
PLANNING COMMITTEE 24 June 2024

Present: Councillor Elwyn Edwards (Chair)

Councillors: Delyth Lloyd Griffiths, Louise Hughes, Elin Hywel, Gareth T Jones, Huw Wyn Jones, Anne Lloyd Jones, Edgar Owen, Gareth Coj Parry, John Pughe, John Pughe Roberts, Gareth Roberts and Gruffydd Williams

Others invited - Local Member: Councillor Alan Jones Evans

Officers: Gareth Jones (Assistant Head of Planning and the Environment), Miriam Williams (Legal Services), Rhys Cadwaladr (Senior Planning Officer - Minerals and Waste), Iwan ap Trefor (Traffic and Projects Service Manager) and Lowri Haf Evans (Democracy Services Officer).

1. APOLOGIES

Apologies were received from Councillors Cai Larsen and Huw Rowlands. Cllr Linda Ann Jones (Local Member for application 6.1)

2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

- a) The following member declared that he was a local member in relation to the item noted:
- Councillor Alan Jones Evans (not a member of this Planning Committee) in relation to item 5 on the agenda (application for an order under the Traffic Management Act).

3. URGENT ITEMS

As a matter of course, it was reported that since the Chair was joining the meeting virtually, the Legal Officer would announce the results of the voting on the applications.

4. MINUTES

The Chair accepted the minutes of the previous meeting of this committee, held on 25 May 2024, as a true record.

5. APPLICATION FOR AN ORDER UNDER THE TRAFFIC MANAGEMENT ACT

Llangywer Community

Ward: Llanuwchllyn and Llangywer

Proposal: Cyngor Gwynedd Order (24 hour Clearway Order) Llangywer 2023

A report was presented by the Traffic and Projects Service Manager detailing the proposal to introduce a traffic control order on the Class II Road - B4403 (Llangywer), in response to complaints and concerns received by the Traffic Unit from National Park Officers and members of Llangywer Parish Council. Concerns were expressed about the detrimental

impact of inconsiderate parking that had led to traffic congestion, which was an annoyance of local residents, but also hampered the response time of emergency services. The Transportation Unit proposed to implement a clearway restriction on the road, and this proposal was subject to consultation between March and April 2023. During the consultation period, one objection had been received to the proposal from a member of the public. Reference was made to the objection that noted that the order took extreme measures to resolve the problem, together with the Council's response to the recommendations.

It was highlighted that the Local Member had also submitted views on the situation, echoing the concerns of the National Park's officers and the local community.

It was proposed and seconded to introduce the order.

During the ensuing discussion, the following observations were made by members:

- There were severe problems in the area during the summer months
- Road safety must be prioritised
- Consideration should be given to installing relevant signs to highlight that the road must be kept clear for emergency vehicles - in accordance with Government guidelines
- This was a local opportunity to create a parking area that would alleviate the problem

RESOLVED

To approve to submit a clearway plan on the B4403 between Llanuwchllyn and Bala in its entirety.

6. PLANNING APPLICATIONS

The Committee considered the following applications for development. Details of the applications were expanded upon and questions were answered in relation to the plans and policy aspects.

6.1 Application Number C23/0938/41/LL C22/0136/03/AC Manod Quarry, Llan Ffestiniog LL41 4RF

An application under Section 73 to vary condition 2 on planning permission 5/59/500 (Extension of Slate Quarry and Realignment of Quarry Roads) so as to extend the time for the winning and working of material to 2048 at Cwt y Bugail Quarry, Cwm Teigl, Llan Ffestiniog

Attention was drawn to the late observations form which contained observations relating to heritage and transport.

- a) The Senior Planning Officer - Minerals and Waste noted that Cwt y Bugail Quarry was located on the Manod Mawr ridge and comprised the quarries of Manod, Graig Ddu and Bwlch y Slater. It was reported that the quarry includes a processing and stocking area located on a plateau (created with tipped slate waste) on the eastern slopes of the mountain. The processing area includes cutting sheds, stocking area, fitting sheds, staff car park, office, and welfare facilities. For clarity, it was added that the quarry processing area, cutting sheds, workshops, staff car park and other associated infrastructure to the east of the quarry void were not included within planning permission 5/59/500. However, the related Section 106

Agreement was relevant to the whole site and ensured that restoration proposals were implemented.

It was explained that the accumulated area of the quarry works (included in the planning application) exceeded 25ha, therefore exceed the threshold of Schedule 1 developments under The Town and Country Planning (Environmental Impact Assessments) Regulations 2017. An Environmental Statement (ES) was submitted as part of an Environmental Impact Assessment (EIA) in response to this requirement.

In the context of the principle of the development, it was noted that the current relevant local planning policies were Strategic Minerals Policy P22 and Policy MWYN 3 in the Anglesey and Gwynedd Joint Local Development Plan 2011 (LDP). Policy PS 22 stated that the Council would contribute to the permanent demand locally and regionally for the supply of minerals in accordance with the key objectives of sustainable development. It was also noted that Planning Policy Wales - Edition 12 (PPW 12) incorporated Welsh Government planning policies for minerals developments in Minerals Planning Policy Wales (2001). In accordance with PPW 12, Cyngor Gwynedd, as the Mineral Planning Authority had a duty to ensure that mineral resources were exploited in a sustainable way so that they could make an appropriate contribution to the area's construction materials requirements. It was added that the application complied with the criteria of Policy MWYN 3 which permitted development proposals for mineral exploration, mining or extensions to existing operations to maintain the Plan area's landbank of aggregates, or to meet a need for other minerals.

In the context of the landscape's visual amenities, it was noted that the proposed development would cause direct impacts to the landscape of the application site which were unavoidable due to the nature of mineral extraction. As part of the supplementary documents, the applicant had provided a Landscape and Visual Appraisal (LVIA) which considered the sensitivity of surrounding landscape designations, residential areas and recreational receptors. Natural Resources Wales (NRW) had assessed the documents and had provided an analysis of the visual impacts, and argued that extending operations at the site would affect the tranquillity and character of the nearby Eryri National Park; the permitted concept restoration for the area covered by buildings/sheds/stocking areas was relatively vague other than removal of the structures and profiling of the land/slate tip that would leave an obtrusive landform.

In response, it was noted that the application was not for a new mineral development, but rather for physical extensions and / or alterations to the working area. However, it was acknowledged that planning permission 5/59/500 was relatively lax in terms of restrictions on operations that could have a significant impact on tranquillity (i.e., noise, air quality, operational hours) and the buildings/workshops/sawing sheds, staff facilities and car parking were not covered by this permission but under numerous separate historic permissions.

It was considered that there was an opportunity here to assess the visual impact of the current planning policy, by means of an appropriate condition that could reduce the visual impact of the site following cessation of the works. This would overcome NRW's main concerns and ensure compliance with the policies.

In the context of Hydrology and hydrogeology, it was noted that the excavation work would continue in a similar manner as was currently undertaken. Run-off from the quarry

was directed into the quarry void and subsequently into the Manod Quarry voids which acted as attenuation ponds for suspended solids. Water from processing operations was recycled with any foul water from the works and fed through a filter press prior to being pumped into the Manod Quarry. Off-site run off was limited to seepage from the ponds that overflow into Llyn Ministry (located West of the quarry processing buildings) with any overflow feeding the Afon Teigl. The quarry currently practices appropriate measures to mitigate from accidental discharges that will be retained. It was reported that NRW had reviewed the information submitted and confirmed that they had no concerns about hydrology with extending the working lifespan of the quarry subject to compliance with the continued use of pollution prevention measures and good practice guidelines.

It was therefore considered that the proposed development would have no adverse impact on hydrological features and flood risk and complied 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 Anglesey and Gwynedd Joint Local Development Plan 2011 - 2026.

In the context of ecological and biodiversity matters it was noted that the Local Authority's biodiversity officer had raised concerns about an area in the northernmost part of the site's boundary that was in the approved area for mineral extraction but had yet to excavated/quarried. It was explained that the area was approximately 0.5ha in size and consisted of upland grassland, heath and bog, rock outcrops and small pockets of peat and was area of high biodiversity value. Despite the loss of this land, the biodiversity officer recommended that mitigation was provided within the restoration scheme.

In the context of archaeology and cultural heritage, it was noted that concerns were raised by CADW during the initial consultation period about the adequacy of information presented in relation to cultural heritage as contained in chapter 9 of the Environmental Statement (ES). These concerns were specifically in relation to the effects of quarrying operations (blasting/vibration) on non-designated historical features within the quarry relating to the storage of nationally important artworks during the Second World War. It was explained that Manod Quarry had been selected as a suitable location for a secret and specialist art storage facility, and that the environmental statement considered that the storage facility was of high value in terms of evidential, historical and communal value, although there was only a moderate evidential value in the remains of the built physical remains (a deterioration in the condition of the facility since the MoD's relinquishment of the facility - the generators, lights, picture hanging rack all removed with little plant equipment left in situ and what remained of the structures in a poor and deteriorating state. The instability of the cavern roofs also limited safe physical access to the site).

The report by GWP Consultants, on potential vibration damage from blasting, concluded that current blasting methods should be modified once works were within 60m of vulnerable parts of the mines. It was added that CADW, having received additional information, had now concluded that quarrying operations could be maintained without damaging the art storage facility. CADW had confirmed that there was no objection to the proposal subject to the inclusion of relevant conditions on the planning permission. Conditions would include restrictions on blasting activities and a requirement for a programme to record the buildings and the dissemination of findings.

In the context of the economy, it was noted that prolonging mineral extraction operations at the quarry would directly and indirectly ensure the retention of the existing workforce and other related jobs/employment (such as haulage, plant and engineering). It was

added that the company made a direct and substantial contribution to the local economy and direct/indirect employment as a result of the quarry's operations. Moreover, retaining local workers had positive effects on culture, and more specifically, on the status of the Welsh language in the area. Therefore, it was considered that the proposal made a positive contribution to the area's economy in accordance with Strategic Policy PS 13 of the Joint LDP and TAN 23.

b) Taking advantage of the right to speak, the applicant made the following observations;

- The planning application facilitated the continuation of Cwt y Bugail / Manod Quarry, and the continued production of slate in the quarry until 2048.
- If the application was approved, the extended lifespan granted for the quarry would provide a firm foundation for the Company to make decisions on future capital expenditure at Cwt y Bugail that would reduce waste, increase the number of slates produced per tonne of excavated rock, to increase annual sales in response to the demand, and expand the choice and introduce new and innovative products.
- It would also secure 34 skilled jobs at the quarry until 2048.
- The Company was grateful to Gwynedd and CADW officers for the opportunity to collaborate to resolve issues relating to the use of the caverns near the quarry that were used by the National Gallery during the Second World War.
- An action plan had been agreed that would allow the quarry to continue in operation in accordance with the proposal to ensure that the work would not have an impact on the remains, and that a full record of those remains would be made public.
- The Company was very aware of the value of the quarry in relation to its history and importance in the community, and was trying to secure a bright future for the site in addition to its rich past.
- The development would be a significant step in reaching this aim.

It was proposed and seconded to approve the application

In response to an observation that the application had been registered in 2022, a number of observations from the consultation dated from 2022 and whether more recent matters had arisen but had not been given attention, it was noted that CADW's observations had taken time to resolve, and as a result, a further consultation period had been held.

RESOLVED:

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

- **The work to come to an end on 31/12/2048, restore the site by 31/12/2049.**
- **Permitted activities and compliance with the submitted drawing / details / plans / information.**
- **Mark the boundary of the site and mineral extraction zones and tipping areas.**
- **Revoke GPDO Part 19 & 21 rights for fixed plant or machinery, buildings and structures and mineral waste.**
- **15,000 tonnes per annum export limit.**

- Exported material restricted to existing public highway.
- Tipping operations to be directed towards final landform.
- Updated tipping capacity.
- Control of noise limitations.
- Restrict blasting 07:00 to 20:00 Monday to Saturday.
No blasting on Sundays, bank holidays or public holidays
- Peak particle velocity restricted to 50mm/s for 95% of overburden blasts over a three-month period and not exceed 60mm/s at any time.
- Peak particle velocity must be measured at the closest point to the blast site within the shaded area shown in Drawing Reference WCYBG2312 Drawing No.10
- Monitoring of blasting operations to record peak particle velocity.
- Five yearly review of operations.
- Submit the first report within 12 months.
- Detailed Restoration Plan.
- Phased/progressive restoration works.
- 5-year aftercare/monitoring.
- Scheme of landform remodelling shall be applied to North Pole Quarry benches and associated faces as indicated on plans for creation of stable landform and features to match surrounding rock buttresses and scree.
- Following cessation of works, clearance of quarry plant/machinery/materials/equipment and site to be left in clean/tidy condition, quarry benches prepared, treated and planted with flora of local provenances, haul roads to be removed.
- Restrict access of livestock to restored areas.
- No plant or machinery to be operated without appropriate and properly maintained sound deadening screens, silencers etc.
- All vehicles transporting raw material or waste shall be operated in a manner not to generate excessive noise.
- No operations to cause raising of fugitive dust and all areas traversed by vehicles to be watered down.
- Removal of vegetation, structural repair or demolition of buildings and working of previously stripped/quarried/tipped areas shall be undertaken outside of nesting season for the protection of nesting birds.
Qualified ecologist
- No operations to be undertaken on surface without stripping and storage of topsoil's, subsoils and peat.
- Topsoils and subsoils to be re-used as soon as possible (In restoration).
- Topsoils to be stored in mounds not exceeding 2m in height.
- Historic building recording of the art storage facilities and Written Scheme of Investigation.
- Monitoring and eradication plan of non-native/invasive species.

The meeting commenced at 13:00 and concluded at 13:50

CHAIR