

PLANNING COMMITTEE	DATE: 08/09/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 2

Application Number: C24/1124/34/AC

Date Registered: 20/12/24

Application Type: Removal/Variation of condition(s)

Community: Clynnog

Ward: Clynnog

Proposal: Application under Section 73 for variation of condition 1 of planning permission reference C20/1063/22/AC (proposed eastern extension for the extraction for the extraction of sand and gravel and progressive restoration) to allow for 4-year extension for the completion of minerals operations and restoration.

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

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

- 1.1 This is an application under Section 73 of the Planning Act 1990 to vary condition 1 of planning permission reference C20/1063/22/AC (Proposed Eastern extension for the extraction of sand and gravel and progressive restoration) to allow for a 4-year extension for the completion of mineral operations and restoration at Cefn Graianog.
- 1.2 The application site is an extension area to the eastern flank of the main extraction area, approximately 530m from the Llyn AONB to the west with the Eryri National Park approximately 1,500m to the southeast. It comprises of land that was previously restored and has been re-visited in order to re-work mineral that was previously considered uneconomical, but also to enable the scheme of extraction to access further deposits extending eastwards. The area is bordered by the existing working area to the west, the Lon Eifion cycleway to the east and area of rough, marshy grassland to the north.
- 1.3 This extension area originally permitted under C16/0816/34/MW comprises of two phases of extraction to release an additional 380,000 tonnes of sand and gravel.
- 1.4 The working methods would be the same as currently employed at the quarry and would utilise the same excavators, conveyors and other mobile plant as existing. The sequence of operations will be subject to the same conditions as existing covering amongst other requirements, hours of operation, noise, ecology, dust, agricultural husbandry and archaeological recording/mitigation in advance of extraction. The proposed scheme of restoration and aftercare to agricultural use will continue as present for the most part, as the sequence of operations progress eastwards into the extension area. In addition, the proposal recognises that there is an opportunity to enhance nature conservation and biodiversity interests, and a scheme of restoration has been configured accordingly.
- 1.5 The proposed development therefore does not fall within the description and criteria set out in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017. However, the development does fall within the description of development set out in Paragraph 2 to Schedule 2 of the Regulations (quarries, open cast mining and peat extraction) & paragraph 13 (any change to or extension of development where that development is already authorised, executed or in the process of being executed, and the change or extension may have significant adverse effects on the environment). Having screened and assessed the proposal in accordance with the development criteria under Schedule 3, it is considered that the likely impact of the development on the environment is insufficient to justify the submission of an environmental impact assessment with the planning application.

2. Relevant policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations (Wales) Act 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

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2.3 Anglesey and Gwynedd Joint Local Development Plan 2011-2026, adopted 31 July 2017

- Strategic Policy PS 1: Welsh Language and Culture
- Strategic Policy PS 5: Sustainable Development
- Strategic Policy PS 13: Providing Opportunity for a Flourishing Economy
- Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
- Strategic Policy PS 22: Minerals
- AT 4: Protection of Non-Designated Archaeological Sites and Their Setting
- AMG 1: Areas of Outstanding Natural Beauty Management Plans
- AMG 3: Protecting and Enhancing Features and Qualities that are distinctive to the Local Landscape Character
- AMG 5: Local Biodiversity Conservation
- PCYFF 2: Development Criteria
- PCYFF 6: Water Conservation
- MWYN 3: Mineral Developments
- MWYN 5: Buffer Zones Around Mineral Sites
- MWYN 9: Restoration and Aftercare
- Supplementary Planning Guidance – Maintaining and Creating Distinctive and Sustainable Communities 2019

2.4 National Policies:

- Planning Policy Wales (PPW Edition 12, 2024)
- Future Wales – The National Plan 2040.
- Technical Advice Note (TAN) 5: Nature conservation and planning
- Technical Advice Note 10: Tree preservation order
- Technical Advice Note 11: Noise
- Technical Advice Note 12: Design
- Technical Advice Note 15: Development and flood risk (2004)
- Technical Advice Note 18: Transport
- Technical Advice Note 20: Planning and Welsh language
- Technical Advice Note 23: Economic development
- Technical Advice Note 24: The historic environment
- Mineral Technical Advice Note 1 (MTAN): Aggregates

3. Relevant Planning History:

- Associated Section 73 applications reference C24/1125/34/AC and C24/1126/34/AC currently undetermined.
- C20/1065/22/AC ‘Application under Section 73 of the Town and Country Planning Act to vary condition 1 on planning permission C10D/0487/34/MW to extend the life of quarrying and associated processing operations for a further four years to allow for the completion of mineral working with a further year for the completion of restoration’ – Granted permission on 15/04/2021.
- C20/1064/22/AC ‘Application under Section 73 of the Town and Country Planning Act to vary condition 2 on planning permission C15/0299/34/MW (construction of 3 ancillary silting lagoons and associated works to provide the necessary capacity to enable the ongoing working of mineral and the provision of a closed system for the control of quarry water on site) to allow a four-year extension for the use of the lagoons in connection with the minerals operations and a further year for the completion of restoration.’ – Granted permission on 15/04/2021.
- C20/1063/22/AC ‘Application under Section 73 of the Town and Country Planning Act to vary condition 1 on planning permission C16/0816/34/MW (proposed eastern extension for the extrac-

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tion of sand and gravel and progressive restoration) to allow a four-year extension for the completion of minerals operations and a further year for the completion of restoration.’ – Granted permission on 15/04/2021.

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

4. Consultations:

Community Council:

Comments received on 22/02/2025:

Following on from the Clynnog Fawr Community Council meeting held on Tuesday night 18/02/2025 where this planning application was discussed there was no objection.

Transportation Unit:

No comments submitted.

Public Rights of Way Unit

No comments submitted.

Natural Resources Wales:

Comment received on 01/08/2025:

Considering the mitigation measures, we would agree with the conclusion of your "HRA".

Comments received on 16/01/2025:

We have no objection to the proposed development as submitted and provide the following advice.

Protected Sites

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From the information provided, NRW consider that the proposals may affect the Corsydd Eifionydd Special Area of Conservation (SAC), Cors Gyfelog Site of Special Scientific Interest (SSSI), and Cors Gyfelog National Nature Reserve (NNR). Our advice is on the basis that no works are proposed within the SSSI/SAC. However, we have identified potential pollution impact pathways to features of this site. This pathway may not result in an adverse effect if the developer adheres to pollution prevention guidelines. No assessment of likely significant effect under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 has been undertaken by your authority or it has not been forwarded to NRW for consideration. Should you conclude that the proposed development is likely to have a significant effect on the European site, we look forward to being re-consulted. In the absence of this assessment, NRW cannot offer assurances that the proposals would not result in an adverse effect upon the SAC.

Protected Species

The Biodiversity Assessment (Kedd Limited, Report Ref – KD.CFN.ER.001, December 2024), stated that the extended operational period would not have any significant impact upon European Protected Species. We recommend that you consult your ecologist on any possible enhancement opportunities and landscaping proposal.

National Landscape

The development is situated adjacent to the Llŷn AONB. We note that there is no information regarding landscape assessments with the application and therefore, we are assuming that your Authority has screened the application and concluded that any impacts on landscape are unlikely, and the proposal is in line with Planning Policy Wales (PPW 12) Planning policy Wales GOV.WALES. If you require further advice, then please reconsult us.

Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests. We advise the applicant that, in addition to planning permission, it is their responsibility to ensure secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

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Advice for the Developer

Environmental Management: The applicants must minimise discolouration to the watercourse from the construction and operational works. Silty water should be treated, either through the use of settlement lagoons, or tanks, or discharged across a grassed area. For work in river channels the use of coffer dams is recommended, to keep river water out of the working area. River crossings must be kept free from mud or dust deposits. Oil and chemical storage must be kept away from the watercourse, on an impervious base, within a bund, and secured. Absorbents or a suitable spill kit must be kept on site for use in the event of an emergency. NRW should be notified immediately of such an occurrence. The mixing, use and washing of machinery and shuttering of wet concrete and cement must be carefully controlled to minimise the risk of any material entering the watercourse. The applicant is advised to follow the guidance within Guidance for Pollution Prevention 5 "Works and maintenance in or near water": <http://www.netregs.org.uk/media/1415/gpp-5-works-and-maintenance-in-or-near-water.pdf> If you have any queries on the above, please do not hesitate to contact us.

Land Drainage Unit:

Comments received on 14/01/2025:

Thank you for the consultation below. The unit has no comments to offer in terms of land drainage, local flood risk or coastal erosion.

Public Protection Unit:

No comments submitted.

Biodiversity Unit:

Comments received on 13/03/2025:

I have no objection regarding the extension of time for mineral operations and restoration. However, I would like to raise two important ecological issues regarding this site:

1. The restoration of the site must provide habitats of biodiversity value such as pools and shallow scrapes and features such as hibernaculum for reptiles. Areas of grassland can be managed as wildflower meadows and be grazed over the winter months. I recommend that the restoration scheme for the site include a long-term management plan that covers monitoring, grazing management, hay cutting etc.
2. I visited Graianog in May 2024 and saw a pair of ring plovers within the quarry area that was actively being restored. I would like to ensure that the management of the site is undertaken in a sensitive way to nesting birds, in particular ringed plover.

AONB:

Comments received on 21/07/2025:

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Cefn Graianog sand and gravel work is a fairly significant industry in the Area of Outstanding Natural Beauty (AONB). There is Cors Gyfelog nearby which has been designated as a SSSI and Special Conservation Area.

The work has been running for years now and time limits were placed on the planning rights in 2020 in order to control the period and restore the site.

It is noted that there is no intention to extend the site itself and therefore the development would not further disrupt the landscape. Completing the work and restoring the site at the end of the period in question will improve the environmental condition of the site.

Heneb: No comments submitted.

North and Mid Wales Trunk Roads Agency: Comments received on 10/01/2025:

I refer to your consultation of 24/12/2024 regarding the above planning application and advise that the Welsh Government as highway authority for the A487 trunk road does not issue a direction in respect of this application.

Local Authority Language Unit: Comments received on:

We have no comments on this application apart from the below

As this application relates to the continuation of a business that is already active and does not represent any change to the business, sufficient evidence has been received to support the conclusion contained in the Language Assessment.

Public Consultations: A notice was placed in the press, notices were placed in several locations close to the site and nearby residents were informed. The advertising period has expired and received no comments from the public.

5. Assessment of the material planning considerations

Principle of development

5.1 Planning Policy Wales Edition 12 (PPW) integrates the Welsh Government's planning policies for minerals development which were previously set out in Minerals Planning Policy Wales (2001). In accordance with the requirement of PPW 12, Gwynedd Council as the Mineral Planning Authority has a duty to ensure that mineral resources are exploited in a sustainable way so that they can make an

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appropriate contribution to the area's construction materials requirements. The key principles noted in the section 5.14 (Minerals) of the PPW are;

- Provide positively for the safeguarding and working of mineral resources to meet society's needs now and in the future, encouraging the efficient and appropriate use of high-quality materials;
- Protect environmental and cultural characteristic of places, including those highly cherished for their intrinsic qualities, such as wildlife, landscapes, ancient woodlands and historic features, and to protect human health and safety and general well-being;
- Reduce the impact of mineral extraction and related operations during the period of working by ensuring that impacts on relevant environmental qualities caused by mineral extraction and transportation, for example air quality and soundscape, are within acceptable limits; and
- Achieving, without compromise, a high standard of restoration and aftercare so as to avoid dereliction and to bring discernible benefits to communities, heritage and/or wildlife, including beneficial after uses or opportunities for enhancement of biodiversity and the historic environment.
- Amongst other objectives, Planning Policy Wales recognises that mineral working is different from other forms of development in that extraction can only take place where the mineral is found to occur, and that the development is transitional and cannot be regarded as a permanent land use even though operations may occur over a long period of time.

5.2 Gwynedd Council, along with all of the Welsh Authorities have endorsed the Regional Technical Statement (RTS) produced by the North Wales Regional Aggregates Working Party (NWRAP). The statement has been prepared in accordance with the provisions of the Minerals Planning Policy (Wales) and Technical Advice Note (Wales) 1: Aggregates (MTAN1), to set out an overarching objective to ensure a sustainable managed supply of aggregates;

".... so that the best balance between environmental, economic and social considerations is struck, while making sure that the environmental and amenity impacts of any necessary extraction are kept to a level that avoids causing demonstrable harm to interest of acknowledged importance".

5.3 The main purpose of the Regional Technical Statement is to set out the strategy for the provision of the aggregates in the North Wales region. The 2021 RTS identified an existing permitted reserve of sand and gravel in Gwynedd of 1.175 million tonnes (an equivalent of 6.7 years landbank) with a shortfall of shortfall and minimum allocation needed to meet required provision of 2.659 million tonnes.

5.4 The continuation of sand and gravel extraction at Cefn Graianog will ensure that the Council can fulfil its apportionment obligations in the RTS, of supplying minerals for the North Wales sub-region and maintain a 7-year landbank of sand and gravel. There are few permitted reserves of sand and gravel in North West Wales and this proposal will secure an essential supply of sand and gravel for the local building economy, and therefore the principle of the development is acceptable.

Visual amenities and landscape

5.5 Policies PCYFF 3, PCYFF 4, MWYN 3 and MWYN 9 of the JLDP are all relevant policies to consider in terms of visual and landscape impact. The potential significance of any landscape and visual impacts are determined by a combination of the magnitude of changes and sensitivity of the landscape setting to change.

5.6 This application is specifically for the prolongment of the development and does not include any extension or physical alterations to the already approved working area. The nature of the proposal to

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extend the lifespan of the operations would undoubtedly prolong the visual impacts in the medium-term but given its overall context in an established mineral working it is not considered that it would result in any great levels of visual impact.

- 5.7 The working of sand and gravel is relatively dynamic when compared with hard rock quarrying as reserves are commonly found under agricultural land and may be worked relatively quickly by means of an excavator. Consequently, the Mineral Planning Authority requires progressive restoration to offset the loss of amenity and productive land to mitigate for the impacts of such working. To date worked out sites have been effectively reinstated to their original use, mainly agriculture, and now blend in with the surrounding landscape. An existing scheme of progressive working and restoration has previously been approved and ensures that the proposal complies with the requirement of policy MWYN 9 of the JLDP.
- 5.8 The landscape and visual impact assessment submitted as part of the development proposals for the parent permission, C16/0816/34/MW (subsequently revised by C20/1063/22/AC) includes an appraisal of the development including a selection of viewpoints and photomontages taken from vantage points from within landscape character areas within and around the site. The assessment makes an evaluation of the surrounding landscape in terms of the AONB, Eryri National Park as well as local impact. The ‘Nantlle’ Landscape of Outstanding Historic Interest is located approximately 1000m northeast of the existing quarry and it is not considered that the proposal will impact on the nature and historic fabric of this landscape designation or the cultural significance of the slate quarrying areas.
- 5.9 The AONB Unit confirmed that there is effective restoration work on the site in recent years which reduces the impact on the landscape. Given that there is a limited period of additional time involved with the settlement lagoons, there are no concerns regarding the impact on the AONB.
- 5.10 Within the overall context of the existing Quarry site, the identified landscape and visual changes have a limited level of effect and the extension of the timescale for the operation of the water management system would not result in any great levels of visual impact. Therefore, with the retention of existing conditions it is considered that the application complies with policies PCYFF 3, PCYFF 4, MWYN 3 and MWYN 9 of the JLDP.

General and residential amenities

- 5.11 Policy MWYN 3 of the JLDP states that extensions to existing mineral sites will be acceptable subject to no unacceptable harm to the amenity or health of residents in terms of visual impact, levels of dust, noise, vibration, and light as a result of the operation itself or the resulting traffic movements.
- 5.12 MTAN 1 Wales; Aggregates and policy MWYN 5 of the JLDP recognises that there is often a conflict between mineral workings and other land uses and has established the principle of buffer zones around permitted and allocated mineral extraction sites. The objective of a buffer zone is to protect land uses that are most sensitive to the impact of mineral operations by establishing a separation distance. MTAN1 recommends a minimum distance of 100 metres for sand and gravel operations.
- 5.13 There are no sensitive properties located within a 100m buffer zone of this development and it will be subject to the same working conditions as present, including the control of noise, dust & working hours. The loading of the feed hopper and conveyor remains the most intrusive noise

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source at the working face as plant machinery operates in an elevated position to the surrounding ground level. White noise alarms are fitted to plant machinery to minimise disturbance.

- 5.14 Given the separation distance and evidence to demonstrate that the site already operates without detriment to amenity under the terms of planning conditions and/or environmental permits it is considered that the proposal complies with policy PCYFF 2, MWYN 3 and MWYN 5 of the JLDP
- 5.15 It is considered therefore that subject to appropriate conditions to control the impacts of noise and dust and working hours the proposal will not have a detrimental impact on the amenities of the area and therefore conforms to policy PCYFF 2, MWYN 3 & MWYN 5 of the JLDP.

Traffic matters, Public Rights of Way and Common Land

- 5.16 The proposal does not include any alteration to transport movements or existing access arrangements.
- 5.17 It is considered therefore that the existing road network is of sufficient standard to deal with the flow of traffic expected from the site the development is therefore compliant with Policy TRA 4 of the Gwynedd and Môn Joint Local Development Plan 2011 – 2026.

Ecological matters

- 5.18 The ecological assessment and mitigation proposals for the parent permission, C16/0816/34/MW included an extended Phase 1 Habitat Report which identified a range of flora and fauna within the site and surrounding area. For the most part, the application site comprises of improved and semi-improved neutral grassland with wet areas dominated by rush but also, historic features that may provide habitat such as, field boundaries and areas of stone clearance.
- 5.19 In the determination of the parent application, a pre-commencement condition was imposed to request a plan of reasonable avoidance measures to ensure that reptiles and badgers will be protected during works which was formally discharged under reference C19/1171/34/AC on the 7th of January 2020.
- 5.20 An updated biodiversity assessment has been completed in order to support the extension of time application. The report considers all of the existing habitats present within the site and assesses whether there has been any change on these habitats since the previous ecological surveys were undertaken and recommends that requirements for implementing reasonable avoidance measures for protecting badgers and reptiles during any field boundary clearance or soil stripping is maintained.
- 5.21 Mitigation for reptiles requires a qualified ecologist present during the removal of stone walls in advance of any soil stripping and/or mineral extraction. Any reptiles found by the ecologist are to be captured and immediately relocated to suitable receptor sites outside of the planned extraction area, but within the area of land under the control of the applicant.
- 5.22 On 7th February 2024, the Welsh Government published an update to Chapter 6 of Planning Policy Wales (PPW), which deals with green infrastructure, net worth to biodiversity, the protection afforded to Sites of Special Scientific Interest and trees and woodlands. The applicant has provided a Green Infrastructure Statement (GIS) that has followed the stepwise approach in chapter 4. The stepwise approach is a hierarchy of actions used to assess and limit the impact of the development on biodiversity.

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- 5.23 Conditions can be attached to a permission to ensure that recommendations and biodiversity enhancement measures included are achieved.
- 5.24 Therefore, the proposal conforms to the requirements Strategic Policy PS 19 and Policy AMG 3, AMG 5, MWYN 3 & MWYN 9 of the Gwynedd and Môn Joint Local Development Plan 2011 - 2026.

Habitats Regulations Assessment

- 5.25 As the competent authority under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended), Cyngor Gwynedd must undertake an HRA assessment, before deciding to give consent for a project which is likely to have a significant effect on designations.
- 5.26 The development is located closest to the Corsydd Eifionydd SAC designated site and is comprised of 4 component SSSI's that includes Cors Llanllyfni, 1.5km to the north, Cors Gyfelog 1km to the south, Cors y Wlad 2.5km southwest and Cors Graianog 5km southeast.
- 5.27 Qualifying features of the Corsydd Eifionydd SAC include species of Slender green feather-moss, Marsh fritillary butterfly and habitat of very wet transition mires and bogs identified by an unstable 'quaking' surface.
- 5.28 The conservation objectives of the SAC are;
- Support three features of international importance namely transition mire and quaking bog, marsh fritillary and slender green feather moss.
 - Cors Gyfelog and Cors Graianog should support a diverse range of nutrient poor to moderately nutrient rich fen habitat which often manifest as quaking rafts, particularly over former peat-cuttings.
 - The SAC should support healthy populations of rarer plants such as intermediate bladderwort, bog sedge, royal fern, oblong-leaved sundew together with rare insect populations.
 - Cors Gyfelog and Cors Graianog should support areas of mature wet woodland (willow carr).
 - Wet woodland should cover no more than 30% of Cors Gyfelog and 10% of Cors Graianog. There should be no rhododendron present within either site or the SAC as a whole.
 - The sites should regularly support a viable population of the marsh fritillary butterfly, which contributes towards the larger population of this butterfly in the general area. To ensure this, at least 80% of the Cors y Wlad should be covered by rushy vegetation (rhos pasture). The habitat should be of good quality (tussocky grassland at a height of 10 – 20cm) with an abundance of devil's bit-scabious, the food plant of the butterfly larvae.
 - Cors Llanllyfni and Cors Gyfelog should support a healthy population of the slender green feather-moss. Management shall ensure that the population remains stable and afford it the opportunity to expand.
- 5.29 This application seeks to extend the duration of mineral working and completion of restoration work by 4 additional years. Although this application only applies to a portion of the total mineral extraction area, it should be considered in combination with two other applications seeking to extend the duration of mineral working and associated activities for the rest of the quarry (the whole Cefn Graianog site). Therefore, for the purposes of the HRA regulations, the application(s) constitute a project proposal that is not directly connected with the running of the designated site.
- 5.30 Although there is no alteration to the development area and working method (in each planning application) potential hydrological and airborne pathways for pollution in the event of an accident, spillage or fugitive dust from mineral extraction, processing and associated activities have been identified during the screening process.

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- 5.31 Mineral extraction, processing and associated activities will continue in accordance with previously approved application other than for an extended period of time. The quarry and associated works are not within the SAC or a similar habitat that is contiguous with any of the 4 component sites. Therefore, the development will not lead to directly loss of habitat within the SAC. A closed loop lagoon system has been constructed within the quarry and will be retained for the remainder of the development to ensure no pollution enters the SAC and that the hydrology of bog is not altered. Additionally, the development will be conditioned to adhere to pollution prevention best practice included in Guidance for Pollution Prevention 5 "Works and maintenance in or near water". These measures will include;
- Treatment of silty water either through the use of settlement lagoons, or tanks, or discharged across a grassed area.
 - River crossings must be kept free from mud or dust deposits.
 - Oil and chemical storage must be kept away from the watercourse, on an impervious base, within a bund, and secured.
 - Absorbents or a suitable spill kit must be kept on site for use in the event of an emergency.
 - The mixing, use and washing of machinery and shuttering of wet concrete and cement must be carefully controlled to minimise the risk of any material entering the watercourse.
- 5.32 The extant permissions were previously assessed for likely significant effects under requirements of Regulation 63 of the Conservation of Habitats and Species Regulations 2017 when originally determined. It was considered that the development would not likely have a significant effect on the conservation features of the Corsydd Eifionydd SAC.
- 5.33 NRW have confirmed that subject to the mitigation measures that the assessment undertaken is satisfactory.
- 5.34 Therefore, subject to the retention mitigation measures through pollution prevention techniques and the closed loop hydrological system we can rule out all reasonable scientific doubt that the proposal would not have an adverse effect on the integrity of the Corsydd Eifionydd SAC.

Hydrology and Hydrogeology

- 5.35 Mitigation measures for the protection of watercourses, springs and wetlands have previously been submitted and assessed as required under condition 36 of the parent permission (C16/0816/34/MW).
- 5.36 Since the submission of the application, Welsh Government have published a revised TAN 15 on the 31st of March 2025. The revised TAN 15 is titled 'Development, flooding and coastal erosion' and is accompanied by Circular 002/2025 'Guidance on The Town and Country Planning (Flood Risk Area Development) (Notification) (Wales) Direction 2025' and clarification letter from the Chief Planner of the Welsh Government's Planning Directorate. Section 1 of the new TAN 15 states "This document replaces Technical Advice Note 14, published in 1998 and Technical Advice Note 15, published in 2004. Development Plans and planning decisions should no longer refer to those documents."
- 5.37 However, the clarification letter states "*...the publication of new guidance may have impacts on the processing of planning applications so there will be a transitional period for the implementation of the TAN. Planning applications which were submitted and registered before the publication of the new TAN will continue to be assessed against the previous version...*"

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- 5.38 Therefore, official guidance from the Welsh Government is for planning applications submitted and registered prior to the 31st of March 2025 is for assessment of flood risk to be made on the policy content of the 1st edition of TAN 15 published in 2004.
- 5.39 TAN 15 (2004) is supported by Development Advice Maps (DAM) that have been substituted by Flood Map for Planning (FMfP) that were released pending the adoption of the revised TAN 15. A delay in adopting the revised TAN 15 required LPAs to consider both DAM and FMfP given that the later included the most recent and correct data.
- 5.40 A small area at the eastern portion of the application site is situated within a ‘Surface Water and Small Watercourse Flood Zone 2’ on the Flood Map for Planning. There have been no objections or concerns relating to drainage or flood risk in response to consultation with Natural Resources Wales or Lead Local Flood Authority and it is considered therefore that the proposal will not have a detrimental impact on the flood risk and complies with PCYFF 6 and the requirements of TAN 15 (2004).
- 5.41 It is considered that the proposed development would not have any detrimental effect on hydrological features and flood risk and complies with the requirements of Strategic Policy PS 19 and Policy AMG 3, AMG 5, PCYFF 2, PCYFF 3, PCYFF 6 and MWYN 3 of the Gwynedd and Môn Joint Local Development Plan 2011 – 2026.

Archaeology and cultural heritage

- 5.42 An archaeological survey and assessment were submitted as part of the original application as the area is one that is known to be rich in archaeological remains, with a number of sites having been excavated close to the area of extraction. The programme of archaeological work at Graianog is ongoing and has yielded some interesting results.
- 5.43 The application area contains several archaeological sites recorded on the regional Historic Environment Record and identified as earthworks and stone-built features, possibly as the result of boulder clearance and the remains of huts or field enclosures. However, the trial trenching undertaken as part of the archaeological assessment reveals that although there was evidence of human activity in the form of field clearance, nothing was found to suggest occupation or industrial activity at the site.
- 5.44 A specification for archaeological work required under the parent permission has been formally discharged and there remains a requirement to comply with these details for the remainder of the development.
- 5.45 It is considered that the archaeological assessment provides the scope for further archaeological work and mitigation for the potential archaeological and cultural heritage impacts of the development and complies with the requirements of Policy AT 4 of the Gwynedd and Môn Joint Local Development Plan 2011 – 2026, (protection of non-designated archaeological sites and their setting).

The Welsh language

- 5.46 Criterion 1 (a) of strategic policy PS 1 'The Welsh Language and culture' notes that a Welsh Language Statement will need to be provided with a proposed "retail, industrial or commercial development which employs more than 50 employees and/or has a floor area of at least 1,000 m sq. or more".

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- 5.47 In response to this requirement, the applicant has provided a Welsh Language Statement. Chapter 6 of the statement has assessed the potential effects of the developments on the language and community based on language and population movement; visual elements; quality of life and community infrastructure; employment.
- 5.48 This application will secure the continuation of an existing operation where the existing local workforce. The entire workforce has the ability to speak Welsh and therefore the development is likely to retain Welsh speakers in the local community who will use the language in the workplace.
- 5.49 The Council's Language Unit has no objection to the request for an extension of time from a linguistic point of view.
- 5.50 Based on the nature of the application and evidence to hand, it is not considered likely that the proposal would have a negative impact on the Welsh Language. It is therefore considered that the proposal conforms with policy PS 1 and the guidance contained within the SPG Marinating and creating distinctive and sustainable communities.

The economy

- 5.51 Technical Advice Note 23, Economic Development states; in determining planning applications local planning authorities need to bear in mind that traditional business use, classes B1-B8, only account for part of the activity in the economy. It is important that the planning system recognises the economic aspects of all development and that planning decisions are made in a sustainable way which balance social, environmental and economic considerations. It further states that; Local planning authorities should recognise market signals and have regard to the need to guide economic development to the most appropriate locations, rather than prevent or discourage such development.
- 5.52 The proposal is critical to supply of mineral and the site makes a direct and significant contribution to the local economy and direct/indirect employment as a result of quarry operations. Furthermore, the retention of a local workforce has positive impacts on the culture and more specifically, the status of the Welsh Language in the region.
- 5.53 Therefore, it is considered that the proposal would make a positive impact of the economy of the area and accord with policy PS 13 of the JLDP and TAN 23.

6. Conclusion:

- 6.1 A proposal for an additional 4 years to complete the extraction and phased restoration of the quarry extension needs to be assessed against planning policy criteria and the authority has consulted on this application to ascertain the potential impacts of the development. The submission covers the material planning considerations in assessing the impact of the proposed development.
- 6.2 There is unlikely to be any apparent change in site working conditions or visual impact of the workings and the development will not detract from the positive features in the landscape.
- 6.3 The continuation of a phased scheme of extraction and restoration will mitigate the impact of the mineral workings on the setting of the National Park, Llyn AONB as well as local Landscape Character Areas in accordance with Policy PS 19, AMG 3, AT 1, MWYN 3 & MWYN 9 of the Gwynedd & Môn Joint Local Development Plan 2011 – 2026.

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6.4 There are no overriding planning policy issues sufficient to warrant refusal of planning permission and issues relating to noise, dust & environmental controls are well established on this site. It is considered therefore that subject to appropriate conditions to control the impacts of noise and dust and working hours the proposal will not have a detrimental impact on the amenities of the area and therefore conforms to policy PCYFF 2, MWYN 3 & MWYN 5 of the Gwynedd and Môn Joint Local Development Plan 2011 - 2026.

6.5 The development is acceptable in principle, and it would contribute to the landbank of sand and gravel reserves in Gwynedd and conforms to regional and local mineral planning policy requirements. It conforms to regional and local mineral planning policy requirements and complies with the sustainability criteria of Policy PS 22 of the Anglesey and Gwynedd Joint Local Development Plan 2011 – 2026, having regard to current national policy for maintaining a landbank of mineral reserves in accordance with the guidance contained in MTAN1 (Wales) Aggregates and the Regional Technical Statement. In addition, the proposal is likely to make a positive contribution on the economy of the area in accordance with Strategic Policy PS 13 of the Anglesey and Gwynedd Joint Local Development Plan 2011 - 2026.

7. Recommendation:

7.1 To delegate powers to the Head of the Environment Department to approve the application, subject conditions relating to the following:

- Extraction of minerals shall cease by 31 December 2028 by which time all plant and machinery shall have been removed from the site; restoration shall be completed by 31 December 2039.
- Restriction on Permitted Development Rights, buildings, structures, erections, private ways, floodlighting & fences,
- Mitigation for potential impacts on springs to the north of the extraction area,
- Mitigation an enhancement for local biodiversity, Badgers, breeding birds & reptiles,
- Permitted Operations & Compliance with the Submitted Details/Plans,
- Hours of Working,
- Safeguarding of public rights of way,
- Soil Handling & husbandry
- Drainage, measures to prevent the pollution of local watercourses,
- Restoration to mixed agricultural nature conservation use,
- Reinstatement of field boundaries,
- Micro-adjustment of restoration levels to ensure a flow of water into the wetland north of the application area,
- Archaeological mitigation and recording,
- Aftercare measures for agricultural use & biodiversity management,
- Dust controls & noise limitations the same as existing but also, plant machinery at the working face to be fitted with white noise alarms.