



Asesiad o

Ddatganiad Amgylcheddol

Assessment of

Environmental Statement

gan J Burston BSc MA MRTPI AIPROW

**Arolygydd a benodir gan Weinidogion
Cymru**

Dyddiad: 09.12.2021

by J Burston BSc MA MRTPI AIPROW

**an Inspector appointed by the Welsh
Ministers**

Date: 09.12.2021

Assessment of Environmental Statement Ref: CAS-00652-G6M8D8-3282880

**Site address: Craig Yr Hesg Quarry, Berw Road, Pontypridd, Rhondda Cynon
Taff, CF37 3BG**

- The Environmental Statement which is the subject of this assessment has been submitted in relation to the above case in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended).
- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Hanson UK against the decision of Rhondda Cynon Taff County Borough Council.

Procedural matters

1. The Environmental Statement (ES) is dated May 2021 in support of a planning application which is subject to this appeal. This Assessment of the Environmental Statement (AES) was made against the requirements of Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (the 2017 Regulations).

Introduction

2. The ES is dated May 2021 and is formed of three parts: the main text (volume 1); the appendices (volume 2); and the Non-Technical Summary (volume 3).
3. There is cross reference to several background documents and technical appendices which are included as appendices and referenced to accord with the relevant section of the ES. I found the information easy to access.

Proposed development

4. The proposed development is the: *“Continuation of quarrying and related operations without complying with conditions 1-4 inclusive and conditions 45 & 46 imposed on the Environment Act ROMP schedule of conditions issued by Rhondda Cynon Taf County Borough Council on 24th April 2013 ref:08/1380/10.”*
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5. The relevant conditions state:

- Condition 1 “*This consent for the winning and working of minerals or depositing of mineral waste shall expire on 31st December 2022*”.
- Condition 2 “*Following the expiry of the planning consent all extraction, processing and stockpiling of minerals and depositing of mineral waste shall cease*”.
- Condition 3 “*No later than 12 months following the expiry of the planning consent, or the earlier permanent cessation of winning and working of minerals, as agreed between the mineral operator and the Local Planning Authority, all plant, machinery, hard standings, ancillary workshops, buildings, structures or other works associated with the development shall be dismantled and removed from the site unless otherwise agreed in writing with the Local Planning Authority*”.
- Condition 4: “*No later than 12 months following the expiry of the planning consent or the earlier permanent cessation of winning and working of minerals, as agreed between the mineral operator and the Local Planning Authority, the sale and transportation of any residual stocks shall cease.*”
- Condition 45 “*not later than 31st December 2022 the operator shall submit for the written approval of the Local Planning Authority a detailed final restoration scheme, with condition 46 requiring that the approved scheme shall be fully implemented within 2 years of the date of approval or by 31st December 2024, whichever is the sooner.*”

Completeness of Environmental Statements

6. The aim of an ES is to provide a systematic and objective account of the significant environmental effects likely to arise from the proposed development, including sufficient information to verify the conclusions and identify the source of the information provided. Schedule 4 of the 2017 Regulations specifies the information to be included in an ES. My assessment of completeness is based on these requirements.

Site History

7. Craig Yr Hesg Quarry has been in operation since the late 1800's and has been operated in its current form for several decades. The Quarry is situated on the western side of the Taff Valley, approximately 1km north of the settlement of Pontypridd. Immediately to the north of the Quarry is the Glyncoch football ground and clubhouse; to the west / northwest by grazing land; to the southwest by the prominent wooded ridgeline of Coed Craig yr Hesg, which overlooks the town of Pontypridd; and to the east by a narrow corridor of woodland between the site and the B4273 Ynysybwll Road. The quarry processing plant is located in the eastern area of the site comprises a crushing and screening plant and asphalt plant. The main quarry area lies to the west, with a series of quarry faces and benches which are being developed in a general north-westerly direction within the limits of the planning permission.
8. The defined 'mining site' is based upon a combination of four mineral extraction planning permissions including: CYH 2 issued in 1949 (ref 5183); 1965 (ref P22/Z/596); 1970 (ref 349/Z/970); and 1993 (ref 56/86/0827). It is acknowledged that the Quarry has now reached its full lateral and depth limits, and a phased quarry development scheme and restoration strategy (via the ROMP Review) is in place.
9. A further appeal (APP/L6940/A/20/3265358) has been made relating to a western extension of Craig yr Hesg Quarry and the consolidation of the current permissions at the quarry into a

single permission regulating quarrying, restoration and ancillary operations at the overall quarry site. This appeal was also accompanied by an Environmental Statement and is the subject of a separate decision.

Description of the Development

10. The planning application seeks permission to continue the currently permitted development without complying with conditions 1 – 4 of permission reference 08/1380/10. The relevant conditions are set out in paragraph 5 above. The change is confined to the time limit to allow the remaining permitted reserves to be worked, and to avoid sterilisation of permitted reserves.
11. As such, no changes are proposed to any of the remaining existing planning conditions attached to permission reference 08/1380/10, including no changes to: the approved working and restoration scheme; the current quarry working and processing arrangements; the pattern of output; or to the hours of working.
12. A detailed description of the site and its surroundings is set out in section 2 of the ES. It is followed in sections 3 and 4 by a description of the development and details of the restoration strategy. Each section gives a general overview followed by detailed sub-sections on specific topic areas.
13. I find the description of the development to be satisfactory.

Description of the reasonable alternatives

14. Schedule 4 of the 2017 Regulations includes a requirement for an ES to outline the reasonable alternatives considered by the applicant and provide an indication of the main reasons for the option chosen.
15. The alternatives presented in the ES include: an alternative quarry development scheme; and a 'do-nothing'.
16. In terms of an alternative development, the appellant states that the "*scheme as approved is considered to represent the most logical means by which to complete the extraction of the remaining reserves at the site, and there are no obvious alternatives other than to progress the development scheme by advancing the existing quarry faces and benches westwards to the approved limits of extraction (as per the currently approved scheme). Similarly, there is no basis for amending a restoration strategy which is already approved, and which is considered to be appropriate in terms of the proposed.*"
17. Turning to the 'do-nothing' scenario. This would result in the planning permission for the winning and working of minerals at the site expiring in December 2022, and the operation would then cease. The appellant points out that this would sterilise some 2.5 million tonnes of high specification aggregate, which would not be in keeping with the principles of sustainability.
18. Furthermore, the Mineral Planning Authority would have to find other sites to meet its aggregate needs, insofar as circa 2.5 million tonnes of currently permitted reserves would have been removed from the landbank of permitted reserves by virtue of the time limit on the planning permission. Changes would also need to be made to the approved restoration scheme to reflect the fact that the final quarry configuration would not have been achieved.
19. The existing suite of environmental mitigation measures set out in the 08/1380/10 schedule of conditions have been reviewed against potential environmental impacts as set out in the ES.

This points to the continued use of the quarry to be an appropriate option for continued mineral extraction to meet the regions aggregate needs.

20. I am satisfied that the proposed scheme has been formulated as part of an iterative process which has been tested against: landscape and visual impact; ecology; hydrology and hydrogeology; noise; blast vibration; air quality; transportation; heritage; and socio-economic, wellbeing and health issues, defined and reported on in other sections of the ES. I consider this to be satisfactory.

Description of the aspects of the environment likely to be significantly affected

21. The ES considers a range of topics as set out in paragraph 20. All relevant aspects of the physical, visual, cultural and natural and historic environments that are likely to be significantly affected have been sufficiently described for the purposes of the Regulations.

Assessment Methodology

22. The ES has been compiled using accepted methodologies which are clearly described within each of the topic areas.

Description of the likely significant effects of the development on the environment

23. The likely significant effects of the development on the environment have been systematically assessed. Methodologies and baseline conditions have been sufficiently described before impacts have been assessed and potential mitigation discussed. Detailed surveys and modelling exercises have been presented in appendices. The ES uses and updates the data collated in the 2010 ES, which accompanied the 08/1380/10 submission.
24. **Landscape and visual Effects:** The proposed time extension and delay for restoration is considered to represent a slight adverse / neutral landscape effect. The effect on views and visual amenity are limited and neutral. This is primarily due to the configuration of the existing quarry and characteristics of the site as well as the existing screening. The underlying landscape character or view composition would be the same as the baseline at most locations. Although, continued vehicle movements would be an indirect adverse visual effect, albeit along the existing routes and road corridors.
25. **Ecology:** The previous assessments have been updated via a desk study / updated data search undertaken in December 2020 and site surveys (using Phase 1 habitat classification methodology) and assessment for the potential of protected and notable species were undertaken in January and February 2021. A number of mitigation measures are proposed to enhance biodiversity, with particular measures for bats, reptiles and breeding birds.
26. With mitigation in place the ES concluded that the continuation of quarrying for six years would not result in any significant negative residual impact. Overall delivery of the restoration scheme would represent a positive impact.
27. **Hydrology and Hydrogeology:** The existing ground and surface water controls at Craig yr Hesg Quarry are well-established and no changes are proposed to existing ground and surface water management controls. Planning conditions would ensure such controls continue.
28. **Noise:** Routine noise monitoring has been undertaken during the daytime in April 2013, November 2013, July 2014, December 2014, June 2015, June 2016 and July 2017. The overall measured noise levels or the estimated site noise levels were below the site noise limits for routine operations for all four locations on each of the monitoring occasions. Additional noise measurements were undertaken in December 2020 and March 2021. As measured and calculated site noise levels at the receptor locations are within the suggested noise limits with

the existing embedded mitigation in place, no additional mitigation measures are considered necessary.

29. **Blast Vibration:** Planning permission 08/1380/10 concluded that the blast vibration control measures would be adequate to regulate the development based upon the quarry development scheme as defined, and the lateral and depth limits enshrined within that scheme. The appeal is confined to an extension of time to complete aggregate extraction. Therefore, the volume of rock to be extracted annually would not change, and the frequency of quarry blast events to extract the rock would similarly not materially change, insofar as they would continue over a longer period. It is not proposed to amend the approved working scheme, as such the existing blast vibration controls would be suitable to regulate the remaining operation.
30. **Air Quality:** The results of on-going air-quality surveys undertaken since 2015 (through annual monitoring reports) reveal no substantive change to the conclusions reached in the 2010 ES. Fugitive dust monitoring assessments were undertaken in March/April 2021 and these appropriately describe the likely significant effects of the development on the environment. The resulting significance of dis-amenity resulting from fugitive dust is concluded as not significant.
31. **Traffic:** A traffic survey was undertaken during November/December 2020. When compared to earlier surveys the daily and peak hourly flows are lower, as are the number of HGV movements. Other than the extension of the deadline for the cessation of activities, the proposal will result in no material change when compared with the existing situation in terms of output or associated traffic movements. Improvements to the quarry access, highway capacity and accident data provide evidence as to the acceptability of the development in highways terms.
32. **Heritage:** The ES sets out that “*There are no proposals to amend the quarry development scheme or the existing footprint of the already developed area. It follows that there would be no additional effect on any potential below ground archaeological features and no change to the absence of any effect on the setting of listed buildings in the general vicinity of the quarry. These circumstances would not change by virtue of the requested extended time period to complete the development.*”
33. I am satisfied that the significant effects of the development on the environment have been systematically assessed and are sufficiently described in the ES.

Prevention and / or mitigation measures

34. The identification of mitigation to the scheme is recognised in the ES (section 16) as a main step in the process. In line with good practice, the necessity for mitigation has been considered throughout the submitted assessments and has been satisfactorily set out under the corresponding sections of the ES. Therefore, I find the mitigation described within the ES satisfactory for the purpose of the Regulations.

Indication of any difficulties in compiling the required information

35. The ES has been compiled using generally accepted methodologies. No difficulties in compiling the required information have been recorded.

Provision of a Non-Technical Summary

36. A Non-Technical Summary (ES Volume 3) has been provided and the information contained therein is sufficient for the purposes of the Regulations.

Other Matters

37. Within the ES 'Planning Policy' section 17, a planning position statement should be provided in relation to Future Wales, The National Plan 2040, in relation to this development. Nonetheless, it should be noted that this is an advisory note and does not affect the completeness of the ES.

Overall Conclusions

38. I conclude that the ES contains the level of information identified in the 2017 Regulations and is therefore complete for the purposes of those Regulations.

J Burston

INSPECTOR