

## **Planning, Taxi Licensing and Rights of Way Committee Report**

**Application No:** P/2016/0455

**Grid Ref:**

324385  
258094

**Community Council:** Old Radnor

**Valid Date:**  
25/4/2016

**Officer:**  
Thomas Boothroyd

**Applicant:** Tarmac Trading LTD

**Location:** Dolyhir and Strinds Quarry, Dolyhir, Old Radnor, Presteigne, LD82RW

**Proposal:** Proposed northern extension to Dolyhir Quarry: construction of screening landform to the north and west of Dolyhir Quarry; related surface water management ponds and drainage infrastructure; construction of new agricultural access to the public highway and new perimeter agricultural access track; continued use of existing processing and secondary treatment plant at Dolyhir/Strinds Quarry; relocation of washing plant from Dolyhir Quarry to Strinds Quarry during phase 5 of development scheme; diversion of services; continued development of Strinds Quarry in accordance with the current working scheme; implementation of comprehensive restoration strategy; and consolidating of the overall Dolyhir and Strinds Quarry extension area and screening landform into one overall planning unit.

**Application Type:** Full Planning Permission

### **The reason for Committee determination**

The application is accompanied by an Environmental Statement (ES).

### **Site Location and Description:**

The existing Dolyhir/Strinds Quarry unit is located in open countryside in the hamlet of Dolyhir, Dolyhir Quarry is located north of the C-class road (C-1341) which bisects the two quarry units, Strinds Quarry being located to the south of the C-class road. Gore quarry, also under the ownership of Tarmac, is located approximately 550 metres to the north-east of Dolyhir Quarry. The closest villages to the site are Burlingjob (approximately 580 metres to the east of the site) and Old Radnor, approximately 550 metres to the north-east of the site. Kington and New Radnor lie approximately 4.5 Kilometres to the east and 3.5 kilometres to the North West respectively. Access to the site from the A44 (which runs from Aberystwyth in the west to Oxford in the east) is along the B4594 approximately 1.6 km's from the junction with the A44, past Burlingjob to the junction with the C-1341. The site offices are located to the south of the C-class road along with the majority of the processing equipment and the weighbridge, a conveyor spans the road from Dolyhir to Strinds transporting material to be processed at the Strinds site.

The surrounding area is mostly agricultural in nature and there are agricultural fields surrounding the site. Immediately surrounding the site the land is mostly gently sloping at an elevation of approximately 205 metre A.O.D. To the north east the land slopes more steeply up to Old Radnor Hill (Gore Quarry is located on this hill) at a height of approximately 300 metres A.O.D. Further to the east (approx 1.7 km's from the site) Stanner Rocks National Nature Reserve rises to 333 metres A.O.D., this hill

is heavily wooded, mostly comprising of coniferous woodland but also some deciduous trees. To the south-east there is further hilly ground, including Hanter Hill (414 metres A.O.D.) and the Hergest Ridge, made up of a number of peaks, along which the Offas Dyke Path runs roughly east-west. To the south there are further hill areas with a patchwork of agricultural field and numerous woods and copses, comprised of both coniferous and deciduous trees. To the south west of the site there is further high ground, including Colva Hill (approx 510 metres A.O.D) and Caety Traylow (approx 532 Metres A.O.D) 5.3 kilometres and 5 kilometres respectively from the site. Burl Hill, Castle Hill and Highgate Hill form another area of high ground approximately 5 kilometres to the west of the site. These hill areas create a bowl like effect around the eastern, southern and western boundaries of the site. Directly to the north of the site the land is mostly flatter and made up of larger, more uniform agricultural fields. In this respect the landscape surrounding the site is divided with the hillier more rugged terrain to the east, south and west, with a more gentle, less undulating terrain to the north of the site.

The area is traversed by an extensive public rights of way system, this includes the Offas Dyke path along the Hergest Ridge, to the south of the site. There are numerous PROW surrounding the existing quarry and the foot print of the proposed extension site. The site is effectively encircled by PROW. The proposals involve the temporary diversion of one of these PROW but the other PROW's should remain unaffected. There is also a disused railway to the north-west of the site leading from the quarry entrance to the village of Harpton.

The area has an abundance of ecological and historical/cultural designations and there are various SAC/SSSI and listed buildings in the vicinity of the site. This includes the quarries of Dolyhir and Strinds themselves which are designated SSSI's for geological reasons, Dolyhir meadow sandwiched in between the two sites and adjacent to the site offices is also a designated SSSI, Stanner Rocks SSSI (and partly National Nature Reserve) is located 1.7 kilometres to the east of the site. Further afield there are the Burfa Boglands SSSI, approx 4.9 kilometres to the north east and Glascwm and Gladestry Hills SSSI approximately 4.6 kilometres to the south west of the existing quarries.

There are numerous listed buildings and scheduled ancient monuments in the vicinity (for a more extensive list see the reply below from the Councils own listed building Officer) this includes numerous listed buildings located in nearby Old Radnor, including the grade I listed St Stephens Church, approximately 400 metres north-east of the proposed extension. Within Old Radnor there is also the Scheduled Ancient Monument (SAM) of Old Radnor Castle which lies in close proximity to the listed church. Further afield lies Harpton Court with its gardens and stable, this is Grade II listed and lies approximately 1.4 kilometers north-west of the site. There are further SAM's to the north of the site, including Castle Nimble (approx 550 metres to the north-north-east). To the north east there are various SAM's in the Roman Camps 'complex' near Walton, approximately 1 kilometres distant, the Hindwell Palisaded Enclosure (a SAM) lies approximately 1.7 kilometres north of the proposed extension site.

The overall site area of the quarry complex (to include Strinds and Dolyhir Quarries) would result in an increase in overall area of 42.4 hectares, from 81.6 hectares to 124 hectares – this would include the proposed extension of the extraction area, soils storage areas and the proposed landscaping bund. The extension of the extraction area would take place in a northerly direction and would be extending into an area characterised by gently sloping agricultural fields and some hedgerow/tree boundaries. The closest property would be Yatt Farm would be approximately 100

metres from the eastern boundary of the site. From the eastern boundary of the site the properties that border the road approaching Old Radnor from the south are approximately 280 metres to the east. The centre of Old Radnor Village and the listed St Stephens Church would be approximately 350 metres north-east from the northern boundary of the site, the property, Trecoed, would be approximately 100 metres from the northern boundary of the site, a sewage works to the north being 230 metres distant. Directly to the north of the proposed extension there are no residential properties in close proximity, other than Trecoed, as mentioned above. To the west of the proposed site boundaries, there are few properties in close proximity, Siluria Farm being 740 metres to the west of the western boundary, the buildings in Harpton would be approximately 710 metres to the north-west of the western boundary. To the south-west of the proposed extension site boundary the Dolyhir Cottages are within close proximity to the site – however, much of the operations in this area of the quarry are already taking place – under this proposal the area close to these cottages will be used as top soils storage, and works on the existing landscaping bund will continue. Directly south of the proposed extension is the existing quarry at Dolyhir and Strinds, along with the various items of plant and site offices. There are also properties in close proximity to the south west of the site, however, again, operations are already happening in this area and operations will not be extended in this area of the quarry.

### **Consultee Response**

#### **Community Council (old Radnor) –**

Planning Application P/2016/0455 Proposed Extension to Dolyhir Quarry  
The meeting of Old Radnor Community Council held on 26th July agreed the following response.

The Community Council wishes to reject Tarmac's proposals in their current form. Significant concern has been expressed to the Community Council regarding the destruction of Stones Farm in the later phase of quarrying and the adverse impact of the proposed quarry boundary on the associated stone barns, contrary to UDP SP 3. Stones is the oldest farm building in the Walton basin and of significant historical and aesthetic importance in the local landscape. The Community Council wish the proposed boundary of working to be altered to ensure that the farmhouse and associated stone barns are preserved for future generations. A deviation of the proposed Northern face boundary by some 100 yards could achieve this. The Community Council has applied to request that Cadw consider listing Stones Farmhouse and associated stone barns; although the buildings may or may not meet national criteria, the preservation of Stones is of extreme importance to local residents. Given the huge increase in quarrying area encompassed by the current proposal, it is hoped that a modification to the quarry boundary will be possible. The Community Council is concerned about the impact of the quarry extension on St. Stephen's Church, Old Radnor, an important ancient monument. A "horseshoe" of the Gore, Strinds and expanded Dolyhir quarries around the hamlet of Old Radnor will result in greater damage from blasting operations originating from different directions. This is contrary to UDP Policy MW8, and would affect the site and setting of this important building contrary to UDP Policy ENV 17. The Community Council has some evidence of potential detrimental effect of blasting on the Church structure. Continuous, independent monitoring of vibration should be considered. There will also be an inevitable loss in amenity value, in the setting and character of the settlement of Old Radnor. Many visitors to the area travel up to Old Radnor to see the Church in its setting.

Recent archaeological work in the Walton basin has elucidated that there are internationally important neolithic sites, which should be protected in their landscape context. Given these internationally important archaeological discoveries the Community Council would encourage a full geophysical survey of the proposed quarry extension boundary to ensure that no significant structures are destroyed where no visible evidence exists above ground. A number of very old oak trees, originally planted on the Harpton Estate, will be lost by the proposed quarry extension. The Community Council reading UDP GP 1 point 5 wishes to ascertain if more could be done to save some old oak trees on the outer bunding margins of the proposed development, by sloping some of the landscaping. There is also an important oak in the Stones Farmhouse garden which should be conserved. The Community Council relays the concerns of residents regarding airborne dust from the quarries, in that the working of the existing extension to Dolyhir quarry has resulted in perceived increases in levels of dust on the prevailing South Westerly wind, blowing towards residences on Old Radnor Hill. As working proceeds in a North Westward direction, this problem will increase in significance. Whilst quarrying is bound to release some airborne dust, residents feel that current levels of dust control are currently insufficient, contrary to policy UDP MW16. Dust clouds can be observed from Hergest Ridge blowing out of current workings from Dolhir quarry. Early planting of trees in the buffer zone on the Northern boundary may help to mitigate this, with other methods of control. Independent sampling and monitoring of airborne dust to a defined standard, should be a planning condition.

Concerns have been expressed to the Community Council and Quarry Liaison Committee about existing levels of light pollution from the Gore and Strinds; this may relate to more recent extended working hours of processing plant, resulting in external lighting running at night. Residents are concerned that UDP Policy DC3 should be implemented to the fullest extent in any scheme involving a Dolyhir extension and that rigorous lighting conditions are imposed: lighting should be turned off between 22:00 and 05:00 hrs and should be carefully designed to eliminate light pollution and ensure light sources are only visible from the working areas they illuminate.

Representations have been made to the Community Council concerning the release of sediment and other pollutants into local water courses from Gore and Dolyhir. There is concern from certain local residents that current operating conditions relating to UDP Policy DC9 and UDP MW1 criteria 5,6,7 need to be more rigorously and independently enforced. There is concern that the water management in the proposed extension will be similarly under resourced with inadequate settlement ponds. There is also concern as to the effect of proposed quarry extension on underground water movement and the level of the water table. The Community Council proposes that baseline sampling of brooks and streams receiving run-off from the proposed Dolyhir extension should be undertaken.

Residents are concerned as a result of experience that compliance with UDP MW 14 (noise) and that MW 15 (reversing alarms) in particular, should be independently monitored and enforced. A condition limiting the length of the working day for soils stripping and extraction, would help to both cut light pollution and limit noise disturbance to neighbours. The Community Council suggests that operations involving the construction of screen/baffle mounds and the stripping of soils should not be carried out outside the hours of 08.00 and 18.00 Mondays to Fridays and 08.00 and 14.00 on Saturdays. 07:00 hrs start to extraction operations should be a condition rather than the 06:00 hrs start in the current Dolyhir workings.

Concern has been expressed to the Community Council regarding the level of quarry dust building up on the B4595 between Strinds Dolyhir quarries, to the A44 trunk road junction. Provision for road drainage and settlement tanks should be considered on this section of road, in order to allow washing of the road to mitigate the build up of dust. A condition to maintain surrounding roads in use by quarry traffic dust free should be imposed and enforced. More efficient lorry washing facilities should be considered. The current situation making is unpleasant and unhealthy for users such as pedestrians and cyclist to use this section of road share with frequent aggregate lorries raising the dust. It is anticipated that the Dolyhir extension can only compound this situation.

The Community Council notes that the unnamed road leading up from the Crown Inn on the A44 through the hamlet of Old Radnor, is "closed" to quarry traffic but wish this to be included in any planning conditions imposed on the proposed extension. The quarry can do more to advise delivery drivers and other visitors of this restriction. In summary, there is strong concern regarding the impact on Old Radnor of three quarry complexes operating concurrently. The current proposal to extend Dolyhir should be re-evaluated in that light.

Further comments were also received from the Council later during the determination period, these are as follows

Following the receipt of the latest documentation in connection with the above the Community Council reviewed its comments and wishes to add the following -

noise levels - to request a new survey on noise levels as the present one is from 2015 and as such is out of date. It was also felt that direct face to face consultation with residents affected would provide a useful indication on the direct affect to those living nearby and their perception of noise levels. independent monitoring of noise levels to ensure impartiality

dust control: the need for proper consideration of dust control above immediate ground level i.e. from actual workings rather than from lorries leaving the plant (which are treated using the wheel wash).

measures to reduce light pollution which will be an increasing concern given the extended area to be worked. Lights should be modern - equipment is now geared to minimise light pollution and this should be a requirement on the new site area. Existing equipment on site causes ongoing concerns due to the light pollution and the new area should not add to the problems already experienced.

I would be grateful if you would note these comments when assessing the application.

### **Highways**

The County Council as Highway Authority for the County Class III Highway, C1341

Wish the following recommendations/Observations be applied

#### **Recommendations/Observations**

On the basis that the extraction rate and therefore the daily traffic volumes remain unchanged from the current arrangement I have no objection to this proposal.

The new agricultural access should be constructed to comply with the following conditions:-

- HC1 Prior to the occupation of the dwelling any entrance gates shall be set back at least 5.5 metres distant from the edge of the adjoining carriageway and shall be constructed so as to be incapable of opening towards the highway and shall be retained in this position and form of construction for as long as the dwelling/development hereby permitted remains in existence.
- HC4 Within 5 days from the commencement of the development the access shall be constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the edge of the adjoining carriageway, to points 0.26 metres above ground level at the edge of the adjoining carriageway and 90.0 metres distant in each direction measured from the centre of the access along the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the area(s) of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.
- HC7 Within 5 days from the commencement of the access works the area of the access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 5.5 metres from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.
- HC21 Within one month of the commencement of the access works the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of 5.5 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence.
- HC30 Upon formation of the visibility splays as detailed in HC4 above the centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay and retained in this position as long as the development remains in existence.

### **Wales and West Utilities**

With regards to your above request, this is not Wales & West Utilities area. This falls within National Grid's area, contact details for them below:

Email: [plantprotection@nationalgrid.com](mailto:plantprotection@nationalgrid.com)

Telephone: 0800 688 588

If you have any further questions please don't hesitate to contact me. Many thanks

### **Area County Councillor - Cllr Michael Jones**

Has requested the application be called in and has also requested to speak at committee

## **Environmental Health Services**

I have assessed all the documentation regarding Noise, Dust and Blast issues that will be associated with the proposal.

I have the following comments.

Noise:

The noise report provided in the Environmental Statement is comprehensive and demonstrates compliance with the levels set for both current and proposed activity.

Dust:

Full and comprehensive data is supplied within the Environmental Statements. Properties to the north of the proposals will be brought closer to the site but the mitigation measures suggested and already incorporated with previous planning conditions will offer sufficient protection to nearby residents however I will recommend further measures to tackle dust being taken off site.

Blasting:

The mitigation measures set out in the recommendations of the ES Vol 1 page 193 should be specifically worded to be included as conditions.

Recommendations:

- Conditions 8 to 21 as attached to P/2010/1207 shall be carried over with alterations being made on 21 (g) thus requiring all HGV's to use the said wheel wash prior to leaving the site.
- Condition 18, Blasting - P/2010/1207 which will be carried over with alterations being made to the Peak Particle Velocity (PPV), which should be reduced from 12mm/s to 10mm/s.

## **Countryside Services**

From the information provided at this time it is clear that public rights of way will be impacted by the proposed development, the applicant has acknowledged that fact within the application.

Some of the public rights of way shown on the applicant's maps are slightly incorrect. I attach a digital representation of the public rights of way in the area, however, I urge the applicant to make a booking to view the Definitive Map as soon as possible to make sure any inaccuracies are corrected.

Countryside Services do have concerns about the impact this development will have on both the public rights of way, and the public using them. As a department we have past experience of dealing with the applicant. There have been problems with public rights of way on their other local sites, some of which are still ongoing.

It is noted that the applicant recognises the need for diversions of the public rights of way that are affected by the work. The granting of planning permission does not, in itself, authorise the diversion or stopping up of any public right of way. A diversion or extinguishment of the path must be achieved through a separate legal process,

which involves the making and subsequent confirmation of a public path Order. As it is an offence to obstruct the line of a public right of way, development work affecting the line of a public path must not be commenced until such time as a public path Order has been both made and confirmed.

Please note that an unopposed and uncomplicated application for a public path Order takes a minimum of 6 months to process to completion. There is likely to be a delay of some months following the granting of planning consent, before any development work affecting public rights of way can be commenced, as there are statutory advertising periods associated with both the making and confirmation of an Order. As such, the applicant should contact Countryside Services at the earliest possible opportunity to start the process.

If this application were to be granted planning permission, we request that it be made a condition of planning that an 'Access Management Plan' be drawn up and agreed with Countryside Services, before the commencement of construction. The 'Access Management Plan' would seek to plan and map out the management and improvement of the public rights of way network on the site throughout the life of the quarry. Early consultation with Countryside Services is recommended. We note the longer term plans for proposed public rights of way and welcome their addition.

In light of the concerns Countryside Services have over this application, we request an 'Access Improvement Fund' of £10,000 from the developer so that the public rights of way off-site can be improved. Therefore, if members of the public choose to avoid the site whilst the quarry is being worked, the other public rights of way in the area can be improved to offer higher quality access. The fund should be received by Countryside Services pre-commencement to allow the improvement works to be undertaken before the public rights of way on site are affected by the proposed works.

Following agreement from the applicant to pay into an 'access improvement fund' the PROW officer has commented as follows

Thank you for the clarification. A unilateral obligation is acceptable to me as long as it meets your requirements.

My comments on the criteria are below:-

Fund', subject to:

- (i) The currently undefined improvements being undertaken within a 1 mile radius of the application site boundary; could this be extended to 2 miles as a 1 mile radius would be cutting many linking paths in half.
- (ii) The fund being used for improvement works on the public rights of way network;
- (iii) The fund being spent within 5 years of receipt of the money by PCC; and
- (iv) The expenditure and works implemented being reported to the Quarry Liaison Committee, which meets every 6 months and is Chaired by the local County Councillor and attended by Community Councillors and local residents.

We would need a commitment for when we would receive the money? On commencement?

We are not able to determine at this stage what work is required on specific paths. That would require a significant investment of officer time. The issues on paths may



be entirely different by the time the money was received so we will not set out at this stage what the money would be spent on.

With regards to the diversions, I think it would be best to take Legal advice? If the applications are unopposed they are determined by officers, however, if there are any objections received they would go to committee. Perhaps Legal may advise we take these to committee regardless of whether they are opposed or not to ensure we are not accused of pre-determination.

### **Ramblers**

Thanks for the opportunity to comment on this application.

Having viewed the very detailed plans and written documents it is clear that this is a very professionally produced plan and that there is reasonable provision for the diversion of the relevant paths.

It is clear though that the provision of thorough way marking and signage during the various stages of development is necessary. Can this be made very clear to the applicant please in the event for planning permission being granted?

In view of the scale of this development can consideration be given please to making it a condition of any planning permission that the applicant works actively with the Council and meets the costs of ensuring that all rights of way on their land are maintained to a high standard with clear waymarking, the removal of excess vegetation on paths and the replacement of faulty stiles.

### **Ecologist**

<b>Planning Application Reference</b>	P/2016/0455
<b>Project Name / Description</b>	Proposed northern extension to Dolyhir Quarry; construction of screening landform to the north and west of Dolyhir Quarry; related surface water management ponds and drainage infrastructure; construction of new agricultural access to public highway and new perimeter agricultural access track; continued use of existing processing and secondary treatment plant at Dolyhir/Strinds Quarry; relocation of washing plant from Dolyhir Quarry to Strinds Quarry during phase 5 of development scheme; diversion of services; continued development of Strinds Quarry in accordance with current working scheme; implementation of comprehensive restoration strategy; and consolidation of the overall Dolyhir and Strinds Quarry, extension area and screening landform into one overall planning unit. At Dolyhir and Strinds Quarry, Dolyhir, Old Radnor, Presteigne, Powys
<b>Consultation Deadline</b>	30/09/2016

<b>Ecological Topic</b>		<b>Observations</b>
<b>EIA Screening Requirement</b>	<b>Not applicable</b>	The submission is accompanied by an Environmental Statement (ES) prepared in accordance with the requirements of the

		<p><i>Town and Country Planning (Environmental Impact Assessment) Regulations 1999.</i></p>
<p><b>Protected Species &amp; Habitats<sup>1</sup></b></p>	<p>European Species</p>	<p>An Ecological Impact Assessment (EclA) forms Chapter 7 of ES Vol 1 (SLR, April 2016). The assessment has been informed by background data and biological records, pre-existing site information collected during previous site studies, and a suite of habitat and species surveys undertaken during 2015.</p> <p>The European Species considered as having potential to be affected by the proposed extension to Dolyhir Quarry and therefore assessed within the EclA are hazel dormouse, bats, otters and great crested newts.</p> <p><i>Dormice</i> Survey work has not confirmed the presence of hazel dormice, although the potential for individual animals to occasionally use suitable habitats within the proposed extension area is a possibility as the species is known to occur in the local area. Consequently a precautionary phased approach to site clearance is proposed to prevent killing or injury of individuals which may occur at very low densities. The wider woodland creation that is proposed as part of the restoration strategy would ultimately represent a net gain for hazel dormouse and increase surrounding habitat connectivity.</p> <p><i>Bats</i> The potential impacts to bats relate to the loss of roost sites, loss of foraging grounds and disruption of flight lines. The proposed extension will incorporate a mitigation strategy to avoid killing or injuring bats and ensure favourable conservation status is maintained.</p> <p>As a known and potential bat roost will be lost during different phases of quarry development, an updated roost assessment will be undertaken to confirm number and location of roost and roost features to be removed during a particular phase, and</p>

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		<p>detailed mitigation including type and location of compensation roost features will be outlined in EPS licence application.</p> <p>The foraging activity recorded within the extension area has been attributed to a relatively low number of bat species and is not considered to be out of context for the geographic location of the site. It is considered that the restoration and enhancement works (woodland planting, wildflower meadows) would provide a net gain for foraging and commuting bats and represent an overall enhancement compared to the baseline situation.</p> <p><i>Otters</i>          Whilst no evidence of otters has been found, works to establish and remove one of the temporary soil storage areas would take place in close proximity to a stream which has potential to be used by otters as part of a wider territory. Measures are subsequently proposed to prevent harm or disruption to otters during works within 50m of this watercourse. The long term inclusion of water bodies within the final restoration, together with associated marginal habitat, is considered to provide an overall gain for otters.</p> <p><i>Great crested newts</i>          The assemblage of amphibians found in the existing quarry voids includes a small population of great crested newts. It is considered highly unlikely that amphibians found within the quarry void would access the proposed extension area and therefore terrestrial habitats associated with this population are not expected to be affected by the proposal. A longer term mitigation strategy for amphibian populations within the operational quarry has previously been approved in 2012, and will not be changed as a result of the current proposal.</p>
	UK Species <input checked="" type="checkbox"/>	An Ecological Impact Assessment (EclA) forms Chapter 7 of ES Vol 1 (SLR, April 2016). The assessment has been informed by background data and biological records, pre-existing site information collected during previous site studies, and a suite of habitat and species surveys undertaken during 2015.

The UK Species considered as having potential to be affected by the proposed extension to Dolyhir Quarry and therefore assessed within the ECIA (and not described above) are badgers, reptiles and breeding birds.

*Badgers*

No setts have been identified within the proposed extension area though a low level of activity has been recorded which indicates occasional presence. A significant area of comparable habitat for badgers would be retained in the local landscape and areas of comparable and higher value foraging would be provided as part of wider restoration and enhancement. It is also proposed to undertake update surveys for badgers in advance of each phase of quarry development to ensure baseline conditions remain as currently described.

*Reptiles*

The presence of a slow worm has been confirmed within the proposed extension area and this species is likely to occur at low densities where suitable habitat is present e.g. field boundaries or edge of track ways. A reptile mitigation strategy for future quarry extension phases based on staged habitat manipulation in advance of removal is proposed to limit effects upon reptiles.

*Breeding birds*

The breeding bird survey has identified an assemblage of bird species, including species of conservation priority, that are either confirmed or likely/possible breeders within the proposed extension area. Direct impacts would be minimised by clearing vegetation outside of the bird breeding season or checking for nests in advance. The impact of habitat removal is reduced through a phased approach to quarry development, with the scale of habitat loss at any stage representing a minor proportion of the wider resource that would be retained, and so is unlikely to significantly affect the conservation status of bird species within the extension area. The loss of habitat will be off-set through the proposed restoration works which includes replacement hedgerow and woodland edge habitat, and the phased approach to the

		<p>quarry expansion and restoration strategy minimises the short term reduction in nesting habitat.</p> <p>A known Peregrine falcon site in Strinds Quarry is unlikely to be affected by the proposed extension to Dolyhir though a precautionary watching brief is proposed due to the enhanced legal protection afforded for this species.</p>
	<p>Sect. 7 Species &amp; Habitat <input checked="" type="checkbox"/></p>	<p>In accordance with Powys County Council's duty under Section 7 of the Environment (Wales) Act 2016, TAN 5, UDP policies and biodiversity SPG, as part of the planning process PCC should ensure that there is no net loss of biodiversity or unacceptable damage to a biodiversity feature.</p> <p>Hedgerows are listed on Section 7 of the Environment (Wales) Act 2016 as habitats of principal importance for the conservation of biodiversity in Wales, and are included within the proposed extension area. A loss of 3.1km of relatively species-poor hedgerow, forming the field boundaries of improved pasture surrounding Dolyhir Quarry, is expected due to the quarry extension and in order to accommodate the proposed restoration strategy. The proposals provide 3.6km of new and replacement planting, representing an overall gain of 0.5km, and also place a significant emphasis on woodland creation. It is also recommended that selected hedgerows to be lost are translocated to the restored areas to maintain species of local provenance and aid establishment of new hedgerow habitat.</p> <p>The wider restoration proposals are described further in Chapter 4 of ES Vol 1 and include establishing an agricultural and wildlife enhanced peripheral landscape around the whole site that reflects the landscape character; maximising the potential of the quarry to provide a range of biodiverse habitats and meet local BAP targets, and creating strong woodland links throughout the restoration area. It is expected that the progressive implementation of the restoration strategy during different phases of quarry expansion and on cessation of works will create a range of habitat types of benefit to local</p>

		biodiversity including ponds, watercourses, hedgerows, woodland, species rich meadow, redundant quarry faces, deep water lakes and shallow reed beds.
	LBAP Species & Habitat <input checked="" type="checkbox"/>	Please refer to comments provided above regarding habitat type directly affected and creation of habitat types created through the restoration strategy.
<b>Protected Sites</b>	International Sites (within 2km) <sup>2</sup> <input type="checkbox"/>	An Ecological Impact Assessment (EclA) forms Chapter 7 of the ES Vol 1 (SLR, April 2016). No Internationally designated sites are identified within the proposed zone of influence.
	National Sites (within 500m) <sup>3</sup> <input checked="" type="checkbox"/>	Dolyhir Meadows SSSI comprises two meadows located approximately 475m from the proposed extension area. Stanner Rocks NNR and SSSI is located approximately 1.7km from the proposed extension area and is designated on account of the assemblage of rare higher and lower plant species.  An Ecological Impact Assessment (EclA) forms Chapter 7 of ES Vol 1 (SLR, April 2016). The assessment considers impacts upon statutory designated sites within the proposed zone of influence. Direct impacts from the proposals upon these SSSIs are not considered likely; the assessment report also concludes that no impacts are expected upon these sites as a result of changes to groundwater levels or, with the application of current operational control measures, due to the release of pollution, dust or noise during quarry operations.
	Local Sites (within 500m) <input checked="" type="checkbox"/>	Various blocks of ancient semi-natural woodland (ASNW) surround the site of the proposal.  An Ecological Impact Assessment (EclA) forms Chapter 7 of the ES Vol 1(SLR, April 2016). The assessment considers impacts upon non-statutory designated sites within

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		<p>the proposed zone of influence. Direct impacts from the proposals upon these ASNW sites is not considered likely; the assessment report also concludes that negligible impacts are expected upon these sites as a result of changes to groundwater levels or, with the application of current operational control measures, due to the release of pollution, dust or noise during quarry operations.</p> <p>The restoration strategy aims to reinforce habitat connectivity between the ASNW sites which surround the area of the proposal.</p>
<b>Invasive Non-Native Species</b>	<b>No</b>	No species listed on Schedule 9 of the Wildlife and Countryside Act 1981 have been identified within the proposed extension area
<b>Cumulative Effect</b>	<b>No</b>	
<b>Summary of recommendations / further assessment or work</b>		<p>The various measures contained in the application proposed to limit potential adverse impacts associated with the proposals upon ecological receptors and to enhance the periphery of the quarry site for landscape and biodiversity benefits are subject to long-term management commitments and it is therefore recommended that the applicant demonstrate the delivery of mitigation and restoration strategies to the LPA on a frequent basis during both phased quarry expansion and following cessation of mineral extraction.</p> <p>See recommended conditions below.</p>
<b>Recommended Conditions</b>		<p>1) Given the potential impacts to protected species, including bats, otters, reptiles, nesting birds, badgers and great crested newts, an Ecological Management Plan (EMP) is required to be submitted for written approval prior to commencement of development works. This should comprise a precautionary approach setting out the following:</p> <ul style="list-style-type: none"> <li>Detailed reasonable avoidance measures to avoid and minimise any impacts to protected species as included in Chapter 7 of ES Vol 1;</li> </ul>

the plan should include a schedule of future ecological surveys and mitigation measures developed to coincide with future phases of quarry development;

- An ecological monitoring schedule to determine the success of mitigation measures which are implemented;
- Detailed measures to protect retained trees and hedgerows on the periphery of the proposal, in accordance with BS 5837: Trees in relation to design, demolition and construction – Recommendations;
- The plan should include mechanisms to measure success over time and should be reviewed and updated at regular intervals to be agreed with the LPA.

Reason: To comply with Powys County Council's UDP Policies SP3, ENV2, ENV3, ENV5, ENV6 and ENV7 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 7, July 2014), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.

2) Prior to commencement of development a pollution management/mitigation scheme shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter unless otherwise agreed in writing with the LPA.

Reason: To comply with Powys County Council's UDP Policies SP3, ENV2, ENV3, ENV4, ENV5 and ENV6 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 7, July 2014), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.

3) Soiling, seeding and planting of restoration areas in accordance with the phased restoration strategy outlined in Chapter 5 of the Planning Statement shall be undertaken at the earliest possible opportunity following completion of the previous phase of quarrying, to allow early establishment of enhanced wildlife habitat/landscape buffer and minimise the



	<p>extent of topsoil storage areas.</p> <p><u>Reason:</u> To comply with Powys County Council's UDP Policies SP3, ENV2, ENV3, ENV4, ENV5 and ENV6 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 7, July 2014), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.</p> <p>4) Aftercare management will commence following the completion of the initial restoration works (end of phase 1). The applicant will develop a strategy to monitor the success of all restoration works to be agreed with the LPA, and will regularly inform the LPA regarding performance against the objectives set within the restoration strategy outlined in Chapter 5 of the Planning Statement, as a minimum at annual intervals.</p> <p><u>Reason:</u> To comply with Powys County Council's UDP Policies SP3, ENV2, ENV3, ENV4, ENV5 and ENV6 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 7, July 2014), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.</p> <p>5) Any changes in the objectives and accompanying design approach included in the restoration strategy outlined in Chapter 5 of the Planning Statement will be agreed in writing with the LPA.</p> <p><u>Reason:</u> To comply with Powys County Council's UDP Policies SP3, ENV2, ENV3, ENV4, ENV5 and ENV6 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 7, July 2014), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.</p>
<p><b>Relevant UDP Policies</b></p>	<p>UDP SP 3 - Natural, Historic And Built Heritage  Policy Env 2 - Safeguarding the Landscape  Policy Env 3 - Safeguarding Biodiversity and Natural Habitats  Policy Env 5 - Nationally Important Sites  Policy Env 6 - Sites of Regional and Local</p>

### **Land Drainage**

In response to this consultation and, having the opportunity to examine the submitted application and supporting documentation, the Lead Local Flood Authority (LLFA) would make the following comments/recommendations, as follows:-

#### Flood Risk.

Comment: Having reviewed the application documentation, we are satisfied that the application has appropriately identified and provided suitable information on the measures to control impacts the proposed development will have on matters relating to local flood risk both on site and off site. However, the LLFA would point out that the climate change allowance figures used in the Surface Water & Drainage Assessment (ref: 60489TN2) prepared by ESI Ltd dated April 2016, have been uplifted to 25% by Welsh Government (not 20% as quoted) for areas draining to the Severn Catchment. It would be advisory to revise and reassess the predicted run-off using this uplifted figure. Any variations can be assessed and accommodated for at detailed design stage.

Where existing ordinary watercourses are effected by the proposals, it is recommended that a 5 metre maintenance strip is retained alongside the watercourse channel, which would also allow for any overland flows. No contours should be altered within this 5 metre buffer strip without prior permission from the Planning Authority.

Recommendation: No contours should be altered within 5m of any watercourse or 3 metres either side of any culverted watercourse, without prior permission from the Planning Authority.

Reason: To ensure that the proposed development does not compromise the function of the existing land drainage systems and that any proposed alterations are fully compliant with regulations and are of robust design.

Advisory: Any proposed diversion or culverting of any ordinary watercourse will require prior consent from the Lead Local Flood Authority (Powys County Council) under the terms of Section 23 of the Land Drainage Act 1991 (as amended by the Flood and Water Management Act 2010). Relevant application forms and guidance should be sought from the County Council's Land Drainage team.

#### Surface Water.

Comment: The hydrology of receiving water bodies can be affected by the presence of new development. New roads, hardstandings and buildings may increase the volume of runoff that reaches the receiving watercourse and also reduce the time it takes to get there. This has implications for channel stability, aquatic habitats and flooding. Where the movement of any existing watercourse channels is required, this may also affect the local hydrological regime.

The site is classed as Greenfield. Therefore, proposed surface water flows should be equivalent to existing Greenfield run-off in accordance with the principles of TAN15 – *Development and Flood Risk* and good practice drainage design.

Having reviewed the Surface Water & Drainage Assessment (ref: 60489TN2) prepared by ESI Ltd dated April 2016, we are generally satisfied with its findings. However, it is recommended that applicant submit further drainage details and drawings for the various proposed control measures summarised in Chapter 6 - Conclusions and Recommendations of the above mentioned assessment, prior to any commencement on site. These details shall include an appropriate maintenance regime for the various drainage assets, which is likely to be expected through the lifetime of the quarry extension development.

Recommendation: No development shall commence until a detailed scheme for the control of surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall include a timetable for its implementation and, a management and maintenance plan for the lifetime of the development which shall include the arrangements to secure the operation of the drainage schemes throughout its lifetime.

Reason: To ensure that the proposed surface water drainage systems for the site are fully compliant with regulations and are of robust design.

### **Welsh Government Department for Natural Resources**

I refer to your letter of 09 June consulting Welsh Government on the above planning application in accordance with Schedule 5 of the Town and Country Planning Act 1990 (as amended).

The Department for Natural Resources does not wish to comment upon the principle of the development, and will confine comments to the agricultural after use that is proposed for part of the site.

#### Agricultural Land Classification (ALC):

The agricultural land within the extension area was subject to detailed ALC survey, October 2015, and found to be ALC Grade 3b, land capable of producing moderate yields of a narrow range of crops, principally cereals and grass or lower yields of a wider range of crops or high yields of grass which can be grazed or harvested over most of the year.

This survey was validated by Welsh Government on 29 June and found to fairly reflect agricultural land quality across the site. It was completed in accordance with the MAFF 1988 Guidelines and criteria for Grading Agricultural Land.

#### Pre-working Agricultural Condition:

The land to be restored to an agricultural after use is Agricultural Land Classification Grade 3b. Split into numerous parcels, the land is currently under productive permanent pasture grazed by sheep and cattle, and is enclosed by mature hedges, boundary trees and post & wire stock fencing.

#### Agricultural After Use:

The submitted scheme for the working and restoration of the quarry identifies an area approximately 36.6 hectares, 15.7 permanent loss and 20.7 hectares to be restored to agriculture, woodland and hay meadow on cessation of quarrying. All the soil material found within the extension area shall be recovered, stored and used in the agricultural restoration, all in a manner that is detailed in Chapter 8 of the Environmental Statement dated April 2016.

It is confirmed that agriculture is an appropriate after use for this part of the restored quarry, and can be specified as such by your Authority in accordance with Schedule 5, Part 1(1) of the 1990 Act.

The standard of agricultural after use should create an agricultural resource that is of continuing, long term economic benefit to the local agricultural community. Grade 3b (ALC) productive grassland is considered to be the appropriate standard in this case, to reflect the quality of land taken in the extension area and the available soil resource, and to satisfy the requirement of paragraph 3(2) of Schedule 5 of the 1990 Act.

#### Agricultural Restoration and Aftercare Conditions

It will be necessary to impose appropriate conditions to regulate the necessary operations during the life of the quarry to achieve the required standard of agricultural after use. These conditions should require the quarry operator to follow the sequence of operations set out in the submitted working scheme, as above, or in the event of a change in method of working and/or restoration strategy, to require submission of revised proposals for prior approval.

I attach a schedule of conditions that highlight restoration and aftercare operations that require to be regulated by condition. Please discuss if your Authority sees any difficulty in including such matters in the permission.

##### 1. Drainage and pollution

Throughout the period of working, restoration and aftercare the developer shall

( i ) protect and support any ditch, watercourse or culvert passing through the permission area, or satisfactorily divert it, and shall not impair the flow or render less effective drainage onto and from adjoining land.

( ii) provide for the collection, treatment and disposal of all water entering or arising on the site, including any increased flow from the land, to ensure that there is no pollution of watercourses by the approved operations.

##### 2. Agricultural Water Supplies

The developer shall ensure that any flow of water used for agricultural purposes that is adversely affected by the development is reinstated in a satisfactory manner, including the provision of alternative supplies during the course of operations.

##### 3. Site Maintenance

a) All injurious weeds, as defined by the Weeds Act 1959, growing within the development area shall be eradicated or adequately controlled by approved method.

b) All vegetation growing on soil storage bunds and peripheral areas within the site shall be kept in tidy condition by cutting at least once during the growing season.

c). The boundary of the development shall be made stockproof for the duration of the development, including throughout the period of agricultural aftercare.

#### 4. Soil Conservation

a) All topsoil and subsoil shall be conserved in accordance with the developer's proposals as described in the Environmental Statement Volume 1, Chapter 8, dated April 2016 and email dated 8 September. Any amendments to this method of working shall be the subject of revised proposals to be submitted and approved by the Planning Authority prior to implementation.

b) All topsoil shall be stripped from areas affected by excavations, subsoil and overburden storage mounds, building works, hardstandings and other construction including temporary access roads.

c) All subsoil shall be stripped from areas affected by excavations and overburden material storage mounds, building works, hardstandings and other construction including temporary access roads.

d) No soil material shall be removed from site.

e) Topsoil and subsoil storage bunds shall be placed in approved locations and constructed by approved method and to approved size and shape to ensure secure storage without damage, loss or contamination, and thereafter maintained in tidy condition.

f) The developer shall provide location plans of all soil storage mounds, updated where necessary, including description of materials and volume to the Planning Authority.

g) Soil shall only be moved when in dry and friable condition and when ground conditions are dry and firm. The developer shall give 48 hours notice to the Planning Authority of an intention to strip soil.

#### 5. Restoration

a) Prior to the placement of soil or soil forming material, the developer shall submit for the approval of the Planning Authority a plan showing the final contours to be achieved in the restored landform.

b). At least 6 months prior to the intended completion of the restored landform, or a phase of restoration, the developer shall submit for the approval of the Planning Authority a detailed Restoration Plan showing the final landform, soil profile characteristics and all necessary agricultural facilities and woodland/wetland areas, including written specifications. The Restoration Plan shall identify the intended phasing of the restoration, as appropriate.

c). All plant, machinery, buildings, fixed equipment, and areas of hard standing including site compounds shall be removed unless otherwise agreed.

d) All settlement ponds where located within an area identified for agricultural after use shall, unless to be retained by agreement with the Planning Authority, be

emptied of slurry and filled with dry inert material to agreed levels and restored to agricultural use.

e). Following the formation of the restored landform to approved contours, the resultant base material shall be comprehensively ripped to a minimum depth of 400mm to break up surface compaction before any soil material is spread. Special attention shall be given to areas of excessive compaction such as haul/ access roads where deeper ripping may be necessary. All large stones and boulders, wire rope and other foreign material arising shall be removed.

f) Soil material shall be placed in accordance with the approved scheme. Any alteration to this working method shall only be carried out with prior approval from the Planning Authority.

g) The soil material (topsoil and subsoil) set aside for use in the agricultural restoration shall be spread uniformly and in correct sequence over the ripped base material, and shall, where necessary, be rooted and scarified to full depth without causing mixing between different soil layers.

h) All stones greater than 100mm in any direction brought to the surface by soil loosening or cultivation operations shall be removed.

i) The soil profile in all areas restored to agricultural after use shall be minimum 1.12 metre depth and shall consist of 44cms topsoil and 68cms subsoil, covering an area approximately 20.7 hectares in extent. Any intention to alter this soil depth will require prior approval from the Planning Authority.

j) All operations to move and place soil material shall be carried out only when such material is in dry and friable condition and ground conditions are dry and firm. The developer shall give 48 hours notice to the Planning Authority of the intention to carry out any soil movement operation

k) The site shall be restored only in accordance with the approved Restoration Plan and all items therein shall be maintained to the satisfaction of the Planning Authority for a period of 5 years. Maintenance shall include the replacement of any trees, shrubs and hedgerow plants that die and the re-seeding of any areas of grassland that are in unsatisfactory condition in the view of the Planning Authority.

## 6. AGRICULTURAL AFTERCARE

a. All reinstated Agricultural areas shall undergo aftercare management for a 5 year period. The aftercare period shall commence on the date that restoration or phase of restoration has been completed to the satisfaction of the Planning Authority.

b The Developer shall be responsible for submitting an Aftercare Scheme that shall identify the steps that are necessary to bring the land to a condition that satisfies the standard of agricultural use as specified in the planning consent.

c. A detailed First year Aftercare Scheme shall be submitted for the approval of the Planning Authority not later than 3 months prior to the date when the Restoration works are due to be completed and shall include where appropriate the following details :

1) Tree planting and landscaping

2) Cultivations, seeding and management of the land, in accordance with the rules of good husbandry.

3) Fertiliser and lime application based on soil chemical analysis, the results of which are to be submitted to the Planning Authority.

4) Provision of water supplies and land drainage facilities, including watercourses, field ditch systems and piped field underdrainage where appropriate. Where the installation of a piped underdrainage scheme is considered by the Planning Authority to be essential to the satisfactory restoration of the site, the Developer shall submit a scheme for approval by the Planning Authority, and the scheme shall be installed during the first year of the Aftercare period unless otherwise agreed.

5) Any other agricultural treatment particularly relevant to the site.

d. There shall be a formal annual review of the agricultural management of the site during the five year aftercare period. The timing of these formal reviews shall be during the winter period and prior to the commencement of management in the spring. The parties to this review shall include where appropriate the Developer, the landowner(s), the occupier(s), the Planning Authority and a representative of the Welsh Government Land, Nature and Forestry Division. At least 4 weeks prior to the holding of this review, the developer shall submit to the Planning Authority a record of the operations carried out during the period covered by the review and a written programme of management to cover the year ahead.

e. The Developer shall ensure that the land is under competent agricultural management at all times during the aftercare period.

#### **Listed Building Conservation Officer:**

Thank you for consulting me on the above application. My comments are solely related to a consideration of the impact of the proposal on the listed buildings within the landscape only (and not the ecological aspects). However I acknowledge that the landscape cannot be treated in distinct categories as geology, archaeology, ecology and history usually are intertwined in the landscape, with one being the reason for the presence of another.

I would refer to Cadw guidance "caring for Historic Landscapes" ISBN 1 85760 164 5.

The first page sets out guidance for consideration of historic landscapes, *"Imagine that you have just one piece of paper of which to write everything. You have to reuse it time and time again, rubbing out some words each time in order to add new information. Eventually you end up with a mixture of lines relating to different times and uses; some of the writing will make sense, but some will be fragmentary. Our present landscape is like that. It is a single landscape but, because it has continually undergone change for around 10,000 years and bears the traces of past use and re-use it is also historic"*

The Powys Unitary Development Plan describes the Powys landscape as *"Apart from the broad river valleys of the Severn, Wye and Usk and their tributaries, Powys is an area of upland mountain and moorland, well suited to grazing livestock, outdoor pursuits and forestry, but with limited scope for other forms of economic development. However, these characteristics also combine to provide a high quality landscape throughout the area, one which is attractive to tourists and day visitors as*

*much for its remoteness and rugged natural beauty as for its distinctive market towns and remote villages. Statutory designations may receive individual protection but the UDP starts out with the premise that all of the landscape and environment of Powys is of high quality, worthy of conservation, careful management and enhancement”.*

National Guidelines from Cadw reiterate that statement

*“The entire rural and urban landscape of Wales is an historic asset. However, it is also possible to define individual components of the historic environment, small or large, and including those under the ground or under water, that can be identified as specific historic assets. Historic assets, or combinations of historic assets, of any size, including historic buildings, archaeological sites, historic areas or landscapes, need to be understood and managed at different levels for different purposes. Every historic asset also occupies a site which will have natural environmental values as well as heritage values.*

*The historic environment is constantly changing, but each significant part of it represents a finite resource. If it is not sustained, its heritage values will be eroded or lost. In addition, its potential to give distinctiveness, meaning and quality to the places in which people live, and provide people with a sense of continuity and a source of identity will be diminished. The historic environment is a social and economic asset and a cultural resource for learning and enjoyment.”*

The historic landscape as opposed to the natural landscape, (although the both are often so interlinked to be impossible to differentiate between them) is characterised by mans impact on the landscape throughout millennium. These range through Bronze age hill forts on hill tops, to fortified dwellings, to historic farmhouses of more recent construction religious buildings, illustrating pre-reformation, post reformation and non-conformism, and mans impact on the landscape by means of evidence of cultivation, ploughing, enclosure of land, etc.

This area of Powys is exceptionally rich in heritage assets namely;

In Old Radnor

**Listed Buildings – 1 grade 1**

Parish Church of St Stephen grade I Cadw ID 9131

**Listed Buildings grade II (3)**

Telephone box SW of St Stephens Cadw ID 9134 – grade II

The Harp Inn Cadw ID 9132 – grade II

Stockwell Farmhouse – Cadw ID 9133 – grade II

In the wider area (3 grade II\* 38 grade II)

Lower House – Cadw ID 9192 – grade II\*

Walton Court – Cadw ID 9191 – grade II\*

Downton House – Cadw ID 9237 – grade II\*

Bilmore Farmhouse – Cadw ID 9196– grade II

Lower Hanter including agricultural range – Cadw ID 9147 – grade II

Former Station building close to A44 – Cadw ID 9190 – grade II

School Farmhouse Cadw ID 9197 – grade II

Gwerndyfnant Cadw ID 8779 – grade II

Trewern Cadw ID 9198 – grade II

L Plan range at Trewern Cadw ID 9199 – grade II



Siluria Cadw ID 9201 – grade II  
 T Plan range of outbuildings at Siluria Cadw ID 9202 – grade II  
 Courtyard range at Siluria Cadw ID 9203– grade II  
 Detached privy 20m w of Siluria Cadw ID 9204 – grade II  
 Yardo Chapel Cadw ID 9200 – grade II  
 Gate Piers walls and railings at driveway to Harpton Court Cadw ID 9175 – grade II  
 Lodge at former driveway to Harpton Court Cadw ID 9174– grade II  
 Harpton Court Cadw ID 9176 – grade II  
 Former stable block to stable yard at Harpton Court Cadw ID 9177 – grade II  
 Former granary to Harpton Court Cadw ID 9178 – grade II  
 Harpton Farmhouse Cadw ID 9179– grade II  
 Downton Farmhouse Cadw ID 9238 – grade II  
 Outbuildings attached to Downton farmhouse Cadw ID 9239 – grade II  
 Part of L plan farm ranges Downton farmhouse Cadw ID 9240 – grade II  
 Part of L plan farm ranges Downton farmhouse Cadw ID 9241 – grade II  
 Part of L plan farm ranges Downton farmhouse Cadw ID 9242 – grade II  
 Part of L plan farm ranges Downton farmhouse Cadw ID 9243 – grade II  
 Part of L plan ranges at Downton House Cadw ID 9244– grade II  
 Part of L plan ranges at Downton House Cadw ID 9245– grade II  
 Lea Farmhouse Cadw ID 9246 – grade II  
 Cowshed at Lea Farmhouse Cadw ID 9249 – grade II  
 Farm range SW Lea Farmhouse Cadw ID 9247 – grade II  
 Cowhouse SE of Lea Farmhouse Cadw ID 9248 – grade II  
 Bryn Cadw ID 9264 – grade II  
 L Plan ranges N of Bryn Cadw ID 9265 – grade II  
 Former station building Cadw ID 9266 – grade II  
 Former goods shed Cadw ID 9267 – grade II  
 Hindwell Farmhouse Cadw ID 9193 – grade II  
 L Plan range at Hindwell Cadw ID 9195 – grade II  
 Barn in farmyard at Hindwell Cadw ID 9194– grade II

Further afield there is the New Radnor Conservation Area with a number of listed buildings; 91 grade II\* 30 grade II)

Monument To Sir George Cornwall Lewis Cadw ID 9205 – grade II\*  
 The Laurels, Broad Street Cadw ID-9206– grade II  
 No.6 Broad Street Cadw ID-9207– grade II  
 No.7 Broad Street (The Nook) Cadw ID-9208– grade II  
 No.8 Broad Street Cadw ID-9209– grade II  
 No.9 Broad Street (Station House) Cadw ID-9210– grade II  
 No.10 Broad Street (Yew Tree Cottage) Cadw ID-9211– grade II  
 No.11 Broad Street (The Old Rectory) Cadw ID-9212– grade II  
 No.8 Church Street (Swan House) Cadw ID-9213– grade II  
 Outbuildings Attached To Left Of No.8 Church Street Cadw ID-9214– grade II  
 No.9 Church Street Cadw ID-9370– grade II  
 No.12 Church Street Cadw ID-9371– grade II  
 Wayside Cottage, High Street Cadw ID- 9223– grade II  
 Telephone Call-Box (Post Office) Cadw ID-9219– grade II  
 War Memorial, High Street (N Side) Cadw ID- 9220– grade II  
 Church Cottage, High Street Cadw ID-9221– grade II  
 No.1 High Street (The Forge) Cadw ID-9216– grade II  
 Smithy With Stable Attached To No.1 High St. Cadw ID-9217– grade II  
 No.2 High Street (The Cross) Cadw ID-9218– grade II  
 No.9 High Street (Wayside) Cadw ID-9222– grade II  
 No.10 High Street Cadw ID-9224– grade II

No.11 High Street Cadw ID-9225– grade II  
No.15 High Street Cadw ID-9226– grade II  
Outbuilding 10m To W.Of No.15 Cadw ID-9227– grade II  
Brookside Farmhouse,Water Street Cadw ID-9229– grade II  
Farm Range Attached To Nw.End Of Brookside Cadw ID-9230– grade II  
Farm Range Adjoining E.End Of Brookside Cadw ID- 9231– grade II  
Cowsheds 30m To Ne.Of Brookside Cadw ID-9235– grade II  
Part Of L-Plan Farm Range 30m Ne.Of Brookside Cadw ID-9233– grade II  
Part Of L-Plan Farm Range 30m Ne. Of Brookside Cadw ID- 9234– grade II  
Stable Building 15m E.Of Brookside Cadw ID-9232– grade II

Evenjob contains a number of listed buildings (25 grade II)  
Telephone Call-box at T-junction in centre of village-Cadw ID-9162– grade II  
Courtyard Cottages,-Cadw ID-9156– grade II  
Bethel Baptist Church-Cadw ID-9160– grade II  
Woodside Cottage,-Cadw ID-9173– grade II  
Lower House,Evenjob-Cadw ID-9163– grade II  
Court Farmhouse-Cadw ID -9158– grade II  
Outbuilding Range Attached To Court Farmhouse-Cadw ID-9159– grade II  
Church Of St.Peter-Cadw ID-9172– grade II  
Brook House-Cadw ID-9170– grade II  
Outbuilding Lying 20m Sw Of Brook House-Cadw ID-9171– grade II  
The Harbour-Cadw ID-9161– grade II  
The Forge-Cadw ID-9157– grade II  
Upper House-Cadw ID-9167– grade II  
Barn Range To Nw Of Upper House-Cadw ID-9168– grade II  
Cowshed/Stable Range To Nw Of Upper House-Cadw ID-9169– grade II  
Horseyard Farmhouse-Cadw ID-9164– grade II  
Barn To Rear Of Horseyard Farmhouse-Cadw ID-9166– grade II  
Attached Rear Outbuilding Range At Horseyard Farm-Cadw ID-9165– grade II  
Evancoyd,Including Attached N Wing,Evancoyd-Cadw ID-9149  
Gardener's Cottage About 100m NE Of Evancoyd-Cadw ID-9153  
Outbuilding Around NW Courtyard At Evancoyd-Cadw ID-9152  
Outbuilding Around NW Courtyard At Evancoyd-Cadw ID-9151  
Outbuilding Around NW Courtyard At Evancoyd -Cadw ID-9150  
Lodge To Evancoyd-Cadw ID-9154  
Hay Barn About 30m North Of Evancoyd Lodge-Cadw ID-9155

Kinnerton (5 grade II)  
Kinnerton Court – Cadw ID 9180 - grade II  
Upper House –Cadw ID 18808 – grade II  
Former stable building at Upper House – Cadw ID 9181 – grade II  
Badland Farmhouse – Cadw ID -9138 – grade II  
Agricultural ranges at Badland – Cadw ID 9184 – grade II

In addition there are 2 Registered Parks and Gardens in the locality;  
Harpton Court – grade II  
Gardens at Evancoyd – grade II

The area is extremely rich in designated archaeological deposits

### **Scheduled Ancient Monuments**

RD051 Old Radnor Castle  
RD046 Castle Nimble

RD151 Worsell Wood cairn cemetery  
RD138 Three Roman Camps NE of Walton  
RD247 Hindwell Palisaded Enclosure  
RD0063 Hindwell Farm Round Barrow  
RD136 Roman F E of Hindwell Farm  
RD 0064 Standing Stone 400m ENE of Four Stones  
RD004 Four Stones  
RD0045 Kinnerton Castle Mound  
RD118 Womaston Castle Mound  
RD047 Knapp Farm Mound  
RD048 2 Round Barrow NE of Harpton Court  
RD050 New Radnor Town Bank and Ditch  
RD154 New Radnor Medieval Town SW quadrant  
RD152 New Radnor Interior of Medieval Town  
RD033 New Radnor Castle  
RD191 The Whimble Barrow  
RD189 Red Hill Bronze Age Barrows  
RD190 Bronze age barrows on Whinyard Rocks

I understand that the impact of the proposal on the Scheduled Ancient Monuments and the Registered Parks and Gardens will be considered by other consultees and as such shall restrict my comments to the setting of listed buildings only. In order to appreciate the setting of individual listed buildings in the rural landscape an appreciation and understanding of the landscape should be undertaken.

I note the LANDMAP classifications on the site of the proposed quarry extension to be;

	Theme	ID	Area name	Classification	Evaluation
1	Geological	RDNRGL127	Old Radnor	Other	Outstanding
2	Landscape habitat	RDNRLH035		Mosaic	Outstanding
3	Visual & Sensory	RDNRVS166	Rolling Hills	Hill and lower plateau	Moderate
4	Historic	RDNRHL493	Old Radnor Hill	Extractive	Low
5	Cultural	RDNRCL013	Working Quarries	Minerals and Mining	High

Landmap defines the existing quarry in the historic classification as low and describes the area as *“as two conjoined hills on the edge of the Walton Basin. Both largely destroyed by modern working quarries but with vestigial archaeological remains.”* It continues that *“the landscape is dominated by the 2 modern hilltop road stone quarries of Gore Quarry and Dolyhir and Strand Quarries”*.

I note that the area of the proposed quarry extension is classified as

	Theme	ID	Area name	Classification	Evaluation
1	Geological	RDNRGL031	Maesyfed	Other	Moderate
2	Landscape habitat	RDNRLH032		Mosaic	Moderate
3	Visual & Sensory	RDNRVS166	Rolling Hills	Hill and lower plateau	Moderate

4	Historic	RDNRHL765	Weythel	Irregular landscapes	High
5	Cultural	RDNRCL039	Paincastle and Marcher hinterland	Other infrastructure	Outstanding

I note the adjoining areas have the following classifications

	Theme	ID	Area name	Classification	Evaluation
4a	Historic	RDNRHL035	Old Radnor	Sense of Place	Outstanding
4b	Historic	RDNRHL763	Walton Basin	Regular Fieldsapes	Outstanding
5a	Cultural	RDNRCL040	Vale Of Radnor	Sense of Place	Outstanding

4a Historic RDNRHL035 Old Radnor Sense of Place Outstanding  
Landmap describes

The summary description is that Old Radnor is an *“historic settlement from which the county takes its name, from pre-history; the settlement overlooks the Vale of Radnor/Walton Basin whose value as an historic landscape has not yet been widely recognised. The presence of the large Church of St Stephen, surrounded by a typical circular llan graveyard containing many examples of 15<sup>th</sup>-18<sup>th</sup> C ecclesiastical art of monuments built on a bronze age site, enhances the cultural value of Old Radnor which to a large degree embodies and reflects the history of Radnorshire.”*  
The description continues that the justification for Old Radnor having an outstanding classification is for its *“history and panoramic command of the historic landscape of the Vale of Radnor/Walton Basin. “*

4b Historic RDNRHL763 Walton Basin Regular Fieldsapes  
Outstanding

The justification of the overall evaluation is *“A truly outstanding area encompassing prehistoric complexes of international importance, Roman forts and settlements, early medieval and medieval settlements and their strip field systems, later filedscapes and even associations with William Wordsworth”*

5a Cultural RDNRCL040 Vale Of Radnor Sense of Place  
Outstanding

The outstanding classification is justified because of the *“evidence of multi-period occupation, recorded history, and being a microcosm of the evolution and cultural development of Radnorshire”*. The area is classed as Rare *“as such a multi-period landscape demonstrating the evolution of human occupation is not rare in Wales, but the registers of historic landscapes list comparatively few examples containing such cultural variety”*

I note the guidelines for the future include the immediate suggestion to consider the inclusion of the Vale of Radnor/Walton Basin on the Register of Historic Landscapes and the long term suggestion of the potential for promoting the area as a visitor destination. It is noted that Stockwell Farm Old Radnor is owned and managed for

holiday let by the Landmark Trust. However at the current time the area is not included within the Register of Historic Landscapes.

Collectively the listed buildings are contained within areas of historic and cultural landscapes that are classified as outstanding and rare. However the impact on individual listed buildings should also be assessed. I am mindful of the advice in Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and paragraph 11 of Welsh Office Circular 61/96 which states

*“Sections 16 and 66 of the Act require authorities considering applications for planning permission or listed building consent for works which affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building. The setting is often an essential part of a building's character especially if a park, garden or grounds have been laid out to complement its design or function. Also, the economic viability as well as the character of historic buildings may suffer and they can be robbed of much of their interest and of the contribution they make to townscape or the countryside if they become isolated from their surroundings, e.g. by new traffic routes, car parks, or other development.”*

However, I would also refer to more recent guidance in paragraph 6.5.9 of Planning Policy Wales 8th edition 2016 which states,

*“Where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses.”*

However I would refer to emerging guidance from Welsh Government, “Setting of Historic Assets in Wales” which has recently been out for consultation and has yet to be adopted and as such could be subject to change. The emerging document outlines the principles used to assess the potential impact of development or land management proposals on the settings of all heritage assets but is not intended to cover the impact on the setting of the historic environment at a landscape scale. The document advises that “Setting is the surroundings in which a historic asset is understood, experienced and appreciated, embracing present and past relationships to the surrounding landscape.....The setting of a historic asset is not fixed and can change through time as the asset and its surroundings evolve. These changes may have a negative impact on the significance of an asset; for example, the loss of the surrounding physical elements that allow an asset to be understood, or the introduction of an adjacent new development that has a major visual impact. But changes can also have a positive impact that may enhance the setting, such as the removal of traffic from part of a historic town, or the opening up of views, or the return of a sense of enclosure to sites where it has been lost”

The document provides advice on how to assess the setting

This section outlines the general principles that both assessors and decision makers should consider when assessing the impact of a proposed change or development on the setting of historic assets. There are four stages.

Stage 1: Identify the historic assets that might be affected by a proposed change or development and their significance.

Stage 2: Define and analyse the settings to understand how they contribute to the ways in which the historic assets are understood, appreciated and experienced.

Stage 3: Evaluate the potential impact of a proposed change or development on those settings.

Stage 4: Consider options to mitigate the potential impact of a proposed change or development on those settings.

I will consider the impact on the listed buildings in light of the emerging guidelines from Cadw that seek to advise decision makers in assessing the impact of a proposed change or development in the execution of their duty under Sections 16 and 66 of The Planning ( Listed Buildings and Conservation Areas) Act 1990.

Stage 1: Identify the historic assets that might be affected by a proposed change or development and their significance.

The historic assets have been identified in the submitted information and are clearly identified on Drawing Number D095/00098 of Environmental Statement Appendices Volume 2. (page 39) and Appendix 14.1 and Figures 14.2 and 14.3 of Environmental Statement Volume 1

I note a number of omission from on this drawing namely;

RD247 Hindwell Palisaded Enclosure – a large Neolithic enclosure 800m x 500m with an internal area of 34 hectares and is one of the largest of its type in Europe.

The 2 Scheduled Ancient Monuments of Hindwell Round Barrows (RD063) have been identified and are within this area. However the Scheduled Ancient Monument is correctly identified on drawing number M11.169(e).D.015.

Harpton Court Registered Park and Garden – although it is referred to in the written text (page 240 of Environmental Statement Volume 1 and has been addressed).

However the Scheduled Ancient Monument is correctly identified on drawing number M11.169(e).D.015.

Stage 2: Define and analyse the settings to understand how they contribute to the ways in which the historic assets are understood, appreciated and experienced.

This has been addressed in Chapter 14 Cultural Heritage in Environmental Statement Volume 1. The emerging guidelines from Cadw on setting of historic assets were not out for consultation at the time the Environmental Statement was prepared.

Stage 3: Evaluate the potential impact of a proposed change or development on those settings.

This has been addressed in Chapter 14 Cultural Heritage in Environmental Statement Volume 1.

The cultural assessment in Table 14.1 places values on the historic assets;

**Very High** being World Heritage Sites and Historic assets of acknowledged internal importance and Historic landscapes of internal value designated or not.

**High**; Scheduled Ancient monuments and non designated assets of Schedulable quality, grade I and II\* buildings, designated and non-designated landscapes of outstanding historic interest including grade I and II\* HRPG,

**Medium**; grade II listed buildings or other historic non designated buildings that have high qualities, designated landscapes of special historic interest including grade II Registered Parks and Gardens .

**Low**: non designated historic assets of local importance

I will address the individual listed buildings in the same order.

**Grade I**

### Parish Church of St Stephen grade I Cadw ID 9131

The list description describes the church as being on the W flank of Old Radnor Hill on a pre-norman foundation. The church predominantly dates from rebuilding throughout the C15 after attacks by Owen Glendower in 1401/2 but includes earlier fabric. One of the finest medieval churches in Wales.

The RCAHMW database Coflien notes that this church was included in T.J. Hughes' Wales's best one hundred churches.

Sarah and John Zaluckyj in their book "The Celtic Christian Sites of the central and southern Marches" Logaston press 2006 refer to the findings of CPAT in that the presence of 5 alters in the pre-reformation church suggests "that it had a status greater than that of a simple parish church. Its high 13<sup>th</sup> century value suggesting a mother or *clas* status in the pre-norman period.

It is not considered that the short term setting of St Stephens Church will be affected by the proposal, although the proximity of the development is noted.

The principal road through the area is the A44 which is on the valley bottom, and the Church has a commanding view over the valley, and as such there are views of the church from the A44.

Mature woodlands of Broad Leasow Wood and Oldland Wood prevent views of St Stephen's from the A44 until Knapp Farm when the vista is opened along the former road of Wellin Lane now a track. The existing Dolyhir quarry is not visible from that viewpoint, and I note the proposal would bring the quarry operations closer to Old Radnor and St Stephens. However taking into account the current tree cover and the proposed mitigation measures, I would not consider that the proposal would have an adverse impact on the setting of St Stephens when viewed from the medium distance viewpoint of the A44.

Given its elevated position the tower of St Stephens is visible over a very large area and is visible from the unclassified road leading south from the B4372 at Kinnerton past Kinnerton Court towards the A44. St Stephen's is visible from Kinnerton and in many locations when travelling south along the unclassified road especially south of the junction with Crossfield Lane and adjacent to Four Stones. However, due to the topography the existing quarry is not readily visible from this viewpoint, and given the existing tree cover and the proposed mitigation it is not considered that the proposal would have an adverse impact on the setting of the grade II Church of St Stephen's.

### **Grade II\***

#### Lower House – Cadw ID 9192 – grade II\*

Lower House is a truncated cruck framed house of one and half storeys with an early C16th 2 storey jetty set back from the road about 150m E of Junction with A44. The building was included on the statutory list on 21 September 1962

The existing quarry at Gore Quarry is visible in the backdrop behind Lower House, however given the lack of intervisibility between this listed building and the proposal, it is not considered that the proposal would have an impact on the setting of this grade II\* listed building.

#### Walton Court – Cadw ID 9191 – grade II\*

Walton Court is on the north side of the A44 sited between the junctions of the B4357 and the B4362, and was included on the statutory list on 13 December 1951. The house is orientated west to east with its principal views to the south and north.

The house dates from the C15 with major C16/17 extensions and remodelling of 1700 by Thomas Herrick and is a significant house in the area.

Given its location north of the A44, and in the intervening Court Cottage, it is not considered that the proposal would have an impact on the setting of this imposing grade II\* listed building.

#### Downton House – Cadw ID 9237 – grade II\*

Downton House was included on the statutory list on 21 September 1962. The house is on the northern side of the A44 and the principal rooms face south towards the A44. The house is very imposing being a 5 bay south front with two bay C19 additions to the left and large apsidal ended rear wing. late C18 with substantial mid C19th additions. The property is on an ancient manorial site forming part of the extensive Radnorshire estates of James Brydges Lord Marquis of Caernavon 3<sup>rd</sup> Duke of Chandos. In 1781 it was purchased by Edward Lewis of London who was elected MP for Radnorshire the same year and was probably responsible for rebuilding the house in its current form. It was later sold to Sir George Cornwall Lewis and became the Dower House to Harpton Court.

The distance between the proposal and this large house is acknowledged, along with the tree cover between the listed building and the proposal. I would not consider that the proposal would have an impact on the setting of this significant grade II\* listed building.

### **Grade II**

The vast majority of listed buildings in this significant landscape are north of the A44 and as such it is not considered that the proposal would have an impact on the setting of grade II listed buildings north of the A44.

With regards to the listed buildings to the south of the A44 I would make the following comments.

Telephone box SW of St Stephens Cadw ID 9134 – grade II

The Harp Inn Cadw ID 9132 – grade II

Stockwell Farmhouse – Cadw ID 9133 – grade II

These three buildings are in close proximity to the grade I listed Church.

Telephone Box SW of St Stephens Church.

It is not considered that the short term setting of the telephone kiosk will be affected by the proposal, although the proximity of the development is noted.

The principal road through the area is the A44 which is on the valley bottom, and it is noted that whilst the Church has a commanding view over the valley the telephone kiosk is not readily visible from this viewpoint.

I would not consider that the proposal would have an adverse affect on the setting of this listed building.

The Harp Inn Cadw ID 9132 – grade II

The Harp Inn is sited 200m to the NE of the church and is a C16/17 former cross passage timber framed house. The building is designated as being in group value in fine landscape setting with the Parish Church.

It is not considered that the short term setting of the telephone kiosk will be affected by the proposal, although the proximity of the development is noted.

The principal road through the area is the A44 which is on the valley bottom, and the church is visible from locations on the A44. The Harp Inn is also visible from the A44, however it is one a a few buildings nestled against the church. The fact that the Harp Inn is on the opposite side of the church from the proposal is also noted. Taking into account the current tree cover and the proposed mitigation measures, I would not consider that the proposal would have an adverse impact on the setting of The Harp Inn when viewed from the medium distance viewpoint of the A44.

Stockwell Farmhouse – Cadw ID 9133 – grade II

This listed building with C16th origins is sited below Radnor hill some 250m NE of St Stephen's Church. The property is visible from the A44 especially close to the Kinnerton turn and Wellin Cottage. The distance between the property and the proposed development is noted as is the fact the that more dominant Church lies between this listed building and the proposal. Taking into account the current tree cover and the proposed mitigation measures, I would not consider that the proposal would have an adverse impact on the setting of Stockwells when viewed from the medium distance viewpoint of the A44.



### Bilmore Farmhouse – Cadw ID 9196– grade II

Bilmore Farmhouse is a mid C19th house set below the main road with Old Radnor Hill to the NW. Given its location to the NE of the proposed development with Old Radnor Hill between the listed building and the proposal, it is not considered that the proposal would have an adverse impact on the setting of this listed building.

### Lower Hanter including agricultural range – Cadw ID 9147 – grade II

This C16/17 farmhouse is one and a half storeys and a truncated portion of a larger sub-medieval house. The building is sited across the lower slopes of valley leading south between Worsell Wood and Hanter Hill. Given its location to the E of the proposed development with Yatt Wood between the listed building and the proposal, it is not considered that the proposal would have an adverse impact on the setting of this listed building.

#### Harpton Court and associated buildings

There are a cluster of buildings relating to Harpton Court, and given their close proximity to each other I am addressing them together, not only because of their close proximity but also because of their historical association with each other. The listed buildings are;

- Gate Piers walls and railings at driveway to Harpton Court Cadw ID 9175 – grade II
- Lodge at former driveway to Harpton Court Cadw ID 9174– grade II
- Harpton Court Cadw ID 9176 – grade II
- Former stable block to stable yard at Harpton Court Cadw ID 9177 – grade II
- Former granary to Harpton Court Cadw ID 9178 – grade II
- Harpton Farmhouse Cadw ID 9179– grade II

Harpton Farmhouse believed to date from the C17 is a timber framed house formerly the home farm to Harpton Court. Harpton Court and its associated buildings are later in date and it was the former seat of the Lewis family from the C16. Harpton Farmhouse is to the NW of Harpton Court, the later sitting in a Registered Historic Park and Garden. The Registered Park and Garden has many fine specimen trees, most notably the avenue of lime trees along the drive to the A44, but also Oaks, Chestnut and other trees to the E and NE. There are other woodlands, Broad Leasow Wood and Oldland Wood between the proposal and this cluster of important listed buildings effectively screening the existing quarry and the proposed quarry. Also noting the proposed mitigation measures I would not consider that the proposal would have an adverse impact on the setting of this group of listed buildings.

#### Siluria and associated buildings

There are a cluster of buildings at Siluria and given their close proximity to each other I am addressing them together, not only because of their close proximity but also because of their historical association with each other. The listed buildings are;

- Siluria Cadw ID 9201 – grade II
- T Plan range of outbuildings at Siluria Cadw ID 9202 – grade II
- Courtyard range at Siluria Cadw ID 9203– grade II
- Detached privy 20m w of Siluria Cadw ID 9204 – grade II

Siluria is an early C19th house replacing an earlier dwellings. The range of listed buildings are set back from the unclassified road by two long drives and are not readily visible from the public highway. The existing quarry and proposed extension are not readily visible from the public highway. In addition the extent of existing woodland between the application site and this group of listed buildings is noted and I

would not consider that the proposal would have an adverse affect on the setting of these listed buildings.

#### School Farmhouse Cadw ID 9197 – grade II

School farmhouse lies in fields immediately south of Gilwern Brook about 200m SW of Weythel Farm, and was included on the statutory list on 5 February 1993. The building is C17 timber framed of one and half storeys. The farmhouse is on lower land than the existing quarry and is sited to the SW of the existing quarry. The current quarry is not visible from the site or the environs of the site and as such I would not consider that the proposal would have an adverse impact on the setting of this listed building.

#### Non designated assets

Stones Farmhouse is an unlisted building and lies outside a conservation area. The Royal Commission database Coflein identifies Stones Farm as a two storey farmhouse known only from a C.1900 image. It is believed that Charles 1 stayed for a night in 1645 after the Battle of Naseby.

In a topographical Dictionary of Wales (1849) , S Lewis describes the events as “it is well known that the farmhouse in which the king lodged at Old Radnor stands west of the church and is called The Stones: a room fitted with oak wainscot, in which he slept remained unaltered down to a late period in the last century.

<http://www.british-history.ac/topograpghical-dict/wales/pp331-345>

In his book Keith Parker, *Radnorshire From Civil War to Restoration* Logaston Press (2000) on page 100 Parker writes that “*according to Pritchard*” (Old William Pritchard – Kilverts a source of information for Kilvert), that “*Charles I spent the night at Harpton Court, while a tradition current in Old Radnor claims that he stayed at The Stones, but the lter suggests that he spent the night at “a yeoman’s house”, which local traditional identifies with Bush Farm or Beggars Bush. (page 101)*

Sources differ as to the exact location where Charles I spent the night 6/7 August 1656, however the value of local tradition is acknowledged.

However Lewis in 18489 identifies that The Stones was unaltered until a late period in the C18th.

The current property does not appear to date from the mid C17th and I understand that the property had been considered for listing by Cadw but was not included on the statutory list as it had been significantly altered.

The building is an example of a local vernacular farmhouse and its loss is regrettable, however as the building is not listed and has been considered for listing and not within a conservation area, I would have no grounds to oppose its demolition.

#### Conclusion

The proposal is in an area rich in heritage assets, and it is acknowledged that the impact on Scheduled Ancient Monuments and Registered Parks and Gardens will be considered by others. There are a high number of listed buildings in the area of all grades.

Given the topography, woodland and proposed mitigation measures it is not considered that the proposal would have a direct adverse impact on the setting of the listed buildings considered above, and as such I would not wish to object to the proposal on those grounds.

However my comments are based on the consideration of individual listed buildings only, and the significance of the landscape as identified by Landmap is duly noted, and it is hoped that the impact on the proposal on the landscape will be assessed as part of the consideration of this application.

I note the mitigation measures proposed and if the application is approved, I would request that appropriate and robust conditions are imposed to ensure that the mitigation measures are carried out in accordance with the submitted plans.

### **Clwyd Powys Archaeological Trust**

Further information was requested and following the submission of this information the reply was as follows

Thank you for forwarding a copy of the addendum report.

The content and recommendations are noted and these satisfy our earlier additional requirements.

Appropriate conditions should therefore include the Level 3 recording of Stones Farmhouse and a scheme of investigation condition to cover the additional excavation in the area of the ditches recorded in Trench 9. The removal of the large boulders to a location on the outer edge of the extraction area would be welcomed. I have supplied sample conditions below which can be used:

1. Additional investigation of evaluation Trench 9 ditch features.

Suggested planning condition to facilitate a scheme of archaeological investigation/excavation as a condition of consent.

*No development shall take place within the application area until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority.*

*The archaeological programme of work will be undertaken and completed in accordance with the relevant Standards and Guidance laid down by the Chartered Institute for Archaeologists. A copy of the resulting report should be submitted to the Local Planning Authority and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust (41 Broad Street, Welshpool, Powys, SY21 7RR Email: [markwalters@cpat.org.uk](mailto:markwalters@cpat.org.uk) Tel: 01938 553670). After approval by the Local Planning Authority, a copy of the report and resulting archive should also be sent to the Historic Environment Record Officer, Clwyd-Powys Archaeological Trust for inclusion in the regional Historic Environment Record.*

Reason: To secure preservation by record of all archaeological remains which will be impacted by the development

2. Recording of Stones Farmhouse

Suggested planning condition to facilitate a programme of historic building recording, the equivalent of an English Heritage Level 3 building survey, in order to allow an adequate analytical record of the Stones Farmhouse buildings to be made prior to demolition.

*No development shall take place until a programme of building recording and analysis, equivalent to an English Heritage Level 3 building survey, has been secured and implemented, in accordance with a written scheme of investigation which has been submitted and approved in writing by the local planning authority.*

*The programme of building analysis and recording must meet the standards laid down by the Chartered Institute for Archaeologists in their Standard and Guidance for the archaeological investigation and recording of standing buildings or structures. A copy of the resulting report should be submitted to the Local Planning Authority and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust (41 Broad Street, Welshpool, Powys, SY21 7RR Email: [markwalters@cpat.org.uk](mailto:markwalters@cpat.org.uk) Tel: 01938 553670). After approval by the Local Planning Authority, a copy of the report and resulting archive should also be sent to the Historic Environment Record Officer, Clwyd-Powys Archaeological Trust for inclusion in the regional Historic Environment Record.*

Reason:

To allow an adequate analytical record of the building to be made, before it is altered, to ensure that the buildings origins, use and development are understood and the main features, character and state of preservation are recorded.

## **NRW**

Following numerous reports with additional information the final response from NRW is as follows

Following a site visit on 16<sup>th</sup> May 2017 and receipt of further information from SLR Consulting on 12<sup>th</sup> June 2017, we now write to confirm NRW's position on the case. We previously responded on 8<sup>th</sup> June 2016 CAS-18478-D7W0 and 31<sup>st</sup> March 2017 CAS-29812-W5L6.

In our first response on 8<sup>th</sup> June 2016 CAS-18478-D7W0 we had significant concerns and we detailed nine requirements to be determined prior to planning permission.

We reviewed the submissions subsequently received however on 31<sup>st</sup> March 2017 CAS-29812-W5L6 stated that we considered that requirements 1, 2, 3, 6 and 7 had not been sufficiently addressed and we proposed that a site visit would facilitate progression of the case.

On 16<sup>th</sup> June 2017 the site was visited by myself, Matthew Ellis, three geologists and representatives of SLR and Tarmac. The purpose of the visit was to discuss protected species mitigation and to understand the eventual outcome for the Dolyhir Quarry SSSI. SLR consulting provided the Environmental Statement on CD and the resolution of the restoration plan images has allowed a greater understanding. Following extensive discussions between Matthew Ellis and the SLR ecologists, it was agreed that further information would be sent to NRW to clarify mitigation and enhancement for European protected species. Following the site visit further information was received from SLR Consulting on 8<sup>th</sup> June 2017.

We recommend that you should only grant planning permission if you attach the following conditions. These conditions would address significant concerns that we have identified and we would not object provided you attach them to the planning permission.

## **Summary of Conditions**

**Condition 1 Great Crested Newts** - The quarry development shall be implemented in accordance with the Framework Newt Management Strategy dated 8<sup>th</sup> June 2017

and the detailed mitigation measures as set out in the Supplementary Ecological Information Report prepared by SLR Consulting Limited, February 2017.

**Condition 2 Biosecurity Risk Assessment** - The submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

**Condition 3 Ecological Compliance Audit** - The submission and implementation of an approved ecological compliance audit scheme to the satisfaction of the LPA.

### **Dolyhir Quarry SSSI – Geological features**

At the site meeting the forthcoming re-notification of the Dolyhir Quarry SSSI was discussed. The SSSI is currently notified for three geological features and it requires re-notification as there is a fourth geological feature and a recently discovered biological feature. Following planning approval the site would need to be re-notified based on possibly;

- planning application boundary
- predicted limit of quarrying.
- nearest fence line to either of the above

During the re-notification package for the Dolyhir Quarry SSSI a Site Management Statement would be drafted that would focus on the need for future access and visibility.

Geological mapping strongly suggests that when quarrying ceases the remaining faces will provide visible and accessible exposures of the Precambrian feature as well as exposures of the Wenlock feature and the basal unconformity. The structural feature is known to be laterally continuous and should also be visible in the final faces. The condition of the mineralogical feature at the end of quarrying is less certain since, to a large extent, it relies on continuing operations to uncover new exposures. However, much material has been collected from the site, especially in recent years, and is now suitably conserved to provide a resource for future research.

As the quarry is extended new exposures will become available for study through visits supervised by Tarmac Ltd. We are satisfied that it is possible to maintain the key objectives of access and visibility throughout the operational life of the Dolyhir and Strinds quarries for the foreseeable future.

Provided that restoration is undertaken in accordance with the scheme as shown on page 39 of the Environmental Statement and Drawing D095/00112 several benches and faces where rocks will be visible will remain accessible when quarrying has ceased. We are now satisfied that our previous Requirement 1 has been met.

### **Dolyhir Quarry SSSI and Dolyhir Meadows SSSI – Biological Features**

The Conservation Officer for the above sites is currently in liaison with Tarmac Ltd to undertake the necessary management works for both the un-notified rare plant features within Yatt Wood and the ongoing management of the Dolyhir Meadows SSSI. The liaison and habitat management for the sites will be on-going outside of the planning process.

### **Supplementary Ecological Information**

In our reply dated 31st March 2017 CAS-29812-W5L6 we stated that we considered that requirements 2, 3, 6 and 7 had not been sufficiently addressed. Following receipt of further information from SLR Consulting on 8th June we are now satisfied that the concerns that we had previously expressed to the applicant and the LPA have been sufficiently addressed. We have no objection to the proposals provided that outstanding issues are subject to the imposition of reserved matters conditions.

NRW's previous requirements 6 and 7 may be re-worded as conditions in any planning permission granted. The previous requirements 2 and 3 regarding great crested newts are addressed as discussed below.

### **Great Crested Newts**

A 'Framework Newt Management Strategy' is proposed, comprising the following elements;

- Advance creation of two new ponds and two hibernacula in current compensation area (underway);
- Implementation of focused capture effort around the waterbodies where GCN have been identified using refuges as the basis for capture, with all captured amphibians being translocated to the compensation area (as set out in the Supplementary Ecological Information report);
- Implementation of an ongoing procedure during operational period of quarrying to assess and control biosecurity risks and also to check any site waterbodies/sumps (existing or those created in the future to meet operational needs) as they are drained down, either temporarily or permanently. All captured amphibians to be moved to purpose built aquatic habitats outside of the operational area;
- Longer term provision of further aquatic and terrestrial habitats during construction of western landform and identification of these areas, in combination with the current compensation area, as a specific 'GCN management area'; and
- Seek long term involvement i.e. local Wildlife Trust, to form partnership and/or ecological steering group to ensure implementation of monitoring and management requirements in the longer term i.e. after completion of all restoration works.

The above strategy may be implemented through the current planning permission through the route of an operational licence.

To conclude, the following conditions should be included in any planning permission granted for the proposed northern extension to Dolyhir Quarry.

**Condition 1 Great Crested Newts** - The quarry development shall be implemented in accordance with the Framework Newt Management Strategy dated 8th June 2017 and the detailed mitigation measures as set out in the Supplementary Ecological Information Report prepared by SLR Consulting Limited, February 2017.

**Condition 2 Biosecurity Risk Assessment** - The submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

**Condition 3 Ecological Compliance Audit** - The submission and implementation of an approved ecological compliance audit scheme to the satisfaction of the LPA.

### **Woodland Trust**

As the UK's leading woodland conservation charity, the Woodland Trust (Coed Cadw) aims to protect native woods, trees and their wildlife for the future. Through the restoration and improvement of woodland biodiversity and increased awareness and understanding of important woodland, these aims can be achieved. We own over 1,250 sites across the UK, covering around 23,000 hectares (57,000 acres) and we have over 500,000 members and supporters.

Ancient Woodland (land that has been continually wooded since at least AD1600) is one of the UK's richest habitats, supporting at least 256 species. Ancient woods form a unique link to the primeval wildwood habitat that covered lowland Britain following the last ice age. Ancient woodland sites are irreplaceable – the interactions between plants, animals, soils, climate and people are unique and have developed over hundreds of years. These ecosystems cannot be re-created and with only 2% of the land area in the UK covered by ancient woodland we cannot afford to lose any more. The Trust is concerned about potential impacts on ancient woodland as a result of the proposed scheme. The application in question details a scheme that could result in damage to Yatt Wood (grid ref: SO247583), an ancient semi-natural woodland (ASNW) designated as such on the Ancient Woodland Inventory (AWI).

#### Planning policy

The Welsh Assembly has recognised that areas of ancient woodland are declining and becoming increasingly fragmented and emphasises the importance of conserving ancient woodland and its value as a biodiversity resource through the publication of Planning Policy Wales (2014). The following paragraphs highlight ancient woodland's importance:

Paragraph 5.2.9: "Trees, woodlands and hedgerows are of great importance, both as wildlife habitats and in terms of their contribution to landscape character and beauty. They also play a role in tackling climate change by trapping carbon and can provide a sustainable energy source. Local planning authorities should seek to protect trees, groups of trees and areas of woodland where they have natural heritage value or contribute to the character or amenity of a particular locality. Ancient and semi-natural woodlands are irreplaceable habitats of high biodiversity value which should be protected from development that would result in significant damage."

Paragraph 5.2.10: "Local planning authorities should, as appropriate, make full use of their powers to protect and plant trees to maintain and improve the appearance of the countryside and built up areas."

Paragraph 5.5.15: "In the case of a site recorded on the inventory of ancient woodland (1) produced by the former Countryside Council for Wales, authorities should consult with the Natural Resources Wales before authorising potentially damaging operations."

Paragraph 5.2.4 of the UK Biodiversity Action Plan (UKBAP) includes objectives to conserve, and, where practicable, enhance:

- the quality and range of wildlife habitats and ecosystems;
- the overall populations and natural ranges of native species;
- internationally important and threatened species, habitats and ecosystems;
- species, habitats and natural and managed ecosystems characteristic of local areas; and
- biodiversity of natural and semi-natural habitats where this has been diminished over recent decades.

Section 40 of the Natural Environment and Rural Communities Act 2006 requires all public authorities (including LPAs), in exercising their functions to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Welsh Government TAN 5 Nature Conservation and Planning, paragraph 2.1, states the town and country planning system in Wales should both: ensure that the UK's international and national obligations for site, species and habitat protection are fully met in all planning decisions (PPW 5.3.8-10); help to ensure that development does not damage, or restrict access to, or the study of, geological sites and features or impede the evolution of natural processes and systems especially on rivers and the coast (PPW 1.4.14, 2.2.1, 2.3.2 and 5.6.3).

#### Impacts on ancient woodland

Yatt Wood sits on the eastern and southern boundary of Dolyhir Quarry. As such it is highly vulnerable to any development or change in land use adjacent to the woodland edge. The Trust is concerned about the proximity of the quarry to the ancient woodland and the potential impacts associated with quarrying activity.

When land use has a high intensity of use such as in this situation plant and animal populations are exposed to environmental impacts from outside of the woodland. In particular, the habitats will become more vulnerable to the outside influences, or edge effects, that result from the adjacent land's change of use. These detrimental edge effects can result in changes to the environmental conditions within the woodland and consequently affecting the wood's stable conditions. Detrimental edge effects have been shown to penetrate woodland causing changes in ancient woodland characteristics that extend up to three times the canopy height in from the forest edges; these may be:

- Chemically through acidification, eutrophication and toxic pollution,
- Disturbance by noise, light, trampling and other human activity,
- Fragmentation as a result of the destruction of adjacent semi-natural habitats,
- Introduced sources of non-native plants and their aided colonisation.

Quarrying activity in particular will invariably cause issues relating to dust, noise and vibration.

The production of dust is a substantial by-product of all construction activities. Flora within ancient woodland is particularly sensitive to dust. Dust has a major deleterious impact on epiphytic lichens with all but the most resistant species dying at high dust concentrations. Lichens are used as a monitoring tool for air pollution owing to their sensitivity. Lichens form part of the complex ecosystem that make up ancient woodland and their health can be used as a good indicator of the quality of the rest of the habitat.

Noise associated with development arises from a range of sources, with the traffic activity of heavy-load vehicles being the main consideration in this case. Noise levels are likely to limit the distributions of animal species that are intolerant of noise and negatively affect their reproductive success near to woodland edges. This may be beneficial at some sites if, as a result, deer pressure is reduced but bird diversity has been found to be lower in noisier sites

Light pollution associated with development such as that from construction/compound lighting, security lighting, and vehicle lights can lead to chronic or periodically increased illumination, unexpected changes in illumination,



and direct glare. Artificial illumination reduces the visibility of the moon and the stars, affects species orientation differentially and may serve to attract or repulse particular species. This affects foraging, reproduction, communication, and other behaviour. It consequently disrupts natural interactions between species. Light pollution near to ancient woodland is, therefore, likely to substantially affect the behaviour of species active during dawn and dusk twilight or nocturnal species, such as moths, bats, and certain species of birds, resulting in the decline of some species.

Creation of new areas of woodland or buffer zones around semi-natural habitats, and more particularly ancient woodland, will help to reduce and ameliorate the impact of damaging edge effects, serving to improve their sustainability. The size of the buffer is dependent on the intensity of land use adjacent to ancient woodland.

The Trust recommends that the applicant considers planting between any quarried areas and the ancient Yatt Wood. A planted buffer of 30m should be implemented between any areas of developed land and the ancient woodland. This buffer should consist of 50% semi-natural vegetation so as to create a phased habitat to the ancient woodland.

## Conclusion

Ancient woodland is irreplaceable; once lost it cannot be re-created. The Trust believes that any development that results in the damage and/or loss of ancient woodland is highly inappropriate and should be avoided at all costs.

The Trust objects to the application in question on the basis of potential damage to an area of ancient woodland. It is vital that the applicant ensures that ancient woodland is suitably buffered by implementing a planted zone between the quarry and the woodland edge.

We hope you find our comments to be of use to you. If you are concerned about any of the comments raised by the Woodland Trust then please do not hesitate to get in contact with us.

## **CADW**

Our statutory role in the planning process is to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled monuments, registered historic parks and gardens, registered historic landscapes where an Environmental Impact Assessment is required and development likely to have an impact on the outstanding universal value of a World Heritage Site. It is a matter for the local planning authority to then weigh our assessment against all the other material considerations in determining whether to approve planning permission, including any issues concerned with listed buildings and conservation areas.

Applications for planning permission are considered in light of the Welsh Government's land use planning policy and guidance contained in Planning Policy Wales (PPW), technical advice notes and circular guidance. PPW explains that the desirability of preserving an ancient monument and its setting is a material consideration in determining a planning application whether that monument is scheduled or not. Furthermore, it explains that where nationally important archaeological remains, whether scheduled or not, and their settings are likely to be affected by proposed development, there should be a presumption in favour of their physical preservation in situ. Paragraph 17 of Circular 60/96, *Planning and the Historic Environment: Archaeology*, elaborates by explaining that this means a presumption against proposals which would

involve significant alteration or cause damage, or which would have a significant impact on the setting of visible remains. PPW also explains that local authorities should protect parks and gardens and their settings included in the first part of the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales.

The proposed development is located within the vicinity of the following scheduled monuments known as:

RD046 Castle Nimble  
RD051 Old Radnor Castle  
RD004 The Four Stones  
RD046 Castle Nimble  
RD047 Knapp Farm Mound  
RD048 Two Round Barrows NE of Harpton Court  
RD051 Old Radnor Castle  
RD063 Hindwell Farm Round Barrows  
RD064 Standing Stone 400m ENE of Four Stones  
RD136 Roman Fort E of Hindwell Farm  
RD138 Three Roman Camps (revealed by aerial photography) NE of Walton  
RD151 Worsell Wood cairn cemetery  
RD247 Hindwell Palisaded Enclosure

The Theoretical Zone of Visibility produced for this development suggests that the proposed development will not be visible from any of the above scheduled monuments due to the topography of the area. The screening provided by the existing vegetation along with the proposed additional screening mounds provided by the proposed development will ensure that there will be no impact on the settings of any of the above scheduled monuments.

The proposed development is also located within the vicinity of the historic park and garden known as Harpton Court PGW (Po) 59(POW).

The identified essential setting for the historic park and garden extends towards the application area; however this area contains large areas of woodland, which with other existing vegetation will block views towards the proposed development. Consequently there will be no impact on the setting of the registered Harpton Court historic park and garden.

### **Public Representations**

The application was advertised by site notice and in the press, to date 2 letters of objection have been received from members of the public.

These letters highlight the following points:

- General observations and concerns about the screening bund and the use of waste in the screening bund
- Impacts on amenity relating to noise, dust and blasting – and concerns about who will monitor this to ensure it is carried out within the required limits
- Working hours on the site
- The loss of trees, in particular 2 large oak trees are mentioned
- Landscape issues and cumulative impact with other quarries in the area
- The restoration of the site, and monitoring of this restoration to ensure it is carried out as proposed

- Impacts on local watercourses, and potential pollution of these watercourses
- The impact of the development on the historic landscape of the area
- Impact on ecology

### **Planning History**

P/2010/1204 - Extension to existing Dolyhir Quarry tip, Full Granted 26/03/2012

P/2010/1207 - Application for the determination of new planning conditions under Schedule 14 of the Environment Act 1995 (original application no. R4313) Full Granted 20/03/2012

R4313 – Excavation of minerals and extension of Dolyhir and Strinds Quarries – Full Granted 06/03/1991

### **Principal Planning Constraints**

Potential impact on protected species, including Great Crested Newts, dormouse, bats and otter

Potential impact on SSSI's

Potential impact on ancient woodland

Potential impact on historic environment - listed buildings, scheduled ancient monuments and heritage assets

Potential impacts on the water environment

Potential impact on residential amenity, as a result of noise, dust, blasting and light pollution

Potential visual impact

Potential impact on users of the Public Rights of Way network

Potential Highways impacts

### **Principal Planning Policies**

Planning Policy Wales (Edition 9) (particularly chapter 14

Technical Advice Note 5 – Nature Conservation and Planning (2009)

Technical Advice Note 6 – Planning for Sustainable Rural Communities (2010)

Technical Advice Note 11 – Noise (1997)

Technical Advice Note 13 – Tourism (1997)

Technical Advice Note 15 – Development and Flood Risk (2004)

Technical Advice Note 18 – Transport (2007)

Technical Advice Note 20 – Planning and the Welsh Language (2017)

Technical Advice Note 23 – Economic Development

Technical Advice Note 24 – The Historic Environment

Minerals Technical Advice Note 1 (Aggregates) 2004

Regional Technical Statement 2014

The Well-being of Future Generations (Wales) Act 2015

The Environment (Wales) Act 2016

UDP SP3 – Natural, Historic and Built Heritage

UDP SP10 - Minerals Developments

UDP GP1 – Development Control

UDP ENV 2 - Safeguarding the Landscape

UDP ENV 3 - Safeguarding Biodiversity and Natural Habitats

UDP ENV4 - Internationally Important Sites

UDP ENV5 - Nationally Important Sites

UDP ENV6 - Sites of Regional and Local Importance

UDP ENV7- Protected Species  
UDP ENV9 – Woodland Planting  
UDP ENV 16 – Landscapes, parks and gardens of special historic interest  
UDP ENV 17: Ancient Monuments and Archaeological Sites  
UDP ENV 18 – Development proposals affecting archaeological sites  
UDP T3 – Transport assessments and travel plans  
UDP RL6 – Rights of way and access to the countryside  
UDP MW1 – Mining and waste disposal  
UDP MW2 – Hard Rock Reserves  
UDP MWM5 – Restoration of aggregate and building stone extraction sites  
UPS MWM8 - Blasting  
UDP MWM13 – Access onto a highway  
UDP MWM14 - Noise  
UDP MWM15 – Reversing alarms  
UDP MWM16 – Dust and litter  
UDP MWM17 – Settlement Lagoons  
UDP MWM18 – Geomorphology, archaeology and history  
UDP MWM19 – Developments affecting sites of geological or palaeontological interest  
UDP MWM21 – Ancillary Plant  
UDP MWM22 – Buffer Zones  
UDP DC3 - External Lighting  
UDP DC9 – Protection of water resources  
UDP DC13 Surface Water Drainage  
UDP TR2 – Tourist Attractions

## **Officer Appraisal**

### **Background**

The application site encompasses both Dolyhir and Strinds quarry (to account for operational changes in the existing quarries) with the actual extension being to the north of Dolyhir Quarry. The complex of Dolyhir and Strinds quarry was originally given permission in 1991 the reference for this permission being R4313. Since this time a new schedule of planning conditions has been agreed under application P/2010/1207, issued 20/3/2012 and covering both Dolyhir and Strinds Quarry. A separate permission, P/2010/1204 was also granted in March 2012 for a northern extension of the tip for Dolyhir Quarry. Whilst the existing sites are technically two quarries they operate as one unit and the existing plant structures and other ancillary operations are closely linked. Output from Dolyhir Quarry consists mainly of the High Specification Aggregates (HSA) gritstone (along with any lower quality fill material that does not meet this specification) whilst Strinds Quarry produces mostly lime based products for construction aggregates and agricultural sectors. Much of the fixed processing plant is currently in the southern end of Dolyhir Quarry as well as the northern end of Strinds Quarry – the C-class road effectively dividing the sites.

The output of the current operations at both Dolyhir and Strinds is approximately 650,000tpa rising occasionally to 800,000tpa during peak times (Dolyhir produces the vast majority of this material). There is a reserve of approximately 17.3 mt of premium gritstone at Dolyhir along with 4.3 mt of secondary grade shale. However, due to the location of the processing plant only approximately 4.5 mt of this premium gritstone is readily accessible, with a further 12.8 mt being sterilised by the wash plant. There will be a future need to move this wash plant so that these reserves can be accessed, however there is currently nowhere suitable within the quarry to locate the plant. Without moving the plant there is currently only 5-7 years of output, as a result an

extension of the quarry has been proposed. The proposed northern extension would yield approximately 23 mt of gritstone which would be worked concurrently with Strinds Quarry. The extension would provide a long term, secure supply of HSA aggregates and would allow for eventual re-location of the wash plant to Strinds Quarry, whereby the currently sterilised permitted reserves would be readily accessible without having to sterilise further resources. By the time this phase of operations in Dolyhir would be reached Strinds would have sufficient space allowing the positioning of this plant there. This application is being made in order to allow for the longer term phasing of both sites which will allow for a more efficient working scheme providing longer term security for the HSA aggregates from Dolyhir Quarry.

## **The Proposal**

The proposed northern extension to Dolyhir Quarry would result in an increase in site area of 42.4 hectares, from 81.6 hectares to 124 hectares (approximately 13.5 hectares of this would form the extraction area). If permitted, the reserves of stone at the site would increase by 22.98 mt (for gritstone) and 3.69 mt for second grade, shale like material. The quarry design scheme has been broken down into 7 phases, the phasing of the quarry has been designed to try and ensure that a screening landform is established early on in the lifetime of the site in an attempt to minimise visual impacts. Taking each phase in turn the development will consist of the following:

### Phase 1

The main objective of this phase is the commencement of the construction of the western screening landform and to establish wildlife enhanced agricultural uses around the northern and western periphery of the site. In order to achieve this the following works will take place

- New agricultural access track established around the western and northern margins of the site and a new access to the public highway C1341
- Establishment of a surface water management scheme along the northern and western edge of the proposed landform (including ponds and ditches).
- Creation of temporary soil storage bunds for top and sub soils at a gentle gradient to allow for agricultural management
- Stripping of soils from the western landform to receive soils and overburden from the phase 1 extraction area.
- Site access roads to be established between stripping and placement areas and to temporary soils storage bunds
- Planting of trees, shrubs and sections of hedgerow to all restored land on western landform
- Rock extraction to take place to a base of approx 186-188metres A.O.D with up to 7 faces progressing north.
- This dug rock will be transported to wash plant and other processing plant via internal road
- Any non saleable material to be placed in the existing tip (forming the inner core of the southern section of the western landform)
- This phase would release some 3.5 mt of gritstone and 1.5 mt of second grade material.

### Phase 2

The key objective of phase two are to develop the extension area in the north east, to progress the restoration and planting works on the outer side of the western landform and to develop an area on the inner quarry side of the landform to accommodate overburden and shale from the extension and any silts from processing operations. This will involve the following operations:

- Soil and overburden stripping in the north of phase 2 area.
- Quarry faces and benches further developed in a northerly direction (in the north-east area of the quarry) – internal quarry working eastwards in order to allow for establishments of haul routes. Southern end of quarry deepening to 174 A.O.D.
- Dug rock processed in the existing plant on site
- Waste, non-saleable material to be placed within the quarry tip (forming inner core of western landform)
- Mineral extraction to continue as planned in Strinds quarry
- All land within the planning application boundary managed and maintained
- This phase would release 2.7 mt of gritstone and approx 0.65 mt of second grade material

### Phase 3

The main aim of this phase is to open up the full footprint of the Dolyhir extension via the development of the faces and benches into the north-western area of the extension site. This would also include substantial completion of the inner quarry side of the screening landform with a retained area for quarry waste.

Key operations are as follows;

- Stripping of soils and overburden from the remaining extraction area (in the north west). These materials, along with any waste will be placed in the northern section of the inner cell of the western landform
- Quarry faces and benches developed in a north-westerly direction, extending the lower bench of the quarry at 174m A.O.D
- Dug rock continues to be processed in existing site facilities
- Waste/non-processable material placed in the quarry tip (forming inner core of the central section of the western landform)
- Mineral extraction continuing at Strinds Quarry
- All land within the boundary maintained and managed
- Phase 3 would release some 5.4mt of gritstone with 0.78mt of second grade materials – from the upper levels of the extension area.

### Phase 4

The main objectives of this phase are to complete the restoration of the inner eastern quarry side margin of the screening landform and continues progressive restoration on the upper levels. Having extended the quarry to its lateral limit in phase 3 this phase will seek to start deepening the quarry within the established footprint. This will involve the following works

- Creating new benches, faces and ramps in order to continue extraction down to approx 164m A.O.D
- Dug rock continues to be processed by on-site plant
- Waste/non-processable material placed in the tip (forming Inner core of the southern section of the western landform)

- Soils held in temporary bunds 1,2,3 and 4 are to be utilised to complete restoration of western landform
- Following restoration, trees and shrubs to be planted during the first available planting season to establish a broadleaved woodland
- Mineral extraction continuing at Strinds Quarry
- All land within the planning application boundary to be managed and maintained
- Phase 4 would release some 3.4 mt of gritstone and 0.4 mt of secondary material – reflecting the development to lower levels and better access to premium reserves

#### Phase 5

The key aims of this phase are to complete the extraction of reserves down to a depth of 61m A.O.D and finalise restoration works on the inner side of the screening landform. This will involve the following works

- Dolyhir washing plant to be re-located to Strinds Quarry
- Quarry to be deepened to reach its full development, resulting in 13 quarry faces and 17 faces in the eastern area
- Un-processable material now placed in an area of the extracted quarry void
- Dug rock to be transported to newly located washing plant
- Mineral extraction to continue in Strinds Quarry
- All land within the planning application boundary to be managed and maintained
- The majority of the reserves would be available at this stage and approx 25.2mt of premium gritstone would be released, along with 4.7mt of second grade material

#### Phase 6

The key aims of this phase are to complete restoration of Dolyhir quarry and continue extraction in the Strinds quarry area. At this point operations in Strinds would be increased to match levels previously experienced during the Dolyhir operations (approx 700,000 tpa) with Strinds being developed to its currently permitted quarry limits. The key operations of this phase would be as follows;

- On completion of extraction from Dolyhir water pumps to be switched off and the quarried out Dolyhir allowed to re-establish its natural ground water level
- Mineral extraction to continue in Strinds quarry
- Dug rock utilised in relocated plant in Strinds quarry
- Un-processable rock placed in the quarry tip
- All land in the planning application boundary managed and maintained

#### Phase 7

The key operations during this phase will be to complete the permitted development scheme at Strinds Quarry, allowing for the final restoration of the remaining quarry complex to commence.

- Strinds quarry would be deepened across its footprint to 100m A.O.D
- Phases 6 & 7 would release some 14mt of reserves from Strinds quarry (assuming the relatively limited output that is currently the case)

- Following completion of quarrying and profiling works restoration landscaping treatments would be implemented. Including the final restoration of the consolidation application site area – and the removal of the plant from the central area between the two quarries.

Operationally speaking it is not proposed to change working hours and this would remain as permitted under the ROMP (ref P/2010/1207) works on the tip would remain the same as those granted under the tip extension permission (P/2010/1204). There are currently no restrictions on output from the site, as granted via the ROMP, currently outputs are approximately 650,000 tpa occasionally rising over 800,000 tpa, for this application an output of 700,000 tpa has been assumed. Routing of any HGV's would remain the same as is currently the case, a new access will be created, (connecting to the existing C1341) in order to allow for access to farmland.

As a result of the proposed works various public rights of way will be affected,

- FP RB1383 – which runs east to west across the central area of the existing site joining the public highway C1341 in the west. This PROW would require a permanent diversion (see plan D095/00109)
- FP RB1417 – this runs south from the western section of FP RB1383 to join the C1343, this PROW would require a temporary diversion
- Finally, FP RB1418 – this runs north from FP RB1383 through the extreme north-western area of the proposed extension site, a crossing point would be created on this PROW to help deal with any potential impacts.

During the operational life of the quarry it is proposed that numerous progressive restoration works will be carried out at the site, including;

- During phase 2, enhancement of woodland (in the south and east) via further woodland planting, the majority of which would be hazel to encourage dormouse colonisation.
- The placement of stripped soils, overburden and non-processable waste into the proposed western landform which will be created during phases 1-4, this will help to mitigate any potential landscape impacts.
- Seeding and planting works on this western landform to further strengthen the structural and visual form of the western landform, these early works will establish an agricultural after use of this landform.
- Roll over restoration of the eastern faces/benches of the existing (and permitted) quarry operations, this will help to soften these more visual elements of the quarry, and create additional habitat for wildlife.
- The creation of a network of numerous small scale ditches/pools that will not only serve for surface water attenuation and management but also as habitat creation for wetland/marginal aquatic species of flora and fauna. It is also proposed to excavate various shallow scrape ponds which will be ephemeral in nature and would suit species such as the Great Crested Newts that exist at the current quarry site.

The long term restoration of the site (following the achievement of the proposed finished profile) will result in the creation of roughly six restoration types, of interlinked landscape and wildlife habitats in an attempt to ensure a seamless restoration of the site. These six restoration types are as follows;

- Tree and shrub planting, this will cover approximately 15 hectares of the restored site



- Species rich Meadow grassland, this will cover approximately 16 hectares of the restored site
- Agricultural grazing land, this will cover approximately 10 hectares of the restored site
- Species Rich hedgerow, there will be approximately 3,600m of hedgerow in the restored site
- Ponds and ditches, these will cover approximately 3.3 hectares of the restored site
- Site lakes – these will cover the bulk of the restored site at approximately 38.48 hectares.

The planning application statement and other elements of the Environmental Statement cover the restoration of the site in more details and provide species mix, construction and maintenance of these habitats. Following the successful restoration of the site and any subsequent approval of restored areas these restored areas will enter into aftercare. All areas within the confines of the site that are to be managed for agricultural, amenity and conservation after uses will be subject to a detailed 5 year aftercare programme. Any land within the internal quarry site will be subject to ongoing management throughout the operational lifetime of the site with a further 5 years aftercare following the cessation of minerals operations at the site.

### **Policy**

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out ‘sustainable development’ in accordance with the ‘sustainable development principle’.

“Sustainable development” means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals.

‘Sustainable development principle’ means that Local Authorities must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

In order to achieve this principle the Act introduces five ways of working to support decision making which ensures public bodies take account of:

- a. Long-term thinking – balancing the need to take action to address current issues with the need to meet long term needs of Wales.
- b. An integrated approach – considering how a body’s objectives may impact upon the social, economic, environmental and cultural well-being and considering how an individual body’s objectives impact upon other public bodies’ objectives.
- c. Engagement – involving the people and communities with an interest in the wellbeing objectives, engaging them in finding sustainable solutions.
- d. Collaboration – acting collaboratively with other bodies, or different parts of a body acting together in a co-productive way, to assist in the achievement of the body’s objectives.
- e. Preventative action – deploying resources to undertake action now in order to prevent problems occurring or getting worse.

Well-being goals identified in the Act are:

- A prosperous Wales
- A resilient Wales

- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

The Environment (Wales) Act 2016 received Royal Assent in March 2016 and has been designed to complement the Wellbeing of Future Generations (Wales) Act 2015 by applying the principles of sustainable development to the management of Wales' natural resources.

The “sustainable management of natural resources” means—

- (a) using natural resources in a way and at a rate that promotes achievement of sustainable development and the well-being goals
- (b) taking other action that promotes achievement of that objective, and
- (c) not taking action that hinders achievement of that objective.

The Act puts the ecosystem approach into statute through a set of Sustainable Management of Natural Resources (SMNR) principles, which are based on the 12 principles (Ecosystem Approach principles) contained in the UN Convention on Biological Diversity (CBD).

The Environment Act imposes a duty to require all public authorities, when carrying out their functions in Wales, to seek to “maintain and enhance biodiversity” where it is within the proper exercise of their functions. In doing so, public authorities must also seek to “promote the resilience of ecosystems”. This new duty under Section 6 of the Environment Act came into force in May 2016.

In considering proposals for new quarries, or extensions to existing quarries the principle national policies are those contained within Chapter 14 of Planning Policy Wales (Edition 9), and guidance from Minerals Technical Advice Note 1 - Aggregates (MTAN 1). At the regional level the Regional Technical Statements, whilst not Welsh Government Policy, are a requirement of MTAN1 and forms a key consideration when determining planning applications for quarries/quarrying activities.

#### Planning Policy Wales (specifically chapter 14)

Para 5 confirms that mineral working is different from other forms of development in that, extraction can only take place where the mineral is found to occur; it is transitional and cannot be regarded as permanent; adverse effects on local communities and the environment need to be controlled; and the land needs to be restored to a high standard with beneficial after-use.

Para 10 sets out the five key objectives/principles of Sustainable Mineral Development. These principles are to

- Provide mineral resources to meet society's needs and to safeguard resources from sterilisation
- Protect areas of importance to natural or built heritage
- Limit the environmental impact of mineral extraction
- Achieve high standard restoration and beneficial after-use
- Encourage efficient and appropriate use of minerals and the re-use and recycling of suitable materials

Para 11 indicates that each Local Planning Authority should ensure that an appropriate contribution is made in its development plan to meeting local, regional and UK needs for minerals, which reflects the nature and extent of resources in the area and subject to relevant environmental and other planning considerations.

Para 30 deals with the need to protect the quantity and quality of surface and groundwater supplies.

Para 40 introduces the concept of buffer zones between quarries and other sensitive development.

Para 41 indicates that extensions to existing sites are often more generally acceptable than new Greenfield sites.

Para 43 highlights the capacity of the road network as a relevant consideration and the impact of traffic generation needs to be considered. It suggests that if necessary the routes used by vehicles should be controlled by Section 106 Agreements, or by planning conditions/ access design/signage to encourage certain directions of movement.

Para 69 highlights the importance to the UK of high specification aggregates and that this importance should be taken into account when planning applications are being considered.

#### Minerals Technical Advice Note Wales 1: Aggregates (March 2004)

MTAN1 builds upon the five key principles set out in MPPW.

Para 7 states that the overarching objective in planning for aggregates provision is to ensure supply is managed in a sustainable way 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.

Para's 45 – 49 deal with landbanks for aggregates and identify the need for a landbank of a minimum of 10 years for crushed rock which must be maintained during the entire period of the development plan. Where landbanks are in excess of 20 years of aggregate extraction no new allocations are necessary in development plans and authorities should consider whether there is justification for further extensions to existing sites or new sites as these should only be granted in exceptional circumstances. It may be justified where the supply of an aggregate of a particular specification is clearly demonstrated.

Para 42 indicates that certain aggregates have limited availability geographically, such as high quality aggregates for road construction that have the ability to provide particular levels of surface skidding resistance and durability, such material is a special case due to limited availability and national need.

Para 70 and 71 indicate that buffer zones of at least 200m should be applied around all hard rock quarries so as to protect land uses that are most susceptible to the impact of mineral operations. The main impacts are identified as dust, noise, traffic and vibration from blasting.

Para 50 requires the Regional Aggregate Working Parties (South Wales and North Wales) to prepare a 5 year Technical Statement for the region to ensure that an adequate supply of primary aggregate minerals can be maintained.

Regional Technical Statement - Minerals Technical Advice Note 1: Aggregates requires the preparation of Regional Technical Statements (RTS) for the areas covered by the North Wales and South Wales Aggregates Working Parties and for these to be reviewed every 5 years. The most recent iteration of the RTS being endorsed by all the relevant Local Authorities on August 1<sup>st</sup> 2014.

The purpose of the RTS is to provide a strategy for the future supply of construction aggregates within each Region, taking account of the latest available information regarding the balance of supply and demand, and current notions of sustainability as enshrined in Planning Policy Wales. The overarching objective being to ensure supply is managed in a sustainable way 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, reflecting the aims of Chapter 14 of PPW.

### Local Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 generally requires that any planning application must be determined in accordance with the development plan unless other material considerations indicate otherwise. The development plan for the purposes of Section 38 is the Powys Unitary Development Plan. The policies most relevant to the proposed development are discussed below:

#### **UDP SP3 Natural, Historic and Built Heritage**

A. In order to safeguard the natural heritage of Powys, development proposals will be expected to take account of the need to protect, conserve and wherever possible enhance sites and features of importance for their aesthetic, amenity, biodiversity, ecological, geological, nature Conservation, physio-graphical and scientific value.

B. Proposals for development should seek to protect, conserve and wherever possible enhance sites and features of historic and built heritage importance including those of archaeological, architectural, heritage conservation and historic interest.

#### UDP SP10 - Minerals Developments

'The extraction of mineral resources will be permitted under circumstances where:

- i. Adverse environmental impacts are avoided or minimised to acceptable standards as identified in the policy MW1 criteria.
- ii. It is in the local, regional and/or UK interest for that extraction to take place; and
- iii. Where similar products cannot be readily supplied from secondary and recycled sources. Where valuable mineral resources exist, they will be safeguarded from sterilisation resulting from alternative development.'

#### **POLICY GP1 – DEVELOPMENT CONTROL**

Development proposals will only be permitted if they take into account – where appropriate – the following:

1. The design, layout size, scale, mass and materials of the development shall complement and where possible enhance the character of the surrounding area;
2. The design, layout and lighting of the development shall minimise the potential for crime;
3. The amenities enjoyed by the occupants of nearby or proposed properties shall not be unacceptably affected by levels of noise, light, dust, odour, hours of operation or any other planning matter;
4. Adequate utility services shall exist or be capable of being readily and economically provided without unacceptable adverse effect on the surrounding environment;
5. Important trees, hedgerows, stone walls, open spaces and other local features that contribute significantly to the quality and character of the local environment shall be safeguarded and, where practicable, enhanced;
6. Developments shall be landscaped using appropriate indigenous species or materials which complement and enhance the character of the locality. Additionally, development proposals must take into account:
  - a. the needs of all transport users, especially pedestrians and Cyclists (policies t4 and t6);
  - b. the needs of those with disabilities and mobility impairment (Policies t4 and dc1);
  - c. features and designated or proposed sites of natural, historic, archaeological or built heritage interest (policies env4, etc);
  - d. the protection of water and soil quality (policies dc9, dc10 and dc11);
  - e. the need for adequate drainage (policies dc10, dc11 and dc13);
  - f. flood risk (policies sp14, dc13 and dc14);
  - g. highway access and parking (gp4).
  - h. the development shall incorporate appropriate measures for Energy, water and waste efficiency and conservation (gp3).

#### Policy ENV1 - Agricultural Land

'When considering proposals for development, the Best and Most Versatile agricultural land will be safeguarded wherever possible. It may be appropriate to safeguard lower quality agricultural land in situations where such land is of particular value to agriculture within the locality.'

#### UDP ENV 2 - Safeguarding the Landscape

'Proposals should take account of the high quality of landscape throughout Powys and be appropriate to the character of the surrounding landscape. Proposals should ensure integration into the landscape, not adversely affect features of importance for nature conservation or amenity and should not result in significant damage to ancient and semi natural woodland and should seek to conserve native trees and hedgerows.'

#### UDP ENV 3 – Safeguarding Biodiversity and Natural Habitats

'The need to maintain biodiversity and the nature conservation and amenity value of habitats and features that are of importance for wild flora and fauna is recognised. Wherever possible, those interests will be protected against adverse forms of development and they will be maintained within development proposals.'

#### UDP ENV4 - Internationally Important Sites

Proposals for development that might affect Special Protection Areas (SPA's) and Potential PSPA's, Special Areas of Conservation (SAC) and candidate SAC's or listed RAMSAR sites, may only be permitted where:

A. They are directly connected with or necessary to the management of the site for nature conservation; or  
B. They will not significantly affect the achievement of the conservation objectives for which the site is designated either individually or in combination with other proposals. Where it cannot be shown that a proposed development will not adversely affect the integrity of the site and this effect cannot be removed by conditions, permission will be refused unless there is no alternative solution and:

1. Where the site hosts a priority habitat or species, there are reasons of public health or safety or beneficial consequences of primary importance to the environment; or
2. There are other reasons which in the opinion of the European Commission are imperative reasons of overriding public interest why the development should proceed.

#### UDP ENV5 - Nationally Important Sites

There will be a presumption against proposals for development likely to damage, either directly or indirectly, the nature conservation interest of National Nature Reserves or Sites of Special Scientific Interest. Developments will only be permitted where the benefits clearly outweigh the nature conservation value of the site and conditions will be attached to any permission or a planning obligation sought to ensure:

1. Satisfactory provision for the safeguarding of features of Nature conservation importance within the proposed development; or
2. The provision of appropriate compensatory or mitigation measures to offset the impact of the proposals.

#### UDP ENV6 - Sites of Regional and Local Importance

Development proposals unacceptably adversely affecting the conservation interest of sites of regional or local nature conservation, geological or geomorphological importance will be refused. Where development is considered to be acceptable a condition may be attached to any permission or a planning obligation sought to ensure:

1. Satisfactory provision for the safeguarding of features of Nature conservation, geological or geomorphological importance within the proposed development; or
2. The provision of appropriate compensatory or mitigation measures to offset the impact of the proposals.

#### UDP ENV7- Protected Species

1. Developments which contravene the protection afforded to European protected species will only be permitted where they are necessary in the interests of public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment. Evidence will be required to indicate that a developer has considered alternative sites for the development but that these have not proved suitable.

2. Where other protected species are affected by a proposal, the applicant must conform with any statutory protection provisions and conditions will be attached to any permission to safeguard the species within the development and to provide appropriate mitigation measures.

#### UDP ENV9 – Woodland Planting

New planting, restocking, natural regeneration and management of existing broad-leaved woodlands in appropriate locations will be encouraged. Proposals for the commercial, recreational or conservation development of broad-leaved or coniferous Woodland including the planting of appropriate native broadleaved species in existing copses, woodlands, and hedgerows, will be favoured providing that:

1. Proposals are compatible with and properly managed in an integrated fashion with agriculture and other countryside uses and do not adversely affect the viability of farm holdings;
  2. Proposals are designed to a high standard and do not adversely affect the quality of the landscape;
  3. Wherever possible, existing broad-leaved trees and hedgerows, woods or ancient semi-natural woodlands are retained, protected and incorporated into proposed schemes;
  4. Nature conservation areas are protected;
  5. Sites of archaeological or historic importance are protected;
  6. The integrity of extensive wild, open and undeveloped tracts of land and other upland landscape, which it is important to conserve in its own right, for landscape conservation, nature conservation, recreation or grazing purposes remains unaffected;
  7. Water resources and the aquatic environment, including groundwater resources and fisheries, are safeguarded and that adverse impact resulting from the effects of coniferous afforestation on run-off and water quality is avoided, with particular reference to acidification and sedimentation;
  8. The proposals include a detailed long term plan for the protection and the management of woodlands, trees and/or hedgerows, including provisions for nature conservation and access for nature conservation, sport and recreation;
- And
9. Where practical, substantial proportions of broad-leaved trees are included within and around mainly coniferous plantations.

#### UDP ENV 16 – Landscapes, Parks and Gardens of Special Historic Interest

Development proposals which would unacceptably adversely affect the character or appearance of historic parks and gardens and their setting will be opposed. During consideration of development proposals, the protection of the special historic interest of historic landscapes included in part 2 of the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales will be sought.

#### **POLICY ENV 17 - Ancient Monuments and Archaeological Sites**

Development which would unacceptably affect the site or setting of a scheduled ancient monument or of an archaeological site of national importance will not be permitted and other sites of archaeological importance will be safeguarded where possible.

#### UDP ENV 18 – Development proposals affecting archaeological sites

1. Where it appears that a proposed development may affect a site potentially containing important archaeological remains, the applicant will be requested to undertake an archaeological field evaluation before determining any planning application.
2. In instances where archaeological remains of importance are revealed on development sites, their preservation in-situ should be carried out wherever possible.
3. Where preservation in-situ is not possible but the Council is convinced that the merits of the proposal mean that development should proceed, they will impose

conditions on any planning consent or seek planning obligations to facilitate archaeological mitigation through such means as a site excavation, survey or a watching brief during the development and the observation and/or recording of remains of archaeological interest.

#### UDP T3 – Transport assessments and travel plans

Planning applications that are considered to generate significant amounts of travel will only be approved where they include a satisfactory transport assessment and a travel plan. Proposals that generate significant travel demands will only be permitted where adequate public and other sustainable forms of transport are incorporated as part of the proposal and are consistent with the role and function of the road network.

### **RL6 - Rights of Way and access to the countryside**

Proposals that improve access to and enjoyment of the countryside by the public, including persons with limited mobility will be encouraged. In particular support will be given to:

1. Development of the existing rights of way network through sensitively located circular routes, local walks, links and other trails, particularly those related to recreational sites, car parks, picnic areas, etc.
2. Improvement of opportunities for access by those with special needs;
3. Continued maintenance and enhancement of existing rights of way, including sign posting and waymarking.
4. The recreational use of existing routes in private ownership, such as canal towpaths, redundant railway lines, etc.
5. Creation of new rights of way within proposed developments with links to the existing network.
6. Safeguarding from development of canal towpaths, disused railways or similar forms of traditional transport routes. Development will be permitted provided that it can be shown that the development will not prejudice the potential reuse of the former transport route.

#### UDP MW1 – Mining and Waste Disposal

This is a multi-faceted policy and contains specific policy considerations when determining applications relating to minerals proposals, the various criteria can be viewed in the Unitary Development Plan.

#### UDP MW2 – Hard Rock Reserves

In considering planning applications for the exploitation of hard rock for aggregates use, having taken due note of regional guidelines, regard will be given to the existence of large consented reserves of such material. New extraction sites and extensions to existing workings will only be permitted where it can be shown that the particular hard rock is of high quality, limited availability geologically and cannot be supplied from existing or permitted workings, and where extraction is environmentally acceptable.

#### UDP MWM5 – Restoration of aggregate and building stone extraction sites

All new planning applications and permissions subject to review will require that a restoration and aftercare scheme be agreed in principle and a strategy be submitted prior to the cessation of working. Where progressive restoration is feasible this will be an expectation. Where opportunities exist for visual improvements or the creation of wildlife habitats it is expected that final or progressive restoration schemes will include such.

#### UPS MWM8 – Blasting



Blasting operations must be designed so as to reduce ground vibration and air overpressure at the nearest occupied dwellings or other sensitive properties to minimum levels consistent with safe and efficient blasting practice. The maximum level for ground vibration should be no higher than 10 mm/sec ppv, and routine/normal levels should be very considerably less than the maximum. Any proposal that is predicted to involve more than 5% of blasts in any six-month period exceeding 6 mm/sec, ppv will not be permitted. The timing of blasting will be strictly controlled by planning condition and will be expected to be restricted to the core hours of the working day (precise hours to be agreed).

#### UDP MWM13 – Access onto a highway

The vehicular access from a proposed mineral working or waste disposal site onto the public highway should not prejudice highway safety and shall comply with generic policy GP4. Where engineering or demolition works, or tree, shrub or hedgerow removal are proposed in order to attain requisite highway standards, applications will be subject to careful consideration and appropriate ameliorative measures should be included within the development proposals.

#### UDP MWM14 – Noise

The first part of this policy sets out specific requirements for any noise attributable to the site and establishes acceptable decibel levels. The remainder of the policy seeks to ensure that noise monitoring is carried out in a suitable manner and that noise limits are not exceeded at noise sensitive properties, the policy also seeks to ensure that, whilst no specific limits will be enforced during preparation of the site the authority will consider whether the noise generated is likely to have an unacceptable impact on any local residents.

#### UDP MWM15 – Reversing alarms

Proposals for new mineral workings/waste disposal sites or the extension of existing workings/sites will be required to include measures to limit to a minimum (consistent with safe working) disturbance to the occupiers and users of neighbouring properties by reason of vehicle reversing alarms or other noises with outstanding tonal qualities. Applicants will need to demonstrate that the most appropriate option(s) have been adopted.

#### UDP MWM16 – Dust and litter

All proposals for mineral working or waste sites will need to submit acceptable proposals in respect to dust and litter control measures making use of the 'best available techniques not entailing excessive cost'.

#### UDP MWM17 – Settlement Lagoons

Where water settlement lagoons are proposed or are required as part of a minerals or waste development, wherever possible and necessary such features must be designed in a manner that facilitates their use and retention (possibly with modification following the cessation of works) as features of value as wildlife habitats.

#### UDP MWM18 – Geomorphology, Archaeology and History

All proposals for the working of minerals or the deposition of waste will be required to comply with the relevant policies in the environment chapter of the UDP and to include an assessment of the geomorphological, archaeological and historic content and value of the site to be worked or otherwise affected. Proposals that involve the destruction of damage to or an adverse effect on the setting of, known sites, features or structures of geomorphological, archaeological, historic or architectural interest will be the subject of careful examination. In cases where the need for the mineral or the waste disposal facility outweighs the losses involved, it will be required that the site,

feature or building be fully investigated, evaluated and recorded before any development takes place in the location concerned.

#### UDP MWM19 – Developments affecting sites of geological or palaeontological interest

Where excavation works are known in advance or are subsequently revealed to be of geological or palaeontological interest, facilities for research purposes should be offered to suitable educational, scientific or cultural establishments, if safety criteria can be met. Worked out areas known to be of geological interest, for research or educational reasons, should be considered as sites appropriate for suitable restoration which enhances their value. The disposal of waste in such sites would be the subject of very careful scrutiny and proposals prejudicing important geological or palaeontological sites may be refused.

#### UDP MWM21 – Ancillary Plant

Development proposals for the siting of ancillary minerals or waste processing plants should be located either inside or adjoining sites which have planning permission for waste disposal or mineral extraction, winning and working and are currently in use. Such a proposal will be permitted where:

1. It is of a siting, scale, design and massing appropriate to its setting.
2. It includes a landscaping scheme capable of screening or substantially mitigating any adverse visual impacts from major public vantage points.
3. It is linked to the life of the mineral winning or waste deposition on the site and would be removed upon the cessation of such.
4. It does not lead to an unacceptable intensification of use of the local road network, particularly the use of class 2, 3 and unclassified roads during unsocial hours or have any other unacceptable impact on local amenities such as noise or dust.

#### UDP MWM22 – Buffer Zones

A buffer zone should be established for all authorised mineral working and waste deposition sites with an expected life of five years or more.

All proposals that are likely to be incompatible with the adjacent mineral working or waste disposal operation will form the subject of a rigorous examination and proposals that would be unacceptably adversely affected or prejudice the mineral working operations will be refused.

Proposals for the extension of the mineral working operation, including those considered against the requirements of policy MW2, will not be permitted within buffer zones except where it can be demonstrated that there would be no unacceptable adverse impact on existing sensitive development within or adjoining the buffer zone.

#### **Policy DC3 - External Lighting**

Proposals involving external lighting will not be permitted where they would cause:

1. A nuisance or hazard to highway users;
2. Unacceptable levels of light pollution, especially in the countryside;
3. Harm to the character and appearance of any building or the surrounding environment;
4. Adverse impact on wildlife.

Special consideration will be given to those proposals essential for public safety.

#### UDP DC9 – Protection of water resources

Following consultation with the environment agency, development proposals which impact on the water environment and associated land will only be permitted subject to the following criteria:

1. The proposed development shall not unacceptably impair the quality, quantity or flow of surface or ground waters.
2. The proposed development shall not lead to pollution problems for example those that might arise with the disturbance of contaminated land.
3. The proposal shall not be of detriment to existing water abstractions, fisheries, and amenity or nature conservation.

#### UDP DC13 Surface Water Drainage

Proposal will only be permitted where; they make adequate provision for land drainage and surface water disposal, they would not affect flood management schemes, they would not give rise to on or off site flooding – if mitigation measures are required to permit a development a condition will be attached to any planning permission or a planning obligation by agreement sought to ensure necessary works are completed prior to the commencement of the development, where proposals include satisfactory alleviation measures to overcome any problem of drainage these will only be acceptable where they will not result in; - the loss of wetlands habitats, unacceptable adverse impacts on surface or ground waters or the loss or impediment of access to watercourses and public rights of way.

### **PLANNING CONSIDERATIONS**

#### Strategic Location and Land-use

Dolyhir and Strinds Quarries are located outside development boundaries as defined in the Powys UDP. However, as highlighted in the policy considerations above, minerals are different from other planning applications as the reserve can only be worked where it lies. Therefore, whilst the minerals are outside of the development boundaries of neighbouring villages the application area reflects where the high quality minerals are present. Chapter 14 of PPW also highlights the importance of High Specification Aggregates in the UK and this importance should be taken into account when dealing with planning applications. The PPW also highlights that extensions to existing sites are more favourable than a completely new site which would potentially involve additional land take from green field and/or brown field site (i.e., new areas would be needed to site plant, and other infrastructure, whereas at an existing quarry this would already have been established). Whilst development is generally directed towards settlements, and within development boundaries, this planning application is clearly a special case and requires special consideration with regard to the location of the proposed development, outside of settlement boundaries. Taking the above into account it is clear that it would not be feasible for the extension to be located anywhere else.

#### Need for the Mineral

The first review of the Regional Technical Statement (RTS) 2014 for South Wales has identified, in its regional annex, that there is a need for some 62.75 million tonnes (of crushed rock) in Powys over the 25 year plan period. The overall land bank for Powys amounts to some 119 million tonnes so on an arithmetic basis there is no need for the mineral as such. However, it should be noted from the South Wales Aggregate Working Party Annual Report 2015 that the annual crushed rock production in Powys was higher than predicted in the RTS.

As highlighted in paragraph 49 of MTAN 1 where there is an adequate land bank Local Authorities should only consider further extension to existing sites or new extraction sites in rare and exceptional circumstances. This may be justified where supply of an aggregate of a particular specification is clearly demonstrated (or where operators are prepared to unilaterally surrender consents relating to other permitted reserves, through Prohibition Orders).

The RTS also notes that whilst there is no need for further allocations or further release of reserves within Powys during this plan period, it does note that there are other factors that may justify the release of further reserves during the current LDP plan period. At paragraph B75 It states that the landbank calculations do not take into account all factors that may be material to ensuring an adequate supply of aggregates, obtained from appropriately sourced locations. These factors include the following

- The technical capability of one type of aggregate to interchange for another
- The relative environmental cost of substitution of one type of aggregate for another
- The relative environmental effects of changing patterns of supply
- Whether adequate production capacity can be maintained to meet the required level of supply.

As highlighted by the applicant Dolyhir and Strinds Quarry produces high specification sandstone aggregate which is important in a UK context. The occurrence of high specification aggregate is limited in the UK but it is required to produce aggregate suitable for road surfacing construction and maintenance where high skid resistance is necessary. The technical capability of the aggregates at Dolyhir and Strinds quarry is very high and there are limited resources across the whole of the UK that can be interchangeable with these aggregates.

Local Planning Authorities are required to consider this importance to the UK when making planning decisions. In addition, in this case the current washing and screening plant at this site effectively sterilise a significant part of the high specification aggregate resource. This is not considered to be sustainable in mineral planning terms. In order to access this resource the plant needs to be relocated, in its current state Strinds is not a suitable location for this plant. Whilst Strinds is being worked out, in order to accommodate the washing/screening plant the proposed extension would allow for a steady supply of HSA and meet the high level of demand for this product. Provided the resource can be extracted without significant adverse effects on the environment and amenity there is a strong case for the extraction of the resource being maximised.

### Landscape & Visual Impact

The ES submitted includes a full landscape and visual impact assessment that evaluates the impact of the proposed development during both the operational phase and following the completion of restoration of the site. In an attempt to mitigate any potential visual impacts there are numerous mitigation measures proposed by the applicant, these include:

- The early establishment of a screening landform (mostly to the west) which has been designed to closely reflect the existing landform and visual appearance

- A Surface water management scheme will be established along with the creation of aquatic marginal habitats
- Advanced and progressive tree, shrub and hedgerow planting and species rich grasslands throughout land within the site boundary to mitigate changing character of the site and any loss of existing planting
- Roll over restoration of the upper northern and eastern quarry faces to 'soften' the visual impact of the existing faces
- Seeding and planting will help establish strong wildlife corridors as well as large scale structural and visual features reflecting the character of the local area
- The implementation of a comprehensive restoration strategy for the overall quarry complex, including additional public access.

#### Visual Impacts during the operational phase –

The LVIA identifies that there is a wide variety of landscapes and landscape sensitivity in the area surrounding the existing quarry and the proposed extension, the sensitivity of the landscape here varies from low sensitivity all the way up to outstanding sensitivity.

The ES identifies numerous potential operational effects that will impact on landscape and visual amenity of the local area, including soil stripping, the formation of the screening landform and the increased operational timescale associated with the release of further mineral reserves (to name a few). The first section will look at the visual impacts associated with the operational phases of the development, followed by an assessment of the visual impacts resulting from the proposed restoration and aftercare scheme.

#### Operational Phase

The visual appraisal concluded that within close proximity to the site (within 1 kilometre) any visual impacts would likely to be neutral to slight adverse overall. This takes into account the limited effect to receptors in the east, south and west, when compared with the current and potential impact of the already approved quarry scheme. Generally, as distance from the site increased the impacts decreased, but moderate impacts were identified from Offas Dyke long distance footpath at Hergest Ridge. Although it was noted that this impact was only experienced from two limited locations along the footpath, which is mostly screened by intervening landforms and the ridge itself. Views of the site would also be at a distance of approx 1.7 kilometres so the site itself would form only a small part of the wider, expansive view as a whole. It is noteworthy that the area has experienced quarrying for a significant amount of time and this element of industrial heritage has become part of the landscape in the wider area. A quarry, or extension, would not be 'out of place' in the setting, given the presence of other quarries and the past history of quarrying in the area.

The early establishment of the screening landform to the west of the site, and progressive, ongoing restoration to the east and north of the site would all help to mitigate for any potential visual and landscape impacts. The proposed screening bund to the west would be established early on and planting carried out as soon as possible (ie in the appropriate planting season). As the planting on this landform matures over time this would help the landform to blend in with its surroundings. It is proposed that the landscaping form would mostly be laid to pasture with some woodland blocks, this would be a reflection of the existing landscape in the area.

Views into the site from the north would be relatively limited due to the existing topography and vegetation, the quarry would not 'break through' the ridge of higher ground to the north (the hill in close proximity to Yatt Farm) and so would remain below this ridge. Directly to the north there are also few receptors and the surrounding land is mostly agricultural in nature. The village of Old Radnor is to the north east of the proposed site and whilst in relative close proximity to the site, due to the topography of the area it is not considered that the proposed quarry would have an adverse visual impact. The extraction area does not extend all the way to the red line and during phase 2 of the development additional planting of broadleaved woodland would be carried out to the north-east of the site and this would screen any visual elements of the development further, when looking from the north and north east of the site.

From the east of the site most of the residential receptors are at a lower level than the existing lip of the quarry and so operations going on within the quarry bowl are largely screened from any receptors in the east. On the eastern boundary of the existing and proposed quarry there is also extensive woodland (Yatt wood) with further planting proposed along the eastern and northern flanks of the proposed quarry extension. This additional planting would be provided in order to extend the existing feature of Yatt wood and would help to provide additional screening to the east of the proposed site. Further east where the land rises above the level of the proposed quarry (such as Stanner Rocks and Bradnor Hill the quarry would be more visible, but it must be noted that these would be more distant views (approx. 1.7 km from the top of Stanner rocks) and the quarry would be seen in the wider landscape (in which there are existing quarries).

To the south of the quarry there would be more of a visual impact, as revealed in the landscape visual impact assessment, much of the ground to the south is at a higher elevation and there would be views into the site from many of the foot paths to the south of the proposed site. It must be acknowledged that there is already quarrying activity in the area and any landscape impacts need to be considered taking into account the visual impacts that already occur due to quarrying. Taking this into account, when considering the visual receptors to the south, and the separation distances between these receptors, and the proposed site, there would clearly be an impact from the extension but clearly the current quarry already has an impact, and with progressive restoration of faces the proposed extension, whilst having a visual impact would not have enough of a visual impact to warrant a refusal on those grounds alone.

To the west of the proposed site viewpoints are again relatively limited, the closest receptors would be the properties, 'the Row', that front the C-1341, which are approximately 500 meters to the west of the existing site (the proposed site is further to the north of the existing site). The establishment of the landform on the western edge of the proposed site would have some impact on these properties during the construction of the outer flanks. However, once the outer flanks of the slopes had been established (the outer flanks would be mostly established in phase 1) and seeded the visual impact would be much reduced for these properties. It should also be noted that there is a strong hedge line between these properties and the site and this would also help to screen the development (mostly during summer as it is mostly deciduous in nature.) The small village of Yardo lies further west (approx. 1.8 km) and there may be some limited views of the site from this village but these would mainly be limited due to distance, the topography of the site itself and the intervening land and due to any intervening vegetation (including hedgerows and a small copse.) Further west again there are numerous footpaths that criss-cross the landscape around Castle Hill and Highgate Hill, approximately 3.2 kilometres from the site.

These footpaths are on higher ground than the proposed quarry and views into the site would be possible from these footpaths. However, as with Hergest ridge these would be distant views and would be limited by intervening vegetation and the topography of the area.

### Restoration and Aftercare Phases

Whilst the proposed quarry will increase the area that needs to be restored and will ultimately increase the size of the waterbody, the restoration plan submitted with this scheme is much more comprehensive in comparison to the currently approved plan. There is more woodland planting proposed and the proposed western landform and rollover restoration of benches in the north and east of the site form a much more comprehensive package overall.

The LVIA submitted by the applicant advised that within close proximity to the site (within 1km) receptors associated with nearby houses, footpaths and minor road users would experience a negligible adverse to slight beneficial significance of effects, following completion of restoration at the site. It is considered that this is mainly due to the improvements the proposed restoration scheme would bring with regard to receptors in the east, south, and west, in comparison to the currently approved scheme.

At longer distances from the site the LVIA concludes that receptors associated with surrounding houses, footpath users and minor road users would experience a neutral to slight beneficial significance of effects, mainly due to their proximity to the site and intervening vegetation.

In light of this it is considered that in relation to restoration and aftercare, the proposals, whilst increasing the size of the waterbody, would be more favourable in terms of their impact on visual amenity, in comparison to the currently approved scheme. The proposed restoration plan incorporates numerous measures (such as the western landform, additional tree planting and roll over restoration on the benches) which would all contribute to reducing any visual impacts associated with the restoration scheme.

In summary, there will undoubtedly be visual impacts associated with the proposed quarrying operations and the significance of these will vary, as discussed above. However, it is considered that the significance of the visual impacts will be mitigated sufficiently (although not so there is no impact from all receptors) by the proposed measures, detailed above. It is also noteworthy that quarrying has a long history in the area, and whilst it may not appeal to everyone quarrying is part of the landscape in this area and has been for a long time. In light of this it is considered that the proposal would not be in conflict with the following UDP policies: SP3, GP1, SP10, ENV2 & ENV16

### Ecology & Biodiversity

Prior to the submission of the application the applicant sought a scoping opinion from Powys County Council, the opinion highlighted that the Ecological Impact Assessment (EclA) would draw upon extensive background data, resulting from numerous ecological surveys that have been carried out within and in the vicinity of Dolyhir and Strinds quarries over the past 10 years. On top of this wealth of data there would also be further baseline studies undertaken, to include the following;

- Desk study

- Habitat survey
- Hazel dormouse survey
- Bat survey
- Great crested newt survey
- Reptile survey
- Breeding bird survey and
- Badger survey.

A wealth of information has been submitted regarding ecology on and around the site. The site itself is a SSSI for geological reasons (Dolyhir Quarry SSSI). With regard to ecological designations the site is within close proximity to Dolyhir Meadows SSSI, which are located within the application site, but not within the extraction area. Stanner Rocks NNR & SSSI is located approximately 1.7 km east of the site boundary. Yatt Wood (in close proximity to the east of the site) is an ancient semi natural upland oak and ash woodland, supporting a number of rare plants. Stones Coppice (to the north) is another area of ancient semi natural woodland, and restored ancient woodland site. In addition to these designated sites a background search for records of protected and notable species was undertaken, extending to 2km from the proposed extension area. This search revealed a high number of records with a number of internationally and nationally protected and priority species, including numerous species of bats, hazel dormouse, slow worms, great crested newt, and various species of moths.

In and around the site there are also areas that are of biodiversity importance, but are not designated, this consists of grasslands (mostly semi improved agricultural grasslands, but of more importance are the small areas of calcareous grasslands on the periphery of Strinds Quarry) woodlands (including Yatt Wood and Stones Coppice, as mentioned above, and more recent small areas of Broadleaved plantation which were planted approximately 20 years ago as screening) hedgerows and trees (hedgerows mostly being in a poor condition, except for those along a farm track with some veteran trees in some of the fields) and finally running water and other aquatic habitats (the Cynon Brook and numerous ponds and lagoons, associated with the quarry which are known to support various amphibian species). Therefore, the area surrounding the site can be considered to be of some importance ecologically speaking (with regard to protected species and habitats etc.) and this needs careful consideration.

In considering the potential impacts the proposed quarry operations may have on ecology the EclA has focused on a number of ecological receptors, as listed below:

- habitat loss (direct), primarily agriculturally improved grassland with hedgerows and mature trees;
- habitat loss (indirect), potential effects upon 'off site' receptors which potentially includes ecologically designated sites;
- hazel dormouse;
- bats;
- otter;
- badgers;
- amphibians;
- reptiles;
- breeding birds; and
- Invertebrates.



It is considered that any impacts to habitats would relate mainly to the direct impacts occurring from the extension of quarrying activities, such as vegetation removal and soil stripping operations. Potential also exists for impacts to occur during the operational phase of the quarry (in direct impacts) such as changes to hydrological regimes or through dust deposition. It is considered by the applicant that the main potential impacts would be as follows:

- habitat loss,
- fragmentation and isolation through land-take;
- alterations to ground water;
- alterations to surface water flow and quality;
- pollution;
- dust deposition; and
- post construction (restoration) impacts.

These potential impacts have all been considered in detail, having regard to the ecological receptors (as listed above) in the ECiA submitted with the application. In an attempt to mitigate for any impacts identified with regard to the above potential impacts comprehensive mitigation measures have been proposed by the applicant, this includes

- In order to account for the loss of agriculturally improved grassland (which forms the majority of habitat loss) the applicant has proposed the creation of a more ecologically diverse grassland, the western landform. The loss of 0.25 ha of plantation woodland represents a minor loss and the wider creation of 15 hectares of woodland would represent a gain in this aspect.
- The loss of 3.1 km's of hedgerow represents a significant loss of habitat and in order to compensate for this the applicant has proposed to provide 3.6 km's of new and replacement hedgerows.
- With regard to the risk to hazel dormouse during habitat removal it is proposed that a risk based, phased approach would be taken
- Measure have also been proposed to minimise any risk to otters (even though none were found during the surveys)
- With regard to badgers, updated surveys will be undertaken prior to the advance of each phase of quarry development to ensure that baseline conditions remain as described, with mitigation strategies to be drawn up if any new setts are established
- Amphibian mitigation schemes have been previously agreed as part of the ROMP and northern tip applications which were approved in March 2012. As part of this application the previous measures have been brought forward and includes the creation of receptor ponds and refuges, the preparation of receptor sites by decreasing grazing intensity, translocation of amphibians following the establishment of ponds and monitoring for 2 years after translocation, with the potential for the creation of further ponds following completion of works on the screening landform.

The ecologist for Powys County Council and Natural Resources Wales have been consulted on the application and following the submission of comprehensive additional information (including a 'Framework Newt Management Strategy' as part of the Supplementary Ecological Information, submitted in February 2017) NRW have withdrawn their previous objection to the application and have suggested numerous conditions to be included. The Ecologist for the council did not raise any objections, or request further information during the consultation period and suggested that numerous conditions be attached to any planning permission. Therefore, following

the submission of further information it is considered that the scheme would not have a detrimental impact upon ecology, and would provide opportunities for enhancement, in line with the requirements of the Environment (Wales) Act 2016 in the area and numerous conditions have been suggested in order to ensure that no detrimental impacts occur as a result of the proposals. In light of this it is considered that the proposed development would not be in conflict with the following UDP policies: SP3, SP10, GP1, ENV2, ENV3, ENV4, ENV5, ENV6 & ENV7

### Ground and surface water

In order to assess any potential impacts on ground and surface water resulting from the extension the ES considers the existing conditions at the quarry along with the baseline geology, baseline surface water conditions, surface water flows and quality and numerous other factors. Following this initial assessment numerous potential receptors that may be affected by the development were identified, including surface water features, water abstractions and designated sites. This information was then used to construct a conceptual model of the ground and surface water circumstance of the site and the surrounding area. On the basis of this model the impact assessment considers any changes to the baseline conditions resulting from the additional of the northern extension area, and whether this may alter any conclusions from the previous assessment approved under previous applications.

The potential impacts on groundwater have been examined in greater detail in the ES, however, briefly some of these potential impacts include:

- Potential of contamination from fuel/chemical spills
- The extension and deepening of Dolyhir and Strinds quarry have the potential to divert groundwater flow into the voids, resulting in a partial dewatering of bedrock. This could affect flows in the Cynon, Gilwern and Riddings brook. However, calculations carried out show that any dewatering of the bedrock, and subsequently of streams would be low and any impacts would be considered negligible.
- There are two private water supplies within the maximum radius of influence of the quarry, one of these is owned by Tarmac and the other is located 300 metres south of Strinds – the max influence zone extending to 350 metres.
- There are 4 wells identified – but these are not listed as abstractions so it is likely that these do not exist, or are not for human consumption
- There are also five abstraction licenses identified, four are related to the site and controlled by Tarmac, with two of these being removed by quarrying. The other licence is within the site and controlled by Hope Construction Material Ltd – this takes water from Gilwern Brook with the effect of quarry dewatering on this receptor considered to be negligible.

Potential impacts on surface water were also examined as part of the EIA process and these are considered in more detail in the Environmental Statement, a brief summary of the potential impacts are covered below,

- Accidental spillage of fuels or lubricants from the plant utilised on site could have direct impacts at ground level, or via subsurface pathways which would occur if a spillage occurred within the void. Whilst the probability of this impact is low, the significance is potentially high, without appropriate mitigation measures.
- There is potential for surface waters to become contaminated with suspended solids due to surface run off from working areas and soil stockpiles,

particularly in the western side of the site where the large screening landform is proposed.

- It is also considered that the lateral extension of the site could alter local surface water regime, mainly relating to rainfall runoff. By extending the lateral extent of the quarry the catchment for Ridding's brooks will be reduced – although it was considered that the size of the catchment area compared to the extraction area would mean any impact would be mostly negligible.

In order to reduce potential impacts relating to surface water the applicant has proposed a number of mitigation measures, most of which are standard practice, such as standard fuel handling protocols and a series of cut off drains around the perimeter of the quarry, particularly in the northern and western areas (due to the screening landforms) which will discharge into a series of settlement lagoons prior to off-site discharge. The system of settlement lagoons should ensure that any water which is discharged off site will not be contaminated, it is also worth noting that any discharge points will also be monitored by NRW to ensure water quality remains adequate.

Following initial consultation with both NRW and the land drainage department of the council, NRW requested that the applicant submit a water management plan to provide more details, along with further information relating to how the extension will feed into the existing permitted discharges. Further information was submitted in the form of a water management plan, submitted to the Authority in February 2017. This identified further mitigation measures with regard to fuel handling protocols and measures to control silt laden discharge into surrounding watercourses, these are discussed below;

- The quality and quantity of water will be regulated by discharge consents regime
- Turbidity meters will be placed on the main discharge from the quarry, with measures to shut the discharge off if suspended solids exceed the consent limit
- Re-fuelling will only be undertaken in designated areas on a concrete pad, surrounded by a bund, in the event of a spill any spill will be contained and removed using absorbent materials and disposed of appropriately.
- Any oil spill will trigger switching off the sump pump to reduce the risk of any oil being pumped off site, any materials used to soak up oil will be stockpiled on site
- A series of cut off drains around the site (notably at the base of the northern and western landforms) to ensure uncontrolled run-off off site does not occur. This will then be pumped back into the quarry, or discharged into a series of settlement lagoons, prior to off-site discharge.

Following the submission of this further information both NRW and the Land Drainage Department for the Council accepted that the proposed extension would not pose a risk to either ground water quality or create any adverse impacts relating to surface water run-off (although conditions were suggested). The applicant has proposed a comprehensive set of measures (many of which are industry standards and are already in place on the existing quarry site) to ensure that the proposed extension would not have any adverse impacts. In light of this, and in light of the consultation responses received, it is considered that the proposed development would not have any adverse impacts relating to ground water and surface water run-off. It is considered that the proposed development will not be in conflict with the following UDP policies; DC9 & DC13.

## Noise

Operating hours and Noise levels at the quarry site are currently controlled by numerous conditions imposed by the ROMP planning permission (P/2010/1207), operations in the extended tip area are covered by planning permission P/2010/1204. During the scoping stage of this application the Environmental Health Officer dealing with noise was consulted and suggested that the Environmental Statement for the proposed development would need to demonstrate that the existing noise levels would not be exceeded by the proposed development, in any of the monitoring locations specified under the existing conditions.

There are numerous conditions relating to the operating hours of specific operations on site, these are set out in the Environmental Statement, and the applicant has not suggested a change to these working hours and the previous conditions can be carried forward if permission is granted for the proposed development. A specific noise level was set out under condition 14 of planning permission P/2010/1207 which stated that

*'Noise limits for quarrying operations, based upon LAeq (1 hour) readings, shall not exceed 55dba at the façade of the monitoring points set out in condition 14 (sic 13) above between the hours of 5:30 to 22:00 and 45 dba at all other times'*

In MTAN the suggested noise limits are 52 dba (freefield) for daytime operations and 42dba (again, freefield), for night time operations, therefore it is proposed that these are the noise limits applied to this proposal. The Environmental Health Officer has been consulted and has not raised any objections to this approach of setting the noise limits within the ES. During noise monitoring two more noise monitoring locations were added (Siluria Cottages – location 10, and Harpton Court – location 11) in order to reflect the extension of the existing quarry on a northerly direction, the same 'target' noise levels were attributed to these newly added monitoring locations.

Having gathered the relevant background noise information for the existing quarry operations the ES goes on to predicting noise levels for the proposed quarry, these were carried out in compliance with the relevant British Standard (BS5228:2009 Part 1 + A1: 2014 Annex F). Numerous different processes and processing equipment were factored into these calculations in order to ensure that all elements of the proposed operations were factored into any predicted noise levels. The results show that none of the monitoring locations would experience noise levels of above 52 dba during day time operations (05:30 – 22:00). Looking to predicted night time noise levels, again, the data provided shows that the proposed operations would not give rise to noise levels above 42 dba (free field) between the hours of 22:00 – 05:30.

The predicted noise levels provided in the ES are very much worst case scenario and when compiling the data plant was assumed to operate on the highest working face at the closest practical position to each individual property. It was also assumed that all plant items work 100% of the time at these locations (except the rock drill/pecker – which were assessed separately). Therefore, bearing this mind it is clear that in reality the noise experienced at the monitoring points included in the noise impact assessment may be less than the noise levels included in the report, it is unlikely that all the plant will be working 100% of the time in the closest locations to these properties. Also, as time goes on the depth of the quarry will increase and this will mean the impact of noise will be reduced by the quarry walls themselves. The Environmental Health Officer for the council has been consulted and raised initial queries regarding the cumulative impact of Gore Quarry on the noise readings,

queries were also raised regarding raw data, and some anomalies in the data. The applicant responded to these queries with further information provided with the letter dated 10<sup>th</sup> February 2017, following the submission of this extra information the EHO has not raised any further objections/points of clarification and has suggested that conditions 8 -21 of planning permission P/2010/1207 be carried forward onto any new issue of planning permission. In light of this it is not considered that the proposed extension would have any adverse noise impacts, over and above the noise impacts already present due to quarry operations in the area.

#### Blast Vibration & Air overpressure

The site will generate blast vibrations and associated air overpressure as a result of blasting operations on site and these have the potential to impact on nearby properties. There are two conditions relating to blasting at the existing site, these are as follows,

*Condition 18 – No blasting shall be carried out which would result in any component of peak particle velocity at any occupied property attributable to the blast exceeding 12mm/sec pp/ (Peak Particle Velocity)*

*Condition 19 relates to blasting times – Blasting shall be carried out in only between 08:30 and 16:00 hours Monday to Friday and 10:00 and 12:00 on Saturdays. No blasting shall take place on Sundays or bank or public holidays.*

Blast monitoring has been carried out at the site for some time and this historic data was used in combination with a scheduled production blast, held on 12<sup>th</sup> January 2016. In line with good practice (BS6472-2-2008) several locations were used for monitoring, at differing distances from the blast event, along with differing amounts of explosives used. Following the collection of this data a 'blast regression line' was plotted. In basic terms this process shows what PPV will occur at differing blast monitoring points, using distance from the blast and the amount of explosives as variables. The blast data for the properties closest to the blast locations (Trecoed – 200 metres, Yatt Farm – 225 metres and Dolyhir Cottages – 225 metres) show that using 104 kg of explosive charge will result in a PPV of 6 (for Trecoed) and 5.6 (at Yatt Farm and Dolyhir Cottage) at a confidence level of 95% (as stipulated in the British standard mentioned above).

As the separation distance between the blast location and the nearest vibration sensitive property increases the amount of charge that can be used, whilst complying with the BS, will increase. Table 11-4 in volume 1 of the environmental statement shows that at 100 metres separation distance the maximum charge would be 26kg, whilst at 500 metres separation distance the maximum charge would be 651 kg. As stated above, using 104kg of explosive would provide an acceptable confidence level, in compliance with the BS at the nearest vibration sensitive properties. Historic data for the site, taken over the last 12 months, has shown varying levels of explosives used, from 30 -143kg with blast vibration levels varying between 0.02 and 10mms PPV. In all cases the blast results remained within the limits set by the current planning permission, and within the more stringent limits suggested in the BS and MTAN1, as per the MTAN the blasting limits applied for this proposal, if permitted, would be as follows;

*'maximum level of ground vibration at vibration sensitive locations: ground vibration as a result of blasting operations should not exceed a peak particle velocity of 6 mms-1 ppv in 95% of all blasts measured over any 6 month period, and no individual blast should exceed a peak particle*

*velocity of 10 mms-1 ppv'*

In accordance with best practice, in line with the Quarries Regulations 1999 there are numerous, common practice that can be employed to ensure that effects from blasting are kept to a minimum, this includes the following:

- Correct blast design and appropriate burden placement to ensure there is no over-confinement of charge (which can significantly increase ground vibration)
- Setting out and drilling of shot hole should be as accurate as possible, with the holes being surveyed for any deviation
- Correct charging of any shot holes
- Correct stemming will help control air overpressure, fly rock and control ground vibration, the length of stemming in the shot hole is also important.
- Monitoring of the event is also key to re-optimising the blast design in light of the results.

The historic and current blasting data and the regression curve provided with the application give a clear indication of the potential impacts due to blasting. Using this data the ES concludes that a charge weight of 104kg would be the maximum weight when blasting nearby to the properties above, in these circumstances there would be a 95% confidence of achieving a PPV of 6mms<sup>1</sup>, in compliance with the BS. In addition, the operator has proposed that upper limit of blasts will be reduced from the currently conditioned limit, 12 mms, to a lower limit of 10 mms, in line with MTAN 1 and with the BS6472-2:2008, this is clearly a benefit as it means that if any additional surveys or investigations would need to be required they would be triggered at a lower level compared to the current situation.

Air overpressure may also occur as a result of blasting and may vibrate buildings, and in particular windows, however, damage caused by air over pressure is rare. Air overpressure is also heavily influenced by meteoroidal conditions and wind speed, direction as well as cloud cover, humidity and temperature inversions can all have an impact on the intensity of air overpressure levels. This means that it is often difficult to predict air overpressure levels and also difficult to control, irrespective of how well a blast is designed air overpressure levels are often outside of the operators hands. In light of this it is recommended that a condition be attached to any permission issued, requiring a review of any permitted blast monitoring scheme, should air over pressure levels exceed 120db on a regular basis.

The Environmental Health Officer has raised no objections to the proposal and has suggested that various conditions from the current permission be carried over to any new permission, with alteration beings made to the Peak Particle Velocity, which should be reduced from a upper level of 12 mm/s to a upper level of 10 mm/s, with 95% of blasts not exceeding 6mm/sec over any 6 month period. Being as this has been suggested by the applicant it is clear that this reduction would not cause any issues from the applicants point of view. In light of this it is not considered that blasting at the proposed site would cause any adverse impacts on nearby vibration sensitive receptors, and blasting operations would be in compliance with the relevant BS and with the requirements of MTAN 1. It is also considered that the proposed development would not conflict with the following UDP policies relating to blasting and general amenity; SP10, GP1 & MW8.

Dust & Air Quality

The ES examines the current legislation relating to dust and air quality as well as the potential sources of dust from quarrying operations and the mitigation measure that are available to reduce any potential impacts from the site. The proposed extension of the quarry will mean that quarrying operations will be brought closer to properties to the north of the site (these dust sensitive receptors are identified in table 12-3, on page 203 of the ES volume 1) and there is potential that dust from these operations could have a detrimental impact on air quality for these properties. Data available for existing air quality in the area shows that the air quality in the vicinity of the proposed (and existing site) is generally good, with concentrations well below the annual objectives for PM 2.5 (set at  $40\mu\text{g}/\text{m}^3$ ) and also well below the objective for 2020 (set at  $25\mu\text{g}/\text{m}^3$ ). There are no Air Quality Management Areas in close proximity to the site, the closest being in Hereford and Leominster (approx. 25 kms) and in New Road, Newtown, which is approximately 35 km's from the site.

The main potential impacts on air quality in the area, relate to the presence of suspended dust (the smaller particles) deposited dust (larger in size) and emissions to air from traffic generated by quarrying operations. The sources of dust and air emissions are discussed in more detail in the ES, briefly, the main sources of dust (both types) are identified as being from:

- Soil stripping and overburden removal
- Blasting –although it is considered that dust generated by blasting can be significant it is generally very short term in nature. The main source of dust from blasting is from the drill rigs used to drill shot holes for the explosives. However, research has shown that the use of shrouds can reduce this impact and impacts would be very localised.
- Extraction of gritstone and limestone
- Transfer of material within the site
- Tipping of quarry waste material (to the west and north west of the extension area)
- Progressive restoration
- The main sources of vehicle emissions obviously relates to the vehicles both on site and those carrying material off-site. However, no increase in output has been proposed so it was not considered that this would require further examination as H.G.V movements would mostly be the same so any impact would also remain the same as is currently the case.

The generation of dust has the potential to impact upon two main receptors, ecological receptors (identified at table 12-4 page 204 of volume 1 of the ES) and human receptors (identified at table 12-3). The ES examines the potential impact of dust on these receptors and looks in more detail at the different sources of dust and the impact that these may have with regard to human and ecological receptors.

Looking first to ecological receptors, it is considered by the applicant that highly alkaline or acidic dusts could cause a risk of impact on the nearby vegetation and designated sites. However, as highlighted by the applicant the output and processing would not change, and the surrounding area has been subject to dust emissions from the quarry for some time now without any obvious negative impacts. Therefore, if there is no increase in output or change in processing methods it is unlikely that there would be any impacts on ecology, above the current potential impacts resulting from dust emissions. The ES also highlights a study carried out by the design manual for roads and bridges which suggests that only dust deposition levels above  $1000\text{mg}/\text{m}^2/\text{day}$  are likely to affect sensitive ecological receptors. It also states that most species appear unaffected until dust deposition rates are at levels considerably

higher than this. The applicant highlights that this level of dust deposition is 5 times greater than the level at which dust deposition become a nuisance for humans, due to the proximity of human receptors to the north, it is imperative that dust deposition levels are kept below 200mg/m<sup>2</sup>/day. Therefore, given that the levels at which dust deposition has an impact on sensitive ecological receptors and the much lower level required to impact on human receptors it is unlikely that dust deposition would be allowed to get high enough to impact on ecology as this would have potentially serious consequences for human receptors.

Looking to human receptors, the ES examines in detail the impact that suspended dust and deposited dust may have on a number of human receptors (the human receptors have been identified at table 12-6, page 210 of volume 1) taking into account the potential sources of dust. The ES refers to the Air Quality Strategy with regard to the relevant targets for suspended dust. The report highlights that current levels for suspended dust (PM10) leaves a headspace of 24.66µg/m<sup>3</sup> until the AQS limit of 40 would be exceeded. In light of this, and in combination with mitigation measures, it is considered highly unlikely that that the proposed extension would lead to an increase in PM10 to a level that exceed the AQS objectives. PM2.5 have also been considered and, again, there is a large headspace of 16.03µg/m<sup>3</sup> until the AQS objective would be exceeded. Therefore, suspended dust as a result of the proposed extension is not considered to pose an adverse threat to air quality.

Deposited dust has also been studied and the results show that a number of the receptors, that would be closer to operations as a result of an extension, are at risk of impacts without mitigation measures (these receptors being Stones Farm and Trecoed). Impacts at Old Radnor and The Row were considered to be insignificant or acceptable, also, there is considered to be an increased risk of impact at Yatt Farm due to changes in the frequency of exposure. In light of these potential impacts the applicant has suggested numerous mitigation measures (many of which form conditions attached to the existing permission which could be carried forward). This includes:

- Mobile spraying units to be employed on haul roads, and stocking areas, especially during dry weather
- It shall be ensured that spraying units have an adequate supply of water
- All exhausts to point horizontal
- Dust collection machines on all drilling machines
- Drill rigs shall use dust containment bags
- All vehicles leaving the site shall be sheeted (unless the material is in excess of 75mm in diameter)
- Wheel wash facility to be maintained and operated throughout the duration of site operations –no deleterious material to be deposited on the highway.
- Drop heights of material while unloading/loading will be minimised and double handling will also be minimised
- No movement of soils in extreme wet or dry weather
- Long term storage mounds to be seeded as soon as possible and profiled to reduce dust entrainment
- Speed limits are employed on the access road

It is considered that whilst potential has been identified for dust impacts on some human receptors the applicant claims that the carrying forward of the existing mitigation measure will reduce any potential impacts to an acceptable or insignificant impact.



The environmental health officer for the council has been consulted and has not raised any objections to the application based on any potential impacts relating to dust/air quality issues. The EHO has suggested carrying forward some of the conditions relating to dust control measures from the existing permission onto any new permission granted. In light of this, whilst there is potential for impacts on dust and air quality issues, it is considered that the comprehensive package of dust control measure suggested by the applicant would be sufficient to ensure that impacts are kept to an absolute minimum.

In light of this it is considered that the proposals do not conflict with the following policies UDP SP10, GP1 & MW16.

### Transportation/Highways

The ES highlights that the current combined operation of Dolyhir and Strinds quarry operates at an average output of between 650,000 – 800,000 tonnes per annum. For the purposes of this application an average output of 700,000 tonnes per annum has been assumed, based on this tonnage the lorry movements would amount to some 127 loads per day. Notwithstanding this the ES highlights that the use of vehicles with 32 tonne payloads means this will realistically be closer to 100 lorry loads per day – resulting in 200 movements. Any HGV traffic resulting from the proposed development would utilise the road network in the same way that current operations do and the routing of HGV's would also remain the same. The proposed extension would not seek to increase the output of the site, therefore lorry numbers would remain similar to the existing numbers. The operating hours relating to vehicle movements would also remain the same as would access routes.

One proposed change in relation to highways would be the construction of a new agricultural access to the west of the site, which would connect to the existing lane, the C1341. This would allow for continued access to farmland, and would be located approximately 180 metres to the North West of the existing access. The highways officer has reviewed the proposal for a new access and has raised no objections, but has suggested conditions to ensure that the junction is constructed in line with guidance for agricultural accesses.

Clearly, the extension of the site will also mean that operations would carry on for a longer period of time so quarry related traffic would continue for an additional 43 years beyond the current permitted end date of 2042. However, as mentioned in the ES it is considered that the existing road network retains sufficient capacity to accommodate traffic related to quarrying operations, Therefore, traffic continuing at the same level, but for longer, should not raise any issues with regard to highway safety or to the capacity of the highways network.

One other change to highways will be when the wash plant from Dolyhir Quarry is moved into Strinds Quarry, in approximately the 25<sup>th</sup> year of the project programme. This would result in the need to transport dried filter cake from the plant in Strinds to the tip in Dolyhir, resulting in approximately 17 loads per week (based on a payload of 20 tonnes) equating to 3 – 4 loads per day (or 6-8 movements). It is to be noted that these movements would be across the road only and lorries would enter the public road network only briefly.

The application has been considered by the highways division and no objections have been raised based on the information submitted, conditions relating to the new agricultural access have been suggested and these can be added if permission is to

be granted. Therefore the proposals comply with the relevant transport policies, namely; UDP T3 & UDP MW13

### Geology

As stated above Dolyhir quarry itself is designated as an SSSI for geological reasons, and concerns have previously been raised by NRW that when the quarry is restored some of the geological exposures that are of interest would be inaccessible, mainly due to the water level in the quarry. However, the applicant has highlighted that much of the SSSI boundary is confined to the areas of historic quarry and does not include land within the proposed northern extension to the quarry. The applicant has highlighted that the extension of the quarry could, in fact, expose more geological exposures of interest, and could potentially enhance the current SSSI. NRW requested further clarification on the final water level of the restored void and sought clarification on whether or not the areas of interest would be accessible for further study in the future. Following the submission of further details and following a site meeting between the applicant and NRW it was agreed that, subject to health and safety requirements, a planning condition would provide for the opportunity of on-going research and would ensure that key exposures are retained un-restored as part of the final restoration scheme, including that approximately 3 faces will be above the water level of the lake when any pumps are turned off and the void is allowed to fill up with water. The suggested condition is below;

“Within 6 months of the date of the planning permission, a Geological Management Plan shall be submitted for the approval of the MPA. The scheme shall set out proposals to facilitate ongoing research of the stratigraphical and mineralogical interest at the site, and for the retention of important exposures as part of the final restoration scheme. The scheme shall be implemented as approved”

This condition has been forwarded on to NRW who, on receipt of this condition, have withdrawn their initial objection on the grounds of potential impacts on the SSSI, in light of this it is considered that the proposed operations would not have an adverse impact on the geological SSSI of Dolyhir Quarry. In fact, as stated by the applicant, the proposed extension of the quarry may reveal further geological exposures of interest that could enhance the current SSSI. The development, therefore, complies with the relevant plan policies, namely; ENV4, ENV5 & ENV6.

### Public Rights of Way

As a result of the proposed works various public rights of way will be affected, as discussed previously in the report.

- FP RB1383 – which runs east to west across the central area of the existing site joining the public highway C1341 in the west. This PROW would require a permanent diversion (see plan D095/00109) it is intended that the foot path would be diverted from stones farm, around the northern edge of the extension site and the northern edge of the screening landform to FP RB1418 200m north of the current intersection of FP RB1383 and FP RB 1418. The route of the diverted footpath would follow the alignment of a new farm access track, which would continue south from the intersection of 1383 and 1418 to a new access onto the public highway.
- FP RB1417 – would be diverted onto a roughly parallel alignment, 100 metres to the west of the intersection of the diverted RB1383 and RB1418 and would join the existing route at the south western boundary of the quarry tip,

approximately 80 metres west of its current alignment. This diversion would be necessary due to the outer flank of the western landform and the location of a temporary top soil storage bund and related water management infrastructure.

- Finally, FP RB1418 – this runs north from FP RB1383 through the extreme north-western area of the proposed extension site, a crossing point (or temporary diversion) would be created on this PROW to help deal with any potential impacts during the construction of soil storage bund 2 – during phase 1 and the for the removal of this bund during phase 4.

Whilst the potential impacts of the proposed development on the Public Rights of Way is a planning consideration, it also has to be noted that any future diversions would also need to be dealt with by a separate legislation. This would provide the opportunity for a detailed examination of any issues surrounding the proposed diversions, be they temporary or permanent.

The public rights of way department and the Powys Ramblers association have both been consulted on the application. Powys Ramblers raised no objections to the proposed plans but did raise the issue of funding to ensure that any diversions are clearly marked and to help maintain paths on their land. The public rights of way officer did not raise any objections to the proposed plans but did note that there would be an impact on PROW in the area and requested that a condition be attached requiring an 'Access Management Plan' to be drawn up and agreed with Countryside Services, before the commencement of construction. The 'Access Management Plan' would seek to plan and map out the management and improvement of the public rights of way network on the site throughout the life of the quarry. Due to the concerns relating to the wider PROW network the PROW department also requested an Access Improvement fund of £10,000 from the operator, so that the public rights of way off-site can be improved. The fund should be received by Countryside Services pre-commencement to allow the improvement works to be undertaken before the public rights of way on site are affected by the proposed works. The operator has agreed to make this contribution towards the Access Improvement Fund, and a Unilateral Undertaking, to this affect, has been engrossed and can be released to the Council if planning permission is granted.

The site will have an impact on PROW in the area but has provided for this impact by the proposed diversions, which will need to be dealt with by section 257 applications. It is considered that the proposed diversions would be sufficient to ensure that the users of the PROW network in the area would not be adversely affected by quarrying activities. The operator has agreed to pay in to the 'Access improvement fund', as requested by the Public Rights of Way officer and this, in combination with the proposed diversions would be sufficient to mitigate against any adverse impacts. Therefore, the development would not conflict with policies RL6 and TR2.

#### Cultural Heritage and Archaeological Heritage

There are a number of sites that are of cultural heritage interest in close vicinity of the quarry, and further afield. These have been identified in the comprehensive response of the listed buildings officer for the council. When considering planning applications that may impact on listed sites or on the setting of a listed site, special consideration needs to be given to the potential impacts on these listed buildings. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that "in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority, or as the case may be, the

Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.” In discharging this duty the Courts have recently emphasised that this special regard should be accorded considerable importance when weighing this factor in the balance with other material considerations that have not been given this special statutory status.

The listed buildings, and the potential impact on these from the quarry extension have been considered in great detail by the listed buildings officer for the council (see reply). Any potential impacts on the listed buildings were considered in light of the emerging best practice guidance from Cadw (since adopted in May 2017 titled *Setting of Historic Assets in Wales*) that seeks to advise decision makers in assessing the impact of a proposed change or development in the execution of their duty under Sections 16 and 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990. Having examined the potential impact of the proposed quarry on each listed building in the vicinity the conservation officer concluded that ‘given the topography, woodland and proposed mitigation measures it is not considered that the proposal would have a direct adverse impact on the setting of the listed buildings considered above, and as such I would not wish to object to the proposal on those grounds’.

Whilst this is acknowledged the conservation officer also pointed out that she has only considered the potential impacts on the individual listed buildings only, not on the significance of the landscape identified by LANDMAP. The landscape and visual impact of the quarry, both when operational and once restored/in aftercare has been considered earlier in the report. The conservation officer also notes that she has not considered scheduled ancient monuments or registered parks and gardens, these have been considered by Cadw. Having considered the application Cadw have not raised any objections to the potential impacts of the proposed extension on scheduled ancient monuments, or parks and gardens (for example, the parks and gardens at Harpton Court). Cadw noted that

*‘The Theoretical Zone of Visibility produced for this development suggests that the proposed development will not be visible from any of the above scheduled monuments due to the topography of the area. The screening provided by the existing vegetation along with the proposed additional screening mounds provided by the proposed development will ensure that there will be no impact on the settings of any of the above scheduled monuments.*

*The proposed development is also located within the vicinity of the historic park and garden known as Harpton Court PGW (Po) 59(POW). The identified essential setting for the historic park and garden extends towards the application area; however this area contains large areas of woodland, which with other existing vegetation will block views towards the proposed development. Consequently there will be no impact on the setting of the registered Harpton Court historic park and garden.’*

In light of this it is considered that the surrounding topography and vegetation, in combination with the proposed mitigation measures are sufficient to ensure that there would be no adverse impacts (if any in certain locations) on listed buildings (and their settings) scheduled ancient monuments and registered parks/gardens, as a result of the proposed quarry extension. Neither the conservation officer for the Council or Cadw have raised any objections to the application, based on any potential impacts on cultural heritage in the area.

An objection by the community council has cited the loss of Stone Farm (which is to be demolished as part of the quarry plans) as an adverse impact on the historic environment. The loss of this building has been identified in the ES as a major adverse impact, upon a building of low value – resulting in a slight, or moderate significance of effect prior to mitigation. The applicant has suggested that as part of mitigation for this impact a 'level 3' survey, including photographic recording, will be carried out as the building is being demolished. Whilst it has been recognised that the building is a 'historic asset' its significance was not enough for it to be listed. Cadw were contacted during the period when this application was being considered with regard to listing the building but it was decided that the building was not to be listed. Therefore, whilst the building has some value with regard to the historic environment it is not listed and not in a conservation area. Therefore, the (limited) value of this building alone would be insufficient to be able to oppose the demolition of the building, as noted in the Conservation officer's consultation response.

### Archaeological Heritage

Leading up to the submission of the planning application the applicant had been in close contact with the archaeological advisor to Powys Council who determined that the cultural heritage study would require support from archaeological fieldwork. It was not possible to get this done when the ES was submitted so it was accepted that the Archaeological Evaluation could be submitted at a later date, the information was compiled and submitted in November 2016.

The evaluation used a series of trial trenches (9 in total) which were 1.8 metres in width and between 15 metres and 50 metres in length, as shown on the plan attached to the survey. All trenches were excavated by mechanical excavator under constant observation by archaeological supervision, until either archaeological deposits were found or natural substrate. In summary, the trial trenches revealed some evidence of medieval/post medieval agricultural activity in the south-western part of the site, where there were a number of shallow plough furrows. Three undated ditches, correlating closely to linear anomalies previously identified, were identified in the south western part of the site – it may be that these related to tracks leading to a former quarry.

Following the submission of this initial report the Archaeologist at CPAT (Clwyd-Powys Archaeological trust) did have some further queries, regarding Stones House, 'the green lane' and the origin and nature of some boulders that had been found in part of a field that formed part of the survey area. An additional report was provided by the applicant in an attempt to address the queries that were raised by CPAT. Following the receipt of this report CPAT raised no objections to the development but did suggest conditions that related to a Level 3 recording of Stones Farm and a scheme of investigation to cover the additional area of excavation in the area of the ditches recorded in trench 9. It was also observed that the applicant's suggestion of moving the boulders to the outer edge of the excavation area (where further examination could take place if desired) would be an acceptable mitigation. In light of this, whilst some features of archaeological importance (mostly limited importance) have been revealed, the officer at CPAT has no objections to the development with the suggested conditions being adequate to ensure that any impacts would be acceptable. In light of this it is not considered that the proposed development would be in conflict with the relevant UDP policies, namely; SP3, GP1, ENV14, ENV16, ENV17, ENV18, MW18 & MW19.

### Loss of Agricultural land

Following an Agricultural Land Classification survey and soil resource report the applicant has identified that the proposed extension would mostly be taking place on agricultural land classed as grade 3b (limited by wetness) with some better draining areas with potential to be 3a. The proposed quarry extension (including the proposed western landform) would cover approximately 36.6 hectares in total. It is anticipated that following restoration 20.7 hectares of this 36.6 total will be put back to a land based after use. The concept restoration plan shows the outer face of the western landform restored to agriculture, with a gradient of 1 in 6 – within the slope criteria for achieving grade 3b. The top of the landform would be interspersed with blocks of woodland, the inner slope being steeper in gradient and consisting of species rich grassland. The land restored to agriculture and woodland would extend to 15.17 hectares and the species rich grassland extending to 5.53 hectares – target soil profiles for these restored areas would be 44cm of topsoil over 68cm of subsoil. The resulting permanent loss of agricultural land would amount to approximately 15.9 hectares.

In order to ensure that the any proposed agricultural restoration is carried out to the highest standard possible the applicant has suggested numerous measures that will help to ensure that any soils which will be needed for restoration will be handled and stored in the most sensitive way possible, to ensure that the soils are kept in the best condition possible. The stripping, moving of soils and the formation and maintenance of top and sub-soil storage mounds will also be carried out in accordance with the MAFF (2000) guidelines, which are recognised as best practice for soil handling. The weather and the condition of soils will also be considered in detail before soils are stripped or moved on site. It has also been suggested by the applicant that in advance of each phase of extraction and tipping a detailed soil survey of the stripping areas is to be carried out to predict the thickness of sub and top soils – this will help to inform volumes of long term bunds and the potential thickness for restoration soil profiles. At the end of each soil moving season a full audit will be completed this will enable a comparison to be made with the predicted soils levels and in turn will allow any necessary adjustments on restoration profiles to be made if needed.

It is inevitable in a hard rock quarry that land will be lost, and the loss of agricultural land needs to be balanced against the benefits from obtaining the minerals and the quality/demand of the mineral. The quality of the restoration is also a key consideration, whilst agricultural land will be lost, the ability of the operator to maximise the amount of land restored, along with ensuring the best quality restoration is also a key consideration. With regard to this application the proposed quarry development will result in the loss of approximately 24 hectares of agricultural land but will release approximately 22.98 million tonnes of premium gritstone (HSA) and 3.69 million tonnes of limestone/shale material. The stone from Dolyhir Quarry is of high quality and HSA stone such as this is always in demand, irrespective of the landbank situation, for road building and repair projects. The site operator is a large company and has vast experience of restoring different quarry sites and has the machinery and man power to be able to carry out a high quality restoration of the site, returning as much of the land as possible to an agricultural use (where specified) and to a good standard. There are also numerous conditions that can be attached to any permission that would help to make sure that the restoration of the quarry to agricultural land (where applicable) is carried out to a high standard. The Agricultural advisor for the Welsh Government has been consulted on the application and has not raised any objections but has suggested that numerous conditions be attached if permission is granted. In light of this, although the proposal would result in the permanent loss off agricultural land the loss of this land is not considered to

outweigh the benefits (as well as the required demand for HSA) from obtaining the HSA minerals. The proposal would not be in conflict with policy ENV1 of the UDP.

### Restoration and Aftercare

The visual impacts of the restoration and aftercare have been looked at in more detail in this report, this section will focus on the habitat creation element of the sites restoration. As highlighted earlier on in the report there will be on-going restoration at the site (with associated aftercare when restoration has been completed) as well as final restoration and aftercare once quarrying at the site has ceased. These works will consist of the following;

- During phase 2, enhancement of woodland (in the south and east) via further woodland planting, the majority of which would be hazel to encourage dormouse colonisation.
- The placement of stripped soils, overburden and non-processable waste into the proposed western landform which will be created during phases 1-4, this will help to mitigate any potential landscape impacts.
- Seeding and planting works on this western landform to further strengthen the structural and visual form of the western landform, these early works will establish an agricultural after use of this landform.
- Roll over restoration of the eastern faces/benches of the existing (and permitted) quarry operations, this will help to soften these more visual elements of the quarry, and create additional habitat for wildlife.
- The creation of a network of numerous small scale ditches/pools that will not only serve for surface water attenuation and management but also as habitat creation for wetland/marginal aquatic species of flora and fauna. It is also proposed to excavate various shallow scrape ponds which will be ephemeral in nature and would suit species such as the Great Crested Newts that exist at the current quarry site.

The long term restoration of the site (following the achievement of the proposed finished profile) will result in the creation of roughly six restoration types, of interlinked landscape and wildlife habitats in an attempt to ensure a seamless restoration of the site. These six restoration types are as follows;

- Tree and shrub planting, this will cover approximately 15 hectares of the restored site
- Species rich Meadow grassland, this will cover approximately 16 hectares of the restored site
- Agricultural grazing land, this will cover approximately 10 hectares of the restored site
- Species Rich hedgerow, there will be approximately 3,600m<sup>2</sup> of hedgerow in the restored site
- Ponds and ditches, these will cover approximately 3.3 hectares of the restored site
- Site lakes – (on completion of quarrying the void will be allowed to fill up to its natural level) these will cover the bulk of the restored site at approximately 38.48 hectares.

The planning application statement and other elements of the Environmental Statement cover the restoration of the site in more detail and provide species mix, construction and maintenance of these habitats. Following the successful restoration of the site and any subsequent approval of restored areas these restored areas will

enter into aftercare. All areas within the confines of the site that are to be managed for agricultural, amenity and conservation after uses will be subject to a detailed 5 year aftercare programme. Any land within the internal quarry site will be subject to ongoing management throughout the operational lifetime of the site with a further 5 years aftercare following the cessation of minerals operations at the site.

The main aims of the restoration of the site are detailed within the planning application statement and are as follows

- To utilise the full footprint of land ownership at the first available opportunity to establish an agricultural and wildlife enhancement, with a peripheral landscape around the whole of the site which reflects the local landscape character. This will create a landscape buffer around the site utilising landform replication, woodland blocks, hedgerows and existing topography to minimise operational disturbance
- To maximise mineral reserve whilst mitigating potential adverse impacts or local residents
- To maximise the potential of the quarry to provide a range of biodiverse habitats and to meet local BAP targets
- To increase the length and amenity value of the local public rights of way, including improving the public access network.
- To create strong woodland links throughout the restoration area in particular between Yatts Wood and Stones Coppice.

The ES provides all the finer details with regard to species to be planted, the mix of species, fertiliser application rates etc, once the areas have been restored the site will be put into aftercare. Full aftercare plans can be submitted closer to the completion of restoration at the site, clearly the life time of the site is long and site circumstances may change meaning that aftercare details would need to change to reflect any changes. As is often the case on sites of this size an annual aftercare meeting will be held to discuss the aftercare operations of the previous year and any aftercare operations going forward. The local planning authority and other statutory bodies (such as NRW, the Local Planning Authority and the Agricultural advisor for the Welsh Government) will have the opportunity to attend these meetings and have a constructive input in to the aftercare operations, this can be enforced through the use of suitably worded conditions.

The restoration of the site has been carefully thought and designed to ensure impacts are kept to a minimum and all opportunities for habitat creation, public access have been maximised to ensure that the restoration of the site is to the highest standard, this is all reflected in the submitted plans. As mentioned above it will be a significant length of time before aftercare will take place at the site and it is sensible for further details to be submitted closer to the time. In light of the above it is considered that the proposed restoration and aftercare is more than sufficient and has been designed to achieve the highest standard of restoration possible with the materials available. In light of the above it is considered that the proposed development would not conflict with the aims of the following policies of the UDP; ENV1, ENV2, ENV3, ENV5, ENV6, ENV7, RL6, MW5

#### Socio-economic benefits

The proposed extension of the quarry would bring numerous socio economic benefits to the area, supplying high quality aggregates to the road building industry, to help maintain road surfaces to the highest standard, being one of them. The applicants



also highlight the employment that it brings to the area, as of spring 2016 the quarry directly employed 123 people, including plant operatives, administration staff, site management and contractors. The quarry, is, therefore, one of the largest employers in the local area and the majority of employees reside in Kington and the local villages surrounding the quarry, meaning the quarry makes a substantial contribution to local employment. There are also a substantial number of jobs related to in-direct employment from the site, for example, blasting engineers, plant servicing and maintenance and other specialist sub-contractors.

The applicant also highlight the substantial sums of money that the Quarry injects into the local economy. The majority of the work force lives within a 10 mile radius of the quarry and so the economy of the local area benefits from a direct employee wage bill of £3 million per annum. Business rates paid by the Quarry average £200,000 per annum, as a result, the quarry make a substantial contribution of approximately £3.5 million into the local economy. In line with the principles of sustainable development planning applications need to consider a multitude of factors, Planning Policy Wales highlights sustainable development as; *The process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the (defined) well-being goals*' When considering planning applications all of these factors need to be taken into account, not just environmental factors. Taking the above into account it is clear that the quarry will be of benefit to the economy, and will also have certain social benefits (maintaining long-term, well paid employment in the area).

#### Other Issues

Alongside the main considerations discussed in this report, other considerations have been raised, in the objections received and the correspondence from the Community Council (in both of their responses) that need to be taken into account. These are as follows;

Noise levels – the community council has requested that a further noise survey be conducted as the current one is from 2015 and the Community Council feel is out of date. There have been no changes to the BS5228:2009 Part 1 + A1: 2014 Annex F (relating to carrying out noise surveys) and the Council are not aware of any proposed changes to site operations, therefore, there is no reason why another noise report needs to be conducted. The Community council also note that independent monitoring of noise would be beneficial – the survey was carried out by a suitably qualified noise consultant so any results should be non-biased. It is also worth noting that if noise issues did develop on the site these issues may potentially need further investigation and monitoring and this monitoring would be carried out by the County Councils own Environmental Health Officer, so this monitoring would then be independent of the site operator. Condition 20 requires a noise monitoring scheme to be submitted for the approval of the Authority – this scheme will provide details of monitoring locations, monitoring frequency, details of equipment to be used for monitoring, details of plant and machinery on site, presentation of these results and the procedures to be adopted in the event of noise levels being exceeded. This scheme should help to ensure that noise levels are adequately monitored and in the event of these levels being exceeded there are procedures in place to be adopted and mitigation measures commenced.

Dust control – the community council have also highlighted that dust control at the site needs proper consideration, including dust generated from the workings, not just from the lorries leaving the plant. With regard to this, condition 12 has been attached

and this includes measures that are mostly industry standard practice (such as spraying units, exhausts pointing upwards, internal speed limits of 10mph, dust collection units on drilling machines as well as measures relating to vehicles). Therefore, the potential sources of dust (drilling being one of the main ones) have been considered and mitigation measures have been proposed via an appropriately worded condition (condition 12). It is considered that the requirements of this condition would be adequate to ensure that dust does not become an issue for local residents. Crucially, any crushing/screening plant will also be subject to stringent legislation under the environmental permit scheme and any plant on the site will need to have gained an environmental permit from the authority. These environmental permits set out strict and specific standards for various measures of air quality and are monitored to ensure compliance with the prescribed limits.

Lighting – The Community Council has also raised the issue of lighting at the site and consider that there is potential for light pollution relating to the extension. This has been considered by the Authority and is reflected in condition 27 which has been worded to ensure that any lighting equipment will be sited carefully to ensure that light pollution impacts are kept to a minimum.

Loss of trees – this has been raised by the Community Council and by the objections received. Whilst it is acknowledged that there will be a loss of trees on site the comprehensive planting strategy, forming the restoration strategy, includes a mix of broadleaved woodland (to include 20% oak) amongst other native deciduous species. The extensive proposed planting will create strong links between Yatts wood and Stones coppice and help to create a strong woodland character for the western (and to a lesser extent the north and eastern) area of the proposed quarry. Taking this into account it is considered that, whilst the loss of the trees would have a negative impact, the well-designed restoration plan, with a strong emphasis on tree planting would help to balance out any negative impacts from the loss trees, and there would, in time, be a long term gain from the proposed tree planting.

#### Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations Act (Wales) 2015 imposes a duty on public bodies to carry out sustainable development. Well-being goals identified in the Act are:

- A prosperous Wales  
The development would make a positive contribution to the prosperity of Wales and specifically the local area as well as ensuring that important resources of UK importance are used efficiently and are available for future generations. The proposal would also offer the chance for developing skills and skilled jobs in the local economy (over a medium length time period).
- A resilient Wales  
The development has potential to have a negative impact on this elements, however, the applicant has proposed a comprehensive set of measures relating to ongoing restoration, aftercare, habitat creation and public access to the site during and following the cessation of operations at the site. Social and economic resilience will be increased through this development. Whilst ecological resilience may be impacted in the short term, it is considered that, in the long term, the restoration and aftercare measures combined with the proposed habitat enhancements would provide a medium to long term benefit in terms of ecological resilience (in comparison to the currently approved scheme).

- **A healthier Wales**  
There is potential for this development to have a detrimental impact on people's physical and mental well-being (through numerous impacts relating to noise, dust, blasting etc., as discussed in the main body of the report). However, all these factors have been considered extensively in the Environmental Statement and it is considered that the development would not have any unacceptable adverse impacts relating to noise and dust etc. With regard to mental well-being –for those that live and work in the area the development offer some comfort as the employment contribution that the site makes, as well as the economic contribution, will continue for some time and this may contribute positively towards mental well-being. However, there are those that may be impacted negatively with regards to mental health due to the proximity of the quarry and the nature of the operations. As considered above the applicant have put forward numerous measures to limit the physical impacts of the quarry and this should mean that the mental well-being of people living nearby should not be adversely affected. With regard to future health and well-being – when the site is fully restored the site will continue to allow access to the countryside through public rights of way. The site would also help to secure longer term employment and the economic contribution that the site makes and this can be seen as a positive contribution to mental well-being.
- **A more equal Wales**  
As highlighted previously the site is a substantial employer in the local area and injects a substantial amount of money into the local economy. This contribution could help people to fulfil their potential, whether it be through direct employment at the site or through self-employment/sub-contracting. The economic contribution that the site makes in the area could help newly established business's to establish themselves – the site has the prospect to offer employment where people can fulfil their potential.
- **A Wales of cohesive communities**  
As highlighted previously in the report the quarry operations will have a visual impact in the area and this could affect the attractiveness of certain communities in close proximity to the quarry. The applicants have put together numerous mitigation measures that would help to reduce any visual impacts. Any potential impact on the attractiveness of the area must also be considered taking into consideration the currently approved restoration and aftercare plans. In comparison to the currently approved scheme the proposed restoration would offer a more attractive overall package and therefore, in the long term, could offer a benefit in terms of the landscape and the attractiveness of communities.

The proposal would definitely have a positive impact in terms of the viability of communities. Without the quarry there would be substantially less well paid employment and less disposable income in the area (which could impact on local businesses such as shops, pubs, etc.) and this would almost certainly have a negative impact on the viability of communities in the area. The proposed extension would offer a much longer period of employment and viability for the community.

It is not anticipated by extending the site that safety would be any more of a risk than it currently is so in this respect there would be no impact over and above any potential safety concerns already present due to the quarry.

The development will impact on local PROW which could impact on the connectedness of communities but this is unlikely as these PROW are used mainly for individual recreation, also, measures would be put in place to ensure there is still access to the paths that will not need a permanent diversion. The proposed extension would not impact on connectedness via public transport or via the road network (there is no proposed increase in HGV traffic.)

- A Wales of vibrant culture and thriving Welsh language  
This element of the bill would not be applicable to this particular planning application other than quarrying is part of the culture of this area.
- A globally responsible Wales  
The proposed extension would provide for a long term supply of HSA for road building/repairs (amongst many other end products) and would help to ensure a steady supply of these minerals for future generations. Rather than set up a new quarry with all the associated infrastructure and plant the proposal will extend the existing quarry and make use of the existing plant and ancillary infrastructure. This would be a more sustainable option and would reflect advice given in chapter 14 of PPW.

## **CONCLUSION**

In considering this application it is important to note that minerals planning applications are different to other planning applications in that extraction can only take place where the mineral is found (as highlighted in para 14.1.1 of PPW). In this case the mineral is a High Specification Aggregate that is of a relatively rare quality and is of great importance to the needs of society (for example for road building and repairs, amongst other end uses). Minerals of this quality are not easily found, and are also in high demand. Therefore, in this instance there are no, or limited, opportunities to obtain this quality of mineral, there are, in fact, few sites within the UK that can provide stone of this hardness and quality, consequently, the location of the extension is justified in this instance.

Whilst the quality of the minerals has been established any decision must be made based on a variety of factors, not just the quality of the mineral offered, this is acknowledged at para 14.1.2 of PPW which states that

*'The essential role of mineral planning authorities in relation to mineral working is to ensure that a proper balance is struck between that fundamental requirement, the need to ensure a prudent use of finite resources, and the protection of existing amenity and the environment.'*

In order to help Mineral Planning Authorities achieve this balance PPW has highlighted 5 key principles that should be taken into account by Minerals Planning Authorities when dealing with planning applications for quarries, or related developments, these are dealt with below

Providing positively for the safeguarding and working of mineral resources to meet society's needs

The proposed development would contribute towards providing an adequate, and long term, supply of important HSA aggregates in order to help meet societal demands for this material. It is estimated that if this extension were to be granted the lifetime of the site would be approximately 60 years (this is based on the proposed total release of 48 million tonnes of reserve, with a notional output of 700,000 tonnes per annum – this could be subject to change). This will help to ensure an adequate supply of important minerals, meeting society's needs, for a substantial period of time, increasing the current life time of the site by a considerable margin. Whilst the Powys landbank is currently deemed adequate (these issues have been dealt with in more detail earlier on in the report) HSA can be considered a special case in this instance and the importance of HSA and the need to safeguard these materials for future generations is recognised in both PPW and MTAN 1: Minerals.

#### Protecting areas of importance to the natural and built heritage from inappropriate mineral development

The extension site does not extend operations into any designated sites (although the existing quarry is a SSSI itself the proposed extension would not have direct impacts on this) but has the potential to impact in directly on designated sites and protected species. The applicant has provided an Environmental Statement that has identified numerous measures to help mitigate for any potential impacts on natural heritage, these measures have been studied in some detail earlier on in the report. The ecologist for Powys County Council has not raised any objections to the development relating to any potential adverse impacts, but has suggested numerous conditions. Following the submission of numerous additional reports/information (relating to surface and ground water, great crested newts amongst others) NRW have also confirmed that they have no objection to the development and have suggested their own conditions, in addition to those from the Council's ecologist.

From a built heritage point of view, numerous listed buildings and parks and gardens have been identified in the area, the impact that the quarry extension may have on these has been assessed by numerous parties. In all cases, both the listed building's officer for the Council and Cadw found that the proposals would not have an adverse impact on any of the buildings or parks of cultural significance – mainly due to the topography and vegetation in the vicinity of the quarry that would offer significant screening. Clywed Powys Archaeological Trust were also consulted and following the excavation of numerous trial trenches it was considered by the archaeologist that the imposition of numerous conditions would be adequate to ensure impacts from any extension would be acceptable.

PPW highlights that where proposed minerals developments may impact on designated sites or on protected species the use of suitable, satisfactory conditions can be imposed to mitigate any impact. It is considered in this case that all the potential impacts have been thoroughly examined in the ES and by the statutory consultees. Following consultation neither of the statutory bodies have raised any objections with regard to any impacts the extension may have on any buildings of importance or any natural sites of importance. Instead, a comprehensive set of conditions have been suggested by these consultees and in this case, taking into account the importance of the mineral available, it is considered that the suggested conditions would be sufficient to ensure that any impacts are acceptable.

#### Reducing the impact of mineral extraction and related operations during the period of working

In helping to reduce the impact of mineral extraction during the period of working PPW highlights 4 key areas which can help to reduce the impacts

- Firstly, a buffer zone around any active quarry sites where no new mineral extraction should take place and no new development that would be sensitive to adverse impact (including residential areas, hospitals and schools). In this case there are already some individual properties that would fall within the existing buffer zone and the buffer zone that would be drawn around the proposed extension. However, the rural nature of the surrounding area means that there are few, existing properties that would experience adverse impacts as a result of being inside the buffer zone. The ES has highlighted numerous measures relating to dust control, blast monitoring and noise mitigation measures. The environmental health team have been consulted on the application and, following the submission of further information, have not objected to the application and have suggested numerous conditions to help reduce any potential impacts. Therefore, whilst the buffer zone around the existing quarry and the proposed quarry would have some sensitive properties within, impacts on these would be limited due to the various mitigation measures outlined in the ES.
- Secondly, the PPW recognises that extensions to existing sites are more preferable than development of new Greenfield sites. This obviously applies to this application in that it is proposed to extend an existing site, with all the associated infrastructure in place, rather than develop a new Greenfield site. In this regard the extension of the existing site is clearly advantageous as opposed to developing a brand new site.
- Thirdly, PPW has a preference that, where possible, quarry product is carried by rail or waterways, where possible, rather than by road. However, PPW also states that if road transport is the only means possible then the capacity of the road network needs to be considered. The capacity of the road network has been considered, the applicant has not proposed an increase in traffic movements over current levels and these levels have not raised any objections from the highways department.
- Finally, PPW advocates that a system of structured environmental management should be set up by mineral companies, Tarmac have confirmed that this has been established within their company with all operational quarries which are accredited with ISO 14001.

The above highlights that the applicant has put forward a comprehensive set of measures to help reduce any impacts from the quarry, in line with advice in national policy. Whilst, some impacts may be experienced in the vicinity the magnitude of these impacts should not be as great as to cause any adverse impacts.

#### Achieving a high standard of restoration and aftercare and providing for beneficial after-uses when mineral working has ceased

The applicant has proposed a comprehensive set of restoration and aftercare measures, including the on-going restoration of the existing Dolyhir Quarry, as well as the final restoration and aftercare. PPW highlights the importance of successful restoration and aftercare and emphasises that restoration and aftercare *'should at least maintain, and preferably enhance, the long term quality of land and landscapes taken for mineral extraction. This will be of the benefit to local communities and ensure that a valuable natural asset will be passed on to future generations'*

The restoration and aftercare plans submitted have maximised opportunities for habitat conservation, will maintain access to the countryside via PROW (some will be retained during development and any diversions will be re-instated after restoration) and have also provided details on how some of the restored land will be restored back to useful agricultural land, at grade 3b. The plans submitted for the extension area have built upon those previously approved under the ROMP permission for the site, which did not provide as many opportunities for ecological enhancements. In light of this, it is apparent that the restoration and aftercare plans submitted with this application offer the best opportunity for the successful restoration and aftercare of the site.

#### Encouraging the efficient and appropriate use of high quality materials and maximising the potential for re-use and recycling

Dolyhir quarry produces HSA that is used for road building/repairs, this aggregate at Dolyhir is processed so it is suitable to be used for the high end of the market as a high specification aggregate, this would also obviously be in the interests of the company for maximising profit. The lower grade material coming out of Dolyhir quarry is generally utilised for a number of lower spec jobs such as construction fill or on agricultural units. The limestone from Strinds quarry is generally utilised in construction materials, as well as for agricultural lime. This is a long standing pattern of operations at the site, and there is no reason why this would change should permission be granted for the extension. It is apparent that the minerals will continue to be worked in an efficient way with appropriate uses of the material, as stated previously, this is within the interests of the operators in order to maximise profit. It is also within the interests of the operator to ensure that any resources are used as efficiently as possible and any opportunities for re-use and/or recycling are maximised on site. Therefore, it is considered that the extension of the quarry would not be to the detriment of efficient and appropriate use of high quality materials and operations would continue as they currently are, and have been for some time.

Taking all the above into consideration it would seem that the proposed extension would be in accord with the aims and objectives of PPW (in particular the 5 key principles dealt with above) and with other policy regarding minerals planning. As stated previously when assessing minerals planning applications one must bear in mind that the mineral can only be extracted where it is present, minerals such as those at Dolyhir are finite and need to be managed carefully in order to ensure that the demand of future generations can be met. The proposal would provide a long-term steady supply of High Specification Aggregates to the road industry. Material of this quality is in high demand, and there will be a market for this material for the foreseeable future.

The quarry will inevitably have some impacts, as have been discussed in more detail in this report. However, it is felt that the applicant has made every effort in their application to ensure that any adverse impacts are kept to a minimum, amenity impacts have been dealt with in detail, as has the loss of agricultural land and impacts on ecology. On balance the advantages offered by the scheme, including the longer-term employment opportunities and the economic benefit, in combination with the opportunities for sustainable minerals management, would outweigh any of the negative impacts from the quarry. If wide-ranging measures had not been put forward by the applicant, this may not be the case, however, the comprehensive set of measures included in the ES are considered to be sufficient mitigation to tip the balance towards approval of the scheme. Therefore, taking all of the above into account the proposal is recommended for conditional approval.

## RECOMMENDATION

The proposed development is considered to be fundamentally in accordance with policy. The recommendation is one of conditional approval.

Environmental Information has been considered.

## Conditions

### TIME LIMITS

1. The development hereby permitted shall be construed as being implemented on the date of determination. The date of determination is defined as the date upon which new conditions subsequent to the applications are finally determined, i.e. the date upon which all proceedings on the applications, including appeals to the Secretary of State and the High Court have been determined, and the time period for any further appeal has expired.
2. Extraction of minerals, the processing of residual excavated material, the restoration of the site and the removal of buildings and plant shall cease by 31<sup>st</sup> December 2111. For a period of 5 years from the date of completion of restoration on any part of the site in accordance with the approved restoration plan, the site shall be managed in accordance with the approved aftercare plan relating to the restored area. The planning permission shall expire following the complete restoration and aftercare of the site in accordance with the most recently approved restoration and aftercare schemes.

### WORKING PROGRAMME AND PHASING

3. Unless amended by conditions included below, the development hereby permitted shall be carried out in accordance with the submitted application documents, namely;
  - a) Environmental Statement Volumes 1-4 inclusive (ref SLR April 2016)
  - b) Drawing Numbers:
    - Figure 1.1 –Location Plan ref DO95/00104, dated 19/11/2015
    - Boundaries Plan ref DO95/00105, dated 19/11/2015
    - Current situation ref DO95/00106, dated 19/11/2015
    - Block Phasing ref DO95/00107 (Phases 1-4), dated 19/11/2015
    - Block Phasing ref DO95/00108 (Phases 5-7), dated 19/11/2015
    - Phase 1 Working and restoration ref DO95/00109, dated 19/11/2015
    - Phase 2 working and restoration ref DO95/00110, dated 19/11/2015
    - Phase 3 working and restoration ref DO95/00111, dated 19/11/2015
    - Phase 4 working and restoration ref DO95/00112, dated 19/11/2015
    - Phase 5 working and restoration ref DO95/00113, dated 19/11/2015
    - Phase 6 working and restoration ref DO95/00114, dated 19/11/2015



- Phase 7 working and restoration ref DO95/00115, dated 19/11/2015
  - Concept Restoration ref DO95/00116, dated 19/11/2015
  - Cross sections, ref DO95/00117 dated 25/11/2015
- c) Supplementary Ecological Information, dated February 2017
- d) Dolyhir/Strinds Quarry Water Management Plan, dated February 2017
- e) Dolyhir Quarry, Dolyhir Powys, Archaeological Evaluation, dated November 2016
- f) Dolyhir Quarry Northern Extension, Heritage Addendum, April 2017
4. A copy of this permission and the approved plans showing the method and direction of working and restoration shall be available in the operators site office at all times during the operational life of the site. Any subsequent amendments shall also be available at the site office.
5. The developer shall submit a revised working programme and phasing plans (including areas for progressive restoration envisaged within the next 5 years) for the approval of the Local Planning Authority every 5 years from the date of determination until completion of operations at the site, and a revised concept restoration plan every 10 years from the date of determination until completion of operations at the site.

## HOURS OF WORKING

6. Except in the case of emergency, or other occasions as may be agreed in writing with the Mineral Planning Authority, the operations and uses hereby permitted shall not take place outside the following hours:
- a) Extraction of Stone and associated operations (excluding blasting)  
06.00 - 19.00 Monday to Friday  
06.00 - 13.30 Saturday
- b) Processing and stockpiling of stone and associated activities (including the concrete plant, T beam and block manufacturing operations)  
06.00 - 22.00 Monday to Friday  
06.00 - 13.30 Saturday
- c) Movement of HGV's and other on-site vehicles associated with b) above  
05.30 - 22.30 Monday to Friday  
05.30 - 14.00 Saturday
- d) Operation of the asphalt plants and associated activities, including the movement of HGV's and on-site vehicles  
No restriction to hours of operation
- e) The Local Planning Authority shall be notified at least 36 prior to any intention to operate the asphalt plants between the hours of 13.30 Saturday to 06.00 Monday.

f) Operations involving the construction of screen/baffle mounds and the stripping of soil shall not be carried out other than within the hours of  
08:00 and 18.00 Mondays to Fridays and  
08.00 and 14.00 on Saturday

## NEW AGRICULTURAL ACCESS

7. Prior to the use of the new agricultural access, any entrance gates to the new agricultural access off the C1341 shall be set back at least **5.5 metres** distant from the edge of the adjoining carriageway and shall be constructed so as to be incapable of opening towards the highway and shall be retained in this position and form of construction for as long as the dwelling/development hereby permitted remains in existence.
8. The access shall be constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and **2.4 metres** distant from the edge of the adjoining carriageway, to points 0.26 metres above ground level at the edge of the adjoining carriageway and **90.0 metres** distant in each direction measured from the centre of the access along the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the area(s) of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.
9. The area of the new agricultural access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of **5.5 metres** from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.
10. **Within one month of the commencement of the new agricultural access works**, the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of **5.5 metres** from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.
11. Upon formation of the visibility splays as detailed in condition 7 above the centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay and retained in this position as long as the development remains in existence.

## DUST

12. In order to minimise the generation of dust, the following steps shall be taken:
  - a. A sufficient number of mobile spraying units shall be maintained in efficient working order and used so as to ensure that haulage roads,

stocking areas and other areas subject to vehicular traffic are kept damp at all times during dry weather.

- b. The mobile spraying units shall have an adequate supply of water available at all times.
  - c. No vehicle shall be employed on site with an engine exhaust pointing in a downward direction.
  - d. A speed limit of 10 mph shall apply to all traffic using internal haul roads
  - e. Effective dust collection systems shall be fitted to all drilling machines before any such drilling machines are put into operation.
  - f. Drilling rigs used on the site shall be fitted, and operated, with dust containment bags.
  - g. All vehicles leaving the site, with exception of those transporting material in excess of 75 mm in diameter, shall be securely sheeted.
  - h. The existing wheel-wash facility shall be maintained and operated throughout the duration of the site operations. No dust, mud, stone or other deleterious material shall be deposited upon the highway.
  - i. All HGV's leaving the site shall pass through the wheel wash detailed at part h (above)
13. The transporting and tipping of overburden, handling of soils and the building of screen/baffle mounds shall cease in the area concerned when the soil moisture, wind direction and strength is such as to carry particulate material generated on the site to any residential property

## BLASTING

14. Blasting shall be undertaken in such a manner to ensure that ground vibration, measured as a maximum of three mutually perpendicular directions taken at the ground surface, does not exceed a peak particle velocity (ppv) of 6 mm per second in 95% of all blasts measured over any continuous 6 month period and no single blast shall exceed a ppv of 10 mm per second. The measurement is to be taken at or near the foundations of any noise sensitive building not owned by the quarry owner or operator.
15. Blasting shall be carried out only between
- a) 08.30 and 16.00 hours Monday to Friday and
  - b) 10.00 and 12.00 hours on Saturdays.
  - c) No Blasting shall take place on Sundays or Bank or public holidays

16. Monitoring of blasting shall be undertaken in accordance with a scheme to be submitted for the written approval of the Local Planning Authority within 6 months of the date of determination of this permission. The approved scheme shall thereafter be implemented in accordance with the approval.
17. All individual blasts shall be designed, managed and implemented to minimise the extent of air overpressure resulting from blasts. If air overpressure exceeds 120dB at any nearby residential property the Local Planning Authority shall be informed within 7 days and the design, management and implementation of the blasts must be reviewed and revised in accordance with the findings of such review prior to any further blasting being undertaken at the site.

## NOISE

18. Noise levels arising from the development, based upon dBLAeq (1 hour) (freefield) readings, shall not exceed 52dB at any of the monitoring points identified below between the hours of 05.30 to 22.00, and shall not exceed 42dB at any of the monitoring points at all other times.

Noise monitoring points:

- a. Stone's Farm
  - b. Yatt Farm
  - c. Croft Castle
  - d. Crabtree Cottage
  - e. Weythel Farm
  - f. Strinds Farm
  - g. Rhydolffordd
  - h. Dolyhir Cottages
  - i. The Row
  - j. Siluria Cottages
  - k. Harpton Court
19. The noise level attributable to operations on the periphery of the site or at high levels, or in unscreened location, such as the stripping of soils; and the formation, removal or alteration of spoil tips, baffle mounds, screening and storage embankments at the site, measured at any of the noise monitoring points specified in condition 18 above, shall not exceed 67 dbLAeq (1 hour) (freefield). These noise limits shall apply for a maximum of 8 weeks in any calendar year and only between the hours of 08.00 and 18.00 Monday to Friday.
  20. Within 6 months of the date of determination a scheme for monitoring noise levels arising from the working of the site shall be submitted for the written approval of the Local Planning Authority. The scheme shall provide for:
    - i) Noise monitoring locations and frequency of monitoring
    - ii) Details of equipment proposed to be used for monitoring
    - iii) Recording the details of plant and machinery working at the time of monitoring

- iv) Logging of all weather conditions and wind direction
- v) Presentation of results
- vi) The procedures to be adopted in the event of noise levels being exceeded.

Such scheme shall be implemented as approved and complied with at all times

- 21. Silencers and means of silencing or covers shall be fitted to, used and maintained on all vehicles, plant, and machinery used on site, including power hammers and percussive equipment. Save for the purpose of maintenance, no machinery shall be operated with the covers open or removed.
- 22. All vehicle reversing alarms shall be of an ultra-sonic type, unless a suitable alternative type is agreed in writing by the Local Planning Authority.

#### WATER PROTECTION AND POLLUTION PREVENTION

- 23. Prior to stripping of soils in the extension area the predicted run-off figures contained in the Surface Water & Drainage Assessment prepared by ESI Ltd, dated April 2016, shall be revised (using a 25% allowance for climate change) and submitted for the written approval of the Local Planning Authority.
- 24. No soil stripping within the extension area shall be undertaken until a detailed scheme for the control of surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall include any revisions necessary following the revision of predicted run-off figures required in condition 23 above, a timetable for its implementation and, a management and maintenance plan for the lifetime of the development which shall include the arrangements to secure the operation of the drainage schemes throughout its lifetime.
- 25. No contours shall be altered within 5m of any watercourse or 3m either side of any culverted watercourse.
- 26. Any facilities for the storage of oils, fuels or chemicals on the application site shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

## FLOOD LIGHTING

27. All lighting equipment shall be so designed and directed as to illuminate only that which is necessary for the safe and efficient operation of the quarry and associated works. No lights shall be so positioned or directed as to cause disturbance, in the form of direct glare, to or at occupied residential property or cause danger to highway safety. Any lights that are found to be causing disturbance shall be adjusted to avoid any further disturbance.

## ARCHAEOLOGY

28. No development shall take place within the extension area until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority.
29. The archaeological programme of work referred to in condition 28 shall be undertaken and completed in accordance with the relevant Standards and Guidance laid down by the Chartered Institute for Archaeologists. A copy of the resulting report should be submitted to the Local Planning Authority and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust (41 Broad Street, Welshpool, Powys, SY21 7RR Email: [markwalters@cpat.org.uk](mailto:markwalters@cpat.org.uk) Tel: 01938 553670). After approval by the Local Planning Authority, a copy of the report and resulting archive should also be sent to the Historic Environment Record Officer, Clwyd-Powys Archaeological Trust for inclusion in the regional Historic Environment Record.
30. No development affecting Stones Farm and its related outbuildings shall take place until a programme of building recording and analysis, equivalent to an English Heritage Level 3 building survey, has been secured and implemented, in accordance with a written scheme of investigation which has been submitted and approved in writing by the Local Planning Authority. The programme of building analysis and recording must meet the standards laid down by the Chartered Institute for Archaeologists in their Standard and Guidance for the archaeological investigation and recording of standing buildings or structures. A copy of the resulting report should be submitted to the Local Planning Authority and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust (41 Broad Street, Welshpool, Powys, SY21 7RR Email: [markwalters@cpat.org.uk](mailto:markwalters@cpat.org.uk) Tel: 01938 553670). After approval by the Local Planning Authority, a copy of the report and resulting archive should also be sent to the Historic Environment Record Officer, Clwyd-Powys Archaeological Trust for inclusion in the regional Historic Environment Record.
31. The stones identified in section of 4 of the report '*Dolyhir Quarry Northern Extension – Heritage Addendum: April 2017*' shall be moved from their current location and placed at a location where they will not be damaged by quarrying operations, prior to any operations being undertaken within 20m of their current location.

## ECOLOGY

32. The quarry development shall be implemented in accordance with the Framework Newt Management Strategy dated 8th June 2017 and the detailed mitigation measures as set out in the Supplementary Ecological Information Report prepared by SLR Consulting Limited, February 2017.
33. Prior to the commencement of development in the extension area a Biosecurity Risk Assessment shall be submitted for the approval of the Local Planning Authority. The scheme shall be implemented as approved.
34. Prior to the commencement of development in the extension area, an ecological compliance audit scheme shall be submitted for the approval of the Local Planning Authority. The scheme shall be implemented as approved.
35. Prior to the commencement of development in the extension area, an Ecological Management Plan (EMP) shall be submitted for written approval of the Local Planning Authority. This should comprise a precautionary approach setting out the following:
  - a. Detailed reasonable avoidance measures to avoid and minimise any impacts to protected species as included in Chapter 7 of ES Vol 1; the plan should include a schedule of future ecological surveys and mitigation measures developed to coincide with future phases of quarry development;
  - b. An ecological monitoring schedule to determine the success of mitigation measures which are implemented;
  - c. Detailed measures to protect retained trees and hedgerows on the periphery of the proposal, in accordance with BS 5837: Trees in relation to design, demolition and construction – Recommendations;
  - d. The plan should include mechanisms to measure success over time and should be reviewed and updated at regular intervals to be agreed with the LPA.

The scheme shall be implemented as approved

36. Within 6 months of the date of determination, a Geological Management Plan shall be submitted for the approval of the MPA. The scheme shall set out proposals to facilitate ongoing research of the stratigraphical and mineralogical interest at the site, and for the retention of important exposures as part of the final restoration scheme.

The scheme shall be implemented as approved

## LANDSCAPING

37. The existing trees, bushes and hedgerows on land within the applicants control (other than those shown as being removed in the approved plans and documents) shall be retained and shall not be felled, lopped, topped or removed) without the prior written approval of the Local Planning Authority. Any such vegetation removed without prior written approval, dying, being seriously damaged or diseased shall be replaced with trees or bushes of such

size and species of a similar species and size in the planting season immediately following any such occurrences.

38. Trees, shrubs and/or hedges planted in accordance with the submitted proposals, a revised scheme, a restoration plan or aftercare plan shall be maintained and any plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with plants of a similar species and size.

## SITE MAINTENANCE

39. Throughout the period of working, restoration and aftercare the developer shall:
  - a) Protect and support any ditch, watercourse or culvert passing through the permission area, or satisfactorily divert it, and shall not impair the flow or render less effective drainage onto and from adjoining land.
  - b) Provide for the collection, treatment and disposal of all water entering or arising on the site, including any increased flow from the land, to ensure that there is no pollution of watercourses by the approved operations.
40. From the date of determination until the completion of aftercare, the operator shall maintain and make stock proof the perimeter of the operational site. Where the operational site boundary does not coincide with an existing hedge, fence or wall the operator shall provide and maintain stock proof fencing
41. The developer shall ensure that any flow of water used for agricultural purposes that is adversely affected by the development is reinstated within 3 months, including the provision of alternative supplies where necessary
42. All injurious weeds, as defined by the Weeds Act 1959, growing within the development area shall be eradicated or adequately controlled by approved method.
43. All vegetation growing on soil storage bunds and peripheral areas within the site shall be cut at least once during the growing season

## SOIL STRIPPING HANDLING AND STORAGE

44. All topsoil and subsoil shall be conserved in accordance with the developer's proposals as described in the Environmental Statement Volume 1, Chapter 8 ref SLR April 2016, to include all soil stripped from the development area, including the quarry extension area, screening landform and soil storage areas. Any amendments to this method of working shall be the subject of revised proposals to be submitted and approved by the Local Planning Authority prior to implementation of the amendments.
45. Soil shall only be moved when in dry and friable condition and when ground conditions are dry and firm, in accordance with current best practice, and the specific measures set out in Section 8.6 of the Environmental Statement (ref SLR April 2016). The developer shall give 48 hours notice to the Planning Authority of an intention to strip soil.



46. In each calendar year, soil stripping shall not commence on any phase until any standing crop of vegetation has been cut and removed.
47. Topsoil and subsoil storage bunds shall be placed in the locations illustrated on plan ref D095/00109, (any deviation from these locations shall be agreed in writing by the Local Planning Authority prior to the placement of any soils) and constructed by approved method and to approved size and shape to ensure secure storage without damage, loss or contamination, and thereafter maintained in tidy condition.
48. Long term soils storage mounds shall be seeded as soon as possible and profiled to minimise dust entrainment and erosion of the soils.
49. No topsoil or subsoil material shall be removed from site.
50. At the end of each soil moving season a full audit of soil material shall be completed and the details of soil storage bunds and the volume of soil they contain shall be submitted to the Local Planning Authority.

## RESTORATION

51. Soiling, seeding and planting of progressive restoration areas in accordance with the phased restoration strategy outlined in Chapter 5 of the Planning Statement (SLR April 2016) shall be undertaken within 12 months following completion of the previous phase of quarrying, to allow early establishment of enhanced wildlife habitat/landscape buffer and minimise the extent of topsoil storage areas.
52. At least 6 months prior to the intended completion of any part of the restored landform, or a phase of restoration, the developer shall submit for the approval of the Local Planning Authority a detailed Restoration Plan showing the final landform, soil profile characteristics and all necessary agricultural facilities and woodland/wetland areas, including written specifications. The Restoration Plan shall identify the intended phasing of the restoration, as appropriate
53. Prior to the placement of soil or soil forming material, the developer shall submit for the approval of the Planning Authority a plan showing the final contours to be achieved in the restored landform.
54. Upon permanent cessation of extraction and processing of residual excavated material, all plant, machinery, buildings, fixed equipment, and areas of hard standing including site compounds shall be removed unless otherwise agreed.
55. Following the phased formation of the restored screening landform to approved contours as illustrated on plan ref numbers D095/00109 – D095/00113, the resultant base material shall be comprehensively ripped to a minimum depth of 400mm to break up surface compaction before any soil

material is spread. Special attention shall be given to areas of excessive compaction such as haul/ access roads where deeper ripping may be necessary. All large stones and boulders, wire rope and other foreign material arising shall be removed.

56. Soil material shall be placed in accordance with the scheme set out in Chapter 8.0 of the Environmental Statement (ref SLR April 2016). Any alteration to this working method shall only be carried out with prior approval from the Planning Authority.
57. The soil material (topsoil and subsoil) set aside for use in the agricultural restoration shall be spread uniformly and in correct sequence over the ripped base material, and shall, where necessary, be rooted and scarified to full depth without causing mixing between different soil layers.
58. All stones greater than 100mm in any direction brought to the surface by soil loosening or cultivation operations shall be removed.
59. The soil profile in all areas restored to agricultural after use shall be minimum 1.12 metre depth and shall consist of 44cms topsoil and 68cms subsoil, covering an area approximately 20.7 hectares in extent. Any intention to alter this soil depth will require prior approval from the Planning Authority.
60. In the event of a cessation of winning and working of minerals prior to the achievement of the completion of the approved scheme as defined in this permission, and which in the opinion of the Local Planning Authority constitutes a permanent cessation, a revised scheme, to include details of reclamation and aftercare, shall be submitted for the written approval of the Local Planning Authority within 12 months of such permanent cessation.

## AFTERCARE

61. Aftercare management will commence following the completion of restoration works on any part of the site. The applicant shall develop a strategy to monitor the success of all restoration works which shall be submitted for the written approval of the Local Planning Authority within 5 years of the date of determination. The scheme shall be implemented as approved and the operator will regularly inform the LPA regarding performance against the objectives set within the restoration strategy outlined in Chapter 5 of the Planning Statement (ref SLR April 2016), as a minimum at annual intervals.
62. The Developer shall be responsible for submitting an Aftercare Scheme that shall identify the steps that are necessary to bring the land to a condition that satisfies the standard of agricultural, amenity or nature conservation use as specified in the planning consent.
63. A detailed First year Aftercare Scheme shall be submitted for the approval of the Planning Authority not later than 3 months prior to the date when the Restoration works on any part of the site are due to be completed and shall include where appropriate the following details :

- a) Tree planting and landscaping

- b) Cultivations, seeding and management of the land, in accordance with the rules of good husbandry.
  - c) Fertiliser and lime application based on soil chemical analysis, the results of which are to be submitted to the Planning Authority.
  - d) Provision of water supplies and land drainage facilities, including watercourses, field ditch systems and piped field underdrainage where appropriate. Where the installation of a piped underdrainage scheme is considered by the Planning Authority to be essential to the satisfactory restoration of the site, the Developer shall submit a scheme for approval by the Planning Authority, and the scheme shall be installed during the first year of the Aftercare period unless otherwise agreed.
64. There shall be a formal annual review of the agricultural management of the site during the five year aftercare period. The timing of these formal reviews shall be during the winter period and prior to the commencement of management in the spring. The parties to this review shall include where appropriate the Developer, the landowner(s), the occupier(s), the Local Planning Authority and a representative of the Welsh Government Land, Nature and Forestry Division. At least 4 weeks prior to the holding of this review, the developer shall submit to the Local Planning Authority a record of the operations carried out during the period covered by the review and a written programme of management to cover the year ahead.
65. The Developer shall ensure that the agricultural land is under competent agricultural management at all times during the aftercare period.

## COMMUNITY LIAISON

66. The developer shall continue to invite representatives of the Local Planning Authority, the relevant Community Council in which the site is located, and local residents to attend Site Liaison Committee Meetings at the site or such other location as may be advised. The functions of the Committee shall include discussion of site operations, restoration and traffic movements. The developer shall convene meetings at intervals of 6 months, or such other period as may be agreed by the Local Planning Authority, shall keep a record of the proceedings and shall distribute copies of that record to each organisation and individual invited to attend.

## REASONS

1. To comply with Section 91 of the Town and Country Planning Act 1990
2. The development is of a type not considered suitable for permanent retention
3. To comply with Section 71ZA of the Town and Country Planning Act 1990
4. To ensure that the developer and site contractors are aware of the working programme and conditions attached to carrying out the development
5. To enable revision of the working programme to reflect demand and to identify areas for progressive restoration at an early stage of the development
6. To minimise the impact of the development on the amenity of local residents and land-users
- 7 - 11 – In the interests of highway safety
- 12 - 13 – To protect the amenities of the locality from the effects of any dust arising from the development

- 14 – 22 – To protect the amenities of local residents
- 23 – To minimise the risk of flooding in the catchment
- 24 – To minimise the risk of pollution of the water environment
- 25 – To minimise the risk of flooding in the catchment
- 26 – To minimise the risk of pollution of the water environment
- 27 – To minimise the nuisance and disturbance to neighbours and in the interests of highway safety
- 28 – 31 – To enable the sites archaeological interest to be adequately investigated and recorded
- 32 – 35 – To maintain and enhance biodiversity in accordance with the requirements of the Environment (Wales) Act 2016
- 36. In the interests of geodiversity
- 37 – 38 - In the interests of the amenity of the area, wildlife conservation and to ensure screening vegetation is retained.
- 39 – To prevent pollution of drainage features and the risk of flooding
- 40 – 41 – To protect the welfare of livestock kept on adjoining agricultural land
- 42 – To prevent the build-up of harmful weeds in soils to be used for agricultural purposes
- 43 – 50 - To ensure the restoration of the site is not put at risk by poor soil handling techniques
- 51 – 60 - To ensure the proper restoration of the site.
- 61-65 - To ensure the proper aftercare of the site and to ensure the land is suitable for a beneficial after-use.
- 66 – To provide a forum for discussion between the quarry operator, the Local Planning Authority and the local community which will provide an opportunity to identify and remedy any impacts of quarrying on the surrounding community.

## **NOTES/ADVISORIES**

Any proposed diversion or culverting of any ordinary watercourse will require prior consent from the Lead Local Flood Authority (Powys County Council) under the terms of Section 23 of the Land Drainage Act 1991 (as amended by the Flood and Water Management Act 2010). Relevant application forms and guidance should be sought from the County Council's Land Drainage team.