearance of the area. Restoration proposals for the plant site include for wildlife habitat and rough grazing to compliment the areas already restored.
- 5.13 In response to consultation, the AONB manager confirmed that; there is effective restoration work on the site in recent years which reduces the impact on the landscape. Given that only a limited time extension is under consideration and that there are no proposals to extend the site area, there are no concerns regarding the impact on the AONB.
- 5.14 Within the overall context of the existing Quarry site, the identified landscape and visual changes have a limited level of effect and the extension of the timescale for the continuation of quarrying operations for a further 4 years would not result in any great levels of visual impact. It is considered therefore that the proposal is acceptable in principle in that the development is compliant with Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment and Policies AMG 3, AT 1, MWYN 3 & MWYN 9 of the Gwynedd & Môn Joint Local Development Plan 2011 – 2026.

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Biodiversity

- 5.15 The quarry lies between two designated sites that form part of the Corsydd Eifionydd SAC; Cors Gyfelog to the south of the former southern lagoons and Cors Llanllyfni 1.5km to the north. The main issues raised in response to consultation on the previous EIA application C10D/0487/34/MW, was the potential risk of silt contamination having an adverse impact on the integrity of Cors Gyfelog. In the determination of the application, further information and proposals were submitted to address the concerns of the former Countryside Council for Wales concerning potential silt contamination. CCW were satisfied that the itinerary of mitigation measures proposed could be implemented to avoid adverse effects on the SAC, NNR & SSSI. Furthermore, the construction of a 'closed loop' water management system under planning permission C15/0299/34/MW, would prevent the system from overloading during times of prolonged and consistent heavy rainfall and further reduce the risk potential for flash flooding to occur, resulting in potential polluted run-off affecting the Cors Gyfelog SSSI and SAC.
- 5.16 In response to consultation on the tests of likely significant effects on the European designated site, NRW agree with the local planning authority assessment under Regulation 63 of the Habitats Regulations 2017 that the continuation of quarrying operations at Graianog was not considered likely to have a significant effect on the conservation features of the Corsydd Eifionydd SAC. NRW further recommend that the authority's biodiversity officer be consulted on any possible enhancement opportunities and landscaping proposals.
- 5.17 A principal concern is the final treatment of the processing area and operational lagoons as these are likely to be the most prominent of the residual features at such time the permitted operations cease. The treatment of any residual material (silt) upon final cessation of operations should be closely linked to the restoration objectives and the creation of a landform that is capable of providing the optimum conditions for wildlife habitat. In addition, the reinstatement of field boundaries recovered from the removal of existing stone walls is an integral component of the scheme of restoration which is an impressive feature of the existing quarry. These are features of historic significance within the local landscape as well as hibernation sites for reptiles, nesting sites for breeding birds and habitat for lichens.
- 5.18 In response, Gwynedd Biodiversity confirmed that it would like to see more detail on restoration proposals, such as plans showing microhabitat features (scrapes, pools, scrub, dry stone walls, to assist in creating more diversity for wildlife in particular invertebrates with species lists for planting (shrubs & trees) and wild flowers for seed mixes, rushes and tall grass to provide cover for small mammals and reptiles. The quarry site should be monitored regularly for non-native invasive plant species such as Japanese knotweed, Himalayan balsam and Buddleia.
- 5.19 Amended details have been submitted in support of the restoration proposals for the plant site and lagoons and in response to consultation, Gwynedd Biodiversity confirm that the planting scheme appears to be adequate for both the agricultural areas and the wildlife habitat creation areas. However, they require that the scheme should also seek to create habitats of high biodiversity value as recommended above, including areas of rush pasture, small pools and scrapes and the creation of an earth bank to provide a sand martin nesting feature. Gwynedd Biodiversity also advise against the use of a chemical herbicide as well proposals for the cutting and management of wildlife habitat areas and non-invasive plant monitoring and control & eradication.

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- 5.20 Such requirements could be conditioned in the scheme of aftercare to include annual meetings to assess the progress of restoration. The mineral planning authority already hold annual aftercare meetings with Welsh Government Land, Nature and Forestry Division on the scheme of agricultural restoration and the same could be arranged with Gwynedd Biodiversity to restore habitats of high biodiversity value. This would be a more pragmatic approach to aftercare rather than the submission of annual species surveys as specific areas may be assessed to ascertain if restoration has been successful and whether any further work or treatment is required during the aftercare period. A Biodiversity Action Plan, Phase 1 Habitat map and species survey could be produced at the end of the aftercare period to provide a long-term outline management strategy for the site.
- 5.21 Natural Resources Wales agree with Gwynedd Biodiversity that in respect of potential impacts on local biodiversity, it can be concluded therefore that the development will not cause the loss of protected habitat, protected species nor alter the hydrology of the SAC. The restoration proposals include for biodiversity enhancement and the proposal therefore conforms to the requirements of Strategic Policy PS 19 and Policy AMG 3, AMG 5, PCYFF 6, MWYN 3 & MWYN 9 of the Gwynedd and Môn Joint Local Development Plan 2011 - 2026.

Hydrology

- 5.22 A body of water has occupied the northern face of the quarry workings for many years which comprises of surface water collected from restored and currently active areas. This waterbody will be self-regulating with no outlet and will be retained and extended in accordance with the restoration proposals indicated on the application plans. The current arrangements to provide ancillary operational area to gain access to the mineral reserve do not appear to have impacted on the wetland feature to the north but the diversion of surface water run-off from the proposed extension and the impacts on a stream and wetland area to the north has been assessed previously under the 2016 application. The Hydrological Monitoring scheme formally discharged under condition 36 of that permission on 7th January 2020 with the approval of Natural Resources Wales and Gwynedd Land Drainage Unit.
- 5.23 The plant site, stocking area and lagoons will continue to operate in accordance with an Environmental Permit and utilise the 'closed loop' water management system as approved under planning permission C15/0299/34/MW, and which is currently the subject of a sister application for an extended 4-year timescale.
- 5.24 There have been no objections or concerns relating to drainage or flood risk in response to consultation with Natural Resources Wales or Gwynedd Flood Risk and Land Drainage Unit and it is considered therefore that the proposal will not have a detrimental impact on the local water environment (POLICY PCYFF 6). Issues that would otherwise be subject to a separate discharge consent or Environmental Permit have been listed in this report and will be brought to the attention of the developer by means of a 'note to applicant' issued with planning permission, but will not feature in the list of planning conditions attached to the actual decision notice. The restoration proposals include for biodiversity enhancement and the proposal therefore conforms to the requirements of Strategic Policy PS 19 and Policy AMG 3, AMG 5 & MWYN 3 of the Gwynedd and Môn Joint Local Development Plan 2011 - 2026.

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- 5.25 With respect to Welsh Water assets, the consultation response acknowledges that the proposed works are located on the opposite side of the road to their live 200mm trunk watermain and therefore Welsh Water have no objection in principle to this application. However, an abandoned watermain is within the application site and is afforded the same protection zone as the live trunk main. Given that quarrying in this part of the quarry has ceased with the land since restored, a copy of the consultation response shall be appended to the decision notice advising the developers to contact Welsh Water, as the main would need to be formally abandoned via deed of release and capped off to eliminate risk of groundwater.

Cultural Heritage

- 5.26 The area is one that is known to be rich in archaeological remains, with a number of sites having been excavated close to the area of extraction. The programme of archaeological work at Graianog has been developed in consultation with Gwynedd Archaeological Planning Service and has been implemented with a great deal of success, yielding some interesting results and has altered the interpretation and understanding of the local landscape.
- 5.27 The programme meets the required standards for archaeological work and is covered in the schedule of planning conditions which includes a comprehensive record of post-excavation reports since the commencement of planning permission. CADW have no objection given that the impact of the quarrying operation on the settings of scheduled monuments has been previously considered and the extension of the period of time for the extraction of minerals and the restoration of the land will not alter this impact.
- 5.28 In response to consultation, Gwynedd Archaeological Planning Service confirm that there are no archaeological concerns with the requested extension and the development therefore complies with the requirements of Policy AT 4 of the Gwynedd and Môn Joint Local Development Plan 2011 – 2026, (*protection of non-designated archaeological sites and their setting*).

General and residential amenities

- 5.29 The proposed continuation of operations for a further 4 years is, by its nature, similar to the extraction methods and movement of machinery implemented at the site for many years and which has been the subject of environmental controls through planning conditions, or permits issued under specialist remit of the Environment Agency.
- 5.30 Both Minerals Planning Policy Wales and MTAN1: Aggregates have established the principle of buffer zones around mineral extraction sites, where the objective is to protect land uses that are most sensitive to the impact of mineral operations by establishing a separation distance between potentially conflicting land uses. Sensitive development is defined in MTAN1 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 is expected*”. A buffer zone is defined from the outer edge of the operational area, including site haul roads and lagoons. MTAN1 recommends a minimum distance of 100 metres for sand and gravel operations and others where no blasting is permitted. There is one single property located within the 100m buffer zone as prescribed under policy MWYN 5 of the Gwynedd and Môn LDP. However, there are relatively few instances of complaint relating to the impacts of noise, dust or working hours received by the mineral planning authority.

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- 5.31 The application proposes the same working conditions as present, including the control of noise, dust & working hours and there are few instances of complaint received by the planning authority. The loading of the feed hopper and conveyor remains the most intrusive noise source at the working face as plant machinery operates in an elevated position to the surrounding ground level. White noise alarms should be fitted to quarry vehicles and plant to minimise disturbance.
- 5.32 It is considered therefore that subject to appropriate conditions to control the impacts of noise and dust and working hours the proposal will not have a detrimental impact on the amenities of the area and therefore conforms to policy PCYFF 2, MWYN 3 & MWYN 5 of the Gwynedd and Môn Joint Local Development Plan 2011 - 2026.

Traffic and access matters

- 5.33 The application details confirms that the quarry exports an average of 90,000 tonnes per annum and the proposed extension would secure a supply of material up to December 2024. In response to consultation, Gwynedd Highways and Transportation department confirmed that they had no objection to the proposal.
- 5.34 The access onto the A487 Trunk Road is of an acceptable standard and traffic will gain access to the site via a short section of Unclassified Road In response to consultation, the Welsh Government highway authority confirmed that it did not intend to issue a direction in respect of this application.
- 5.35 It is considered therefore that the existing road network is of sufficient standard to deal with the flow of traffic expected from the site the development is therefore compliant with Policy TRA 4 of the Gwynedd and Môn Joint Local Development Plan 2011 - 2026.

Public Rights of Way

- 5.36 There are no public footpaths or rights of way affected by the proposal and there is no requirement therefore to make any provision for specific stopping-up or diversion. In response to consultation, Gwynedd Council Public Rights of Way officer state that footpaths 42 & 42A are looked after during and after this development.

Sustainability matters

- 5.37 This report has assessed the sustainability issues of this application and the goal of sustainable development in accordance with Planning Policy Wales and the seven well-being goals of, 'The Well-being of Future Generations (Wales) Act 2015' to help ensure that public bodies are all working towards the same vision of a sustainable Wales.
- 5.38 As Mineral Planning Authority, the Council has a duty to ensure that mineral resources are exploited in a sustainable way so that they can make an appropriate contribution to the area's construction materials requirements. Gwynedd has a long history of mineral extraction and it remains an important facet of its economic and social make up. There are extensive deposits of a variety of materials suitable for exploitation in North Wales, particularly igneous rock, sand & gravel and limestone. This application seeks to secure the continued operation of a facility to support the extraction of a permitted reserve of mineral where known deposits of sand and gravel exist.

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The Economy

- 5.39 Technical Advice Note 23, Economic Development states; in determining planning applications local planning authorities need to bear in mind that traditional business use, classes B1-B8, only account for part of the activity in the economy. It is important that the planning system recognises the economic aspects of all development and that planning decisions are made in a sustainable way which balance social, environmental and economic considerations. It further states that; Local planning authorities should recognise market signals and have regard to the need to guide economic development to the most appropriate locations, rather than prevent or discourage such development.
- 5.40 The development proposes additional quarry infrastructure to supplement the existing water management systems and will therefore help maintain full time jobs for site staff employed directly and indirectly as a result of the quarry operations. Furthermore, sand and gravel is essential for the local building economy and a local source keeps costs as well as carbon emissions down.
- 5.41 The proposal will will help maintain 13 full time jobs for site staff employed directly and indirectly as a result of the existing operations at Graianog, Porth Penrhyn & Llandygai Industrial Estate. Furthermore, the retention of a local workforce has positive impacts on the culture and more specifically, the status of the Welsh Language in the region.
- 5.42 The proposal will therefore be likely to make a positive contribution on the economy of the area in accordance with Strategic Policy PS 13 of the Gwynedd & Môn Joint Local Development Plan to providing opportunities for a flourishing economy as well as the Gwynedd Supplementary Planning Guidance, Planning and the Welsh Language November 2009.

The Welsh Language

- 5.43 Planning Policy Wales addresses the importance of the Welsh language in delivering its sustainability objectives to improve the social, economic, environmental and cultural well-being of Wales.
- 5.44 A Language Statement has been submitted with the application in accordance with Policy PS1 of the Local Development Plan and relevant Planning guidance; 'Sustaining Distinctive and Sustainable Communities 2019'. Policy PS 1 (Welsh Language and Culture) and Policy PS 5 (Sustainable Development) seek to promote and support the use of Welsh in the Plan area and to help support and enhance the conditions that ensure prosperous sustainable communities.
- 5.45 The language statement assesses the impact of the proposed development on communities and identifies measures that will either mitigate negative impacts or protect / enhance / spread positive effects. Gwynedd contains the highest proportion of Welsh speakers in Wales (65.4% of people above the age of 3 can speak Welsh; the figure nationally across the whole of Wales is 19%). Compared to the 2001 Census, this has fallen slightly (by 5.2%) from 69%. Within Llanllyfni Ward 75.5% of the population aged 3 and above can speak Welsh, which like the county, has fallen slightly from the 2001 Census (drop of 2.1% from 79.9%). As such, it can be seen that the proportion of the population that can speak Welsh within the ward is higher than the figure for the county as a whole. Allied to this, the decline in Welsh speakers in the Ward is not as great as within the county as a whole.

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- 5.46 This application will secure the continuation of an existing operation where the existing workforce is already sourced locally. The entire workforce have the ability to speak Welsh and therefore the development is likely to retain Welsh speakers in the local community who will use the language in the workplace.
- 5.47 The proposal will maintain employment opportunities locally and it is anticipated that the development will have a minor positive impact on the Welsh language in the community. Similarly, no pressure would be placed on local services. Overall therefore, the Welsh Language Statement concludes that in respect of the continuation of an established business, no further mitigation is considered necessary to promote or enhance the use of the Welsh language.
- 5.48 The language consultant has no objection to the request for an extension of time from a linguistic point of view. It is considered that approving the application would have a neutral effect. It is considered that the development complies with policy PS 1 and PS 5 of the Gwynedd and Anglesey Joint Local Development Plan 2011 – 2026.

6. Conclusions:

- 6.1 A proposal for an additional 4 years to complete the extraction and phased restoration of the quarry and to continue the processing and dispatch of quarry product needs to be assessed against planning policy criteria and the authority has consulted on this application to ascertain the potential impacts of the development. The submission covers the material planning considerations in assessing the impact of the proposed development.
- 6.2 There is unlikely to be any apparent change in site working conditions or visual impact of the workings and the development will not detract from the positive features in the landscape or those elements that contribute to the distinctive character of the National Park, or Llyn Area of Outstanding Natural Beauty. The continuation of a phased scheme of extraction and restoration will mitigate the impact of the mineral workings on the setting of the National Park, Llyn AONB as well as local Landscape Character Areas in accordance with Policy PS 19, AMG 3, AT 1, MWYN 3 & MWYN 9 of the Gwynedd & Môn Joint Local Development Plan 2011 – 2026.
- 6.3 There are no overriding planning policy issues sufficient to warrant refusal of planning permission and issues relating to noise, dust & environmental controls are well established on this site with relatively few instances of complaint forwarded for the attention of the mineral planning authority. It is considered therefore that subject to appropriate conditions to control the impacts of noise and dust and working hours the proposal will not have a detrimental impact on the amenities of the area and therefore conforms to policy PCYFF 2, MWYN 3 & MWYN 5 of the Gwynedd and Môn Joint Local Development Plan 2011 - 2026.
- 6.4 The development is acceptable in principle and it would contribute to the landbank of sand and gravel reserves in Gwynedd and conforms to regional and local mineral planning policy requirements. It conforms to regional and local mineral planning policy requirements and complies with the sustainability criteria of Policy PS 22 of the Anglesey and Gwynedd Joint Local Development Plan 2011 – 2026, having regard to current national policy for maintaining a landbank of mineral reserves in accordance with the guidance contained in MTAN1 (Wales) Aggregates and the Regional Technical Statement. In addition, the proposal is likely to make a positive contribution

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on the economy of the area in accordance with Strategic Policy PS 13 of the Anglesey and Gwynedd Joint Local Development Plan 2011 - 2026.

- 6.5 The site is located adjacent to the Corsydd Eifionydd SAC, Cors Gyfelog SSSI and Nantional Nature Reserve. In response to consultation on the tests of likely significant effects on the European designated site, NRW agree with the local planning authority assessment under Regulation 63 of the Habitats Regulations 2017 that the continuation of quarrying operations at Graianog was not considered likely to have a significant effect on the conservation features of the Corsydd Eifionydd SAC. The proposal therefore conforms to the requirements of Strategic Policy PS 19 and Policy AMG 3, AMG 5, PCYFF 6 & MWYN 3 of the Gwynedd and Môn Joint Local Development Plan 2011 - 2026.
- 6.6 There have been no objections or concerns relating to drainage or flood risk in response to consultation with Natural Resources Wales or Gwynedd Flood Risk and Land Drainage Unit and it is considered therefore that the proposal will not have a detrimental impact on the local water environment (POLICY PCYFF 6). A condition on the original grant of planning permission requiring measures to be taken for the protection of watercourses, springs and wetland which emerge immediately north to the development area from potential damage by quarrying operation has been formally discharged.
- 6.7 There is a proven and successful scheme of agricultural restoration at Graianog Farm. In addition, both NRW and Gwynedd Biodiversity are supportive of proposals for rough grazing and biodiversity enhancement for the processing plant and lagoons. The proposal therefore conforms to the requirements of Strategic Policy PS 19 and Policy AMG 3, AMG 5, PCYFF 6, MWYN 3 & MWYN 9 of the Gwynedd and Môn Joint Local Development Plan 2011 – 2026. The key objectives of the scheme will therefore integrate/assimilate the site into its surroundings; enhance biodiversity and reinforce landscape pattern.
- 6.8 Gwynedd Archaeological Planning Service confirm that there are no archaeological concerns with the requested extension period and CADW have no objection given that the impact of the quarrying operation on the settings of scheduled monuments has been previously considered. Conditions on the original grant of permission for archaeological mitigation & recording will continue. The proposal therefore complies with Policy AMG 3, PS 20, AT 1 & AT 3 of the Gwynedd and Môn Joint Local Development Plan 2011 - 2026.
- 6.9 The development will not have an adverse effect on any highway, or proposed highway. The quarry has direct access onto the A487 Trunk Road and in response to consultation, the Welsh Government highway authority confirmed that it did not intend to issue a direction in respect of this application. The proposal therefore complies with TRA 4 of the Gwynedd and Môn Joint Local Development Plan 2011 - 2026.
- 6.10 The development will have a neutral impact on the Welsh language and it is considered therefore that the development complies with policy PS 1 and PS 5 of the Gwynedd and Anglesey Joint Local Development Plan 2011 - 2026.
- 6.11 The proposal satisfies the sustainability goals of Planning Policy Wales and The Well-being of Future Generations Act (Wales) 2015.

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7. **To delegate powers to the Assistant Head of Department to approve the application, subject to the following amendment to Condition 1 of planning permission C10D/0487/34/MW so as to extend the lifespan of a minerals operations involving the operation of three ancillary silting lagoons and associated works for an additional 4 years:**

Extraction, processing and dispatch of minerals shall cease by 31 December 2024 by which time all plant and machinery shall have been removed from the site; restoration shall be completed by 31 December 2025.

- 7.1 Consultation response from Natural Resources Wales and Welsh Water attached to the decision notice, advising that they should be contacted direct in respect of the specific environmental and operational controls within their remit.

- 7.2 Planning conditions as existing in respect of the following regulatory controls;

- Duration of Working,
- Restriction on Permitted Development Rights, buildings, structures, erections, private ways, floodlighting & fences,
- Permitted Operations & Compliance with the Submitted Details/Plans,
- Hours of Working,
- Safeguarding of public rights of way,
- Soil Handling & husbandry
- Drainage, measures to prevent the pollution of local watercourses,
- Restoration to mixed agricultural nature conservation use,
- Reinstatement of field boundaries,
- Archaeological mitigation and recording,
- Aftercare measures & annual meetings for agricultural use, biodiversity management & control of non-native invasive plant species,
- Dust controls & noise limitations the same as existing but also, plant machinery at the working face to be fitted with white noise alarms.