

# PENRHYN QUARRY

Proposed lateral extension to working area and  
continuation of working for an additional three  
years

Volume 3:

**PRE-APPLICATION CONSULTATION STATEMENT:**

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## BASIS OF REPORT

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## 1.0 Introduction

### 1.1 Pre-amble

This report constitutes a Pre-application Consultation (PAC) Report for a planning application being submitted to Gwynedd County Council (as Mineral Planning Authority, 'MPA') in support of a planning application in respect to land at Penrhyn Quarry, near Bethesda. In particular, the planning application relates a small lateral extension to the quarry workings, along with amending the end date for quarrying operations.

Breedon Trading Limited has commissioned SLR Consulting Limited (SLR) to prepare this report along with the planning application for the development.

### 1.2 The Applicant

The planning application is being submitted by Breedon Trading Limited (trading as Welsh Slate). Following the acquisition of assets from the Lagan Group in 2018 Welsh Slate forms part of Breedon Trading Limited, a wholly owned subsidiary of the Breedon Group.

Welsh Slate is the world's leading manufacturer of high-quality slate for an unparalleled range of design-led applications.

The business in its current format was acquired from Alfred McAlpine in December 2007 who had since the 1960s expanded the business from its headquarters at Penrhyn Quarry to include operations at Blaenau Ffestiniog, and Cwt-y-Bugail. In July 2010 Welsh Slate Ltd acquired the assets of Omya's slate mineral processing business at Blaenau Ffestiniog.

Today, Welsh Slate continues to operate in the same three locations, producing roofing slate, architectural products and aggregates.

The applicant strives for continual improvement in its environmental performance, its environmental policy commits to meeting and where possible, exceeding applicable legal requirements across its operations. As part of the applicant's commitment to environmental performance Penrhyn Quarry operates an extensive environmental management system that is accredited to ISO 14001.

Further information on the applicant can be found on its corporate web site at:

<http://www.welshslate.com/>

### 1.3 The Proposed Development

#### 1.3.1 Original Application (as consulted upon)

The applicant consulted on two planning applications relating to its Penrhyn Quarry. The planning applications seek permission for:

- a 'full' planning application to extend the quarry working area into around 4.3ha of land lying adjacent and contiguous with the current working area to release around 1.8 Mt (million tonnes) of high quality roofing slate (nett), together with the associated stockpiling of soils and overburden, associated landscaping works and restoration of the workings to a range of habitats. Notably, the extension would be wholly within the confines of the area covered by planning permission C12/0874/16/MW (dated 18 December 2012) but out with the extraction limits shown on the approved plans attached to that permission.

- an application under s.73 of the Town and County Planning Act 1990 (as amended) to make an amendment to the approved working scheme within the existing quarry in so far as it relates to the tipping of quarry waste. In this respect, the current approved profile of the tips will not accommodate all of the mineral waste arising from the development and so it is proposed to increase the height of two of the tips. In so doing, a revised restoration scheme is being provided, which also shows how the proposed extension will be accommodated within the wider restoration works. The s.73 application also seeks to extend the duration of slate extraction operations by up to five years to allow the additional reserves to be worked.

The proposed extension would be worked in an identical fashion to the current workings, for which a comprehensive working scheme was approved in 2017 as part of a review under the Environment Act 1995 (the 'ROMP review' ref. C16/1164/16/MW). The extension would form a logical progression from the previous extension to the workings (planning permission ref. C12/0874/16/MW) expanding the workings along the north-western side.

The proposed changes to two of the tips do not fundamentally alter the current approved scheme, but allows for their height to be increased to accommodate the quantum of mineral waste that will arise from the development. The majority of the mineral waste would continue to be deposited within the main quarry tip; however, given the narrow configuration of the quarry and the need to maintain access to all benches (as well as access from the quarry workings to the works area), it is necessary to have a second tip available. Having reviewed the options, the most suitable approach is to increase the height of one of the peripheral tips. In view of comments made at the scoping stage (refer to Chapter 4 below) it is important to stress that the amendment to the tips would not increase the footprint of the tips, and in particular, overtip any of the peripheral faces of the tips on the western side of the quarry.

### 1.3.2 Final Planning Application (post consultation)

In view of consultation responses received, notably from Natural Resources Wales the scheme being submitted has been amended from that consulted upon. This is set out in Section 4 below.

## 1.4 The Site

Penrhyn Quarry is located immediately to the south of the town of Bethesda, to the west of the A5(T). The settlements of Mynydd Llandegai, Bryn Eglwys, Coed y Parc and Braichmelyn form an arc to the north of the quarry, with the Afon Ogwen lying to the east and the mountains of the Glyder Ridge to the south.

Penrhyn Quarry itself extends over an area of some 318 hectares (ha), the majority of which has been disturbed to some degree by quarrying or associated activities. The main elements of Penrhyn Quarry are the old North Quarry (now worked out and flooded); the existing permitted working area in the South Quarry; the slate waste tips; the processing area, aggregate processing plant and the administration offices. The northern and eastern limits of the quarry are covered in the main by a series of slate waste tips, many of which are very old and reflect the primary means of slate waste disposal in the nineteenth century. The more recent slate waste tips are located on the north-western limits of the quarry and within the current quarry working area (at its northern end).

The proposed extension for which the Pre-Application Consultation was undertaken encompassed around 4.3 ha of land which is wholly within the area of planning permission ref. C12/0874/16/MW granted in December 2012<sup>1</sup>. Not all of this area would form the proposed extension as margins to the north-western and south-western boundaries would be maintained; the extraction area would be around 3ha in extent.

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<sup>1</sup> This permission has been the subject of a "Review of Old Mineral Permissions" under the provisions of the Environment Act 1995 (ref. C16/1164/MW).

## 1.5 Requirement for Pre-application Consultation

The Town and Country Planning (Development Management Procedure)(Wales)(Amendment) Order 2016 (the 'Development Management Procedure Order') inserts new provisions relating to consultation that is needed prior to a planning application being submitted. This consultation is required for all planning applications for *inter alia* "major" development (be it in full or outline). Major developments are defined in the 2012 version of the Development Management Procedure Order and includes the winning and working of minerals or the use of land for mineral-working deposits irrespective of scale.

The 2016 Development Management Procedure Order sets out the requirements for consultation as being:

- the erection of a site notice (in English and Welsh) for a period of 28 days;
- service of a notice (in English and Welsh) on landowners or occupiers of land adjoining the land to which the proposal relates;
- make a copy of the planning application information available for viewing locally;
- inform and provide information to community and specialist consultees

## 1.6 The Pre-Application Consultation Period

The pre-application consultation commenced on 11 December 2020 and continued until the 22 January 2021 to allow sufficient time for comments to be received given the Christmas holidays occurred during the consultation period.

## 2.0 Consultation Strategy

### 2.1 Discussion with Mineral Planning Authority

Discussions were held with the MPA regarding the format of the Pre-Application Consultation strategy particularly in view of issues surrounding the COVID-19 pandemic.

In view of COVID-19 it was considered that it would not be possible to hold a drop in style exhibition or place a copy of the application on deposit at a public place (such as local library). It was agreed with the MPA that an electronic copy of the planning application should be made available on a website. In addition, it was agreed that a leaflet be prepared providing outline information about the planning application and where a copy of the application could be viewed.

By email dated 8 December 2020 to the Minerals Planning Officer at Gwynedd County Council SLR set out its proposals for the Pre-application Consultation and sought confirmation that the proposals were acceptable. In addition, certain information was requested relating to suitable contacts. A copy of SLR's email is included in **Appendix A** to this document.

The Minerals Planning Officer responded on 8 December 2020 indicating that an electronic copy would be acceptable and provided contact details of the parties to be consulted (see **Appendix B** to this document).

### 2.2 Site Notice

Notices (which were laminated in clear plastic) were erected at the entrance to Penrhyn Quarry. Notices were provided in both English and Welsh (see **Appendix C**).

The notices were erected by Welsh Slate on 11 December 2020 and remained in place in excess of the required 28 days.

### 2.3 Neighbour Notification

Letters in English and Welsh were prepared to accompany the requisite notice to be served on those landowners and occupiers of land adjoining the application site. Given the remote location of the proposed extension, a bi-lingual letter and notice was hand delivered by the applicant to those properties lying closest to the site boundary in the vicinity of the proposed extension. In addition, a letter and notice was also sent by the applicant to the Penrhyn Estate.

An example of the letter and notice that were sent out is included in **Appendix D** to this document.

In addition (and as noted above) a leaflet was delivered by the Royal Mail to residents in Mynydd Llandegai. A copy of the leaflet is included in **Appendix E** to this document.

### 2.4 Community Liaison

A bi-lingual letter accompanied by the required notice was sent to the local Community Councils and County Council Members on 11 December 2020.

An example of the letter and notices that were sent out is included in **Appendix F** to this document.

A video conference call was held with relevant County Council Members on 10 December 2020 to brief them on the draft planning application and intent to commence the Pre-Application Consultation process.

## 2.5 Deposit of Planning Application Information

An electronic copy of the planning application information (being the planning Statement, Environmental Statement and all associated drawings and appendices) were uploaded to the Welsh Slate Website at:

[www.welshslate.com/news](http://www.welshslate.com/news)

A copy of the information leaflet (in Welsh and English) was also uploaded to the web page.

## 2.6 Specialist Consultees

The required notice was emailed to the following organisations.

- Natural Resources Wales ([Gareth.Thomas@cyfoethnaturiolcymru.gov.uk](mailto:Gareth.Thomas@cyfoethnaturiolcymru.gov.uk))
- CADW ([Nicholas.Segust@gov.wales](mailto:Nicholas.Segust@gov.wales))
- Gwynedd Council Transportation Service ([garethroberts4@gwynedd.llyw.cymru](mailto:garethroberts4@gwynedd.llyw.cymru))
- Welsh Government Transportation ([NorthandMidWalesDevelopmentControlMailbox@gov.wales](mailto:NorthandMidWalesDevelopmentControlMailbox@gov.wales))
- Welsh Water ([developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com))

Emails to all specialist consultees were sent out on 11 December 2020. An example of the email and notices sent to the specialist consultees is included in **Appendix G** to this document.

## 3.0 Responses Received

### 3.1 Responses from Technical Consultees

Responses were received from Cadw and NRW<sup>2</sup>.

#### 3.1.1 Cadw

A copy of Cadw's response was received on 20 January 2021 (see **Appendix H**).

Relevant extracts from the letter are:

*"The studies have been carried out in accordance with the appropriate guidance and concluded that with the suggested mitigation measures the proposals will not have a significant impact on the designated historic assets. We concur with these conclusions in regard to the operational elements of the proposal but in our opinion the restoration plans can be improved.*

*The restoration scheme should be heritage led and it is noted that the current plans includes the reinstatement of the public footpath across the area. This should be used to provide access to a number of historic assets that have been identified as being of National importance along its route. The conservation of these assets along with access and appropriate interpretation would greatly increase the public's experience, understanding and appreciation of the historic of the slate industry and would therefore be a significant public benefit at the conclusion of the development. This would be a type of heritage interpretation and conservation project that could be supported by Cadw.*

*The current restoration scheme proposes to encourage the natural regeneration of the whole quarry area, using methods including seed balling and pocket planting. Whilst normal practice is to restore a quarried landscape to its' original state prior to the industrial process beginning, in this case the quarry is in the buffer zone of the World Heritage Site. The current tips form part of the setting of the World Heritage Site and natural regeneration of the re-profiled slate tips would be out of keeping. It is therefore strongly recommend that when tipping has been completed that the historic tips should be left unseeded so that they continue to contribute to the setting of the World Heritage Site".*

#### 3.1.2 NRW

NRW's response was received on 22 January 2021 (see **Appendix I**).

Relevant extracts from the letter are:

*"Based on the information provided, we have significant concerns with the proposed development. To overcome these concerns, we would recommend to the planning authority that the following requirements should be met before permission is granted and the condition listed below is attached to the permission. Otherwise, we would object to the planning application.*

*Requirement 1 (Eryri SAC): Should the Local Planning Authority be minded to proceed under the provisions of regulation 64 of the Conservation of Habitats and Species Regulations 2017, then further information should be submitted to fulfil Regulation 68.*

*Requirement 2 (Eryri SAC) – The applicant revises the Hydrogeological Risk Assessment to demonstrate how indirect hydrological effects on SAC habitats will be avoided*

*Requirement 3 (Eryri SAC) – Further information about current and expected dust deposition rates and likely effects on SAC habitats to be provided.*

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<sup>2</sup> The other Technical Consultees indicated that they had no comments to make

*Requirement 4 (Eryri SSSI) - Further information (lichen survey results) about each of the boulders supporting lichens of interest to be submitted*

*Requirement 5 (Eryri SSSI) - A suitable assessment of chough habitat loss to be provided.*

*Requirement 6 (Water quality) – The applicant submits a site drainage drawing to show where the water flow from the new extended section of the quarry will go to, this to include any run-off, along with evidence that the site settlement lagoons, ponds and their operation are sufficient for the proposed quarry extension and increase in heights of two tips.*

*Requirement 6 [7] (Protected Landscapes) – The applicant revises the overall final restoration landform”.*

## 3.2 Responses from the Local Community

Responses were received from six members of the local community. Issues raised related to:

- quality of the leaflet, and in particular the plans;
- whether Breedon could use their ‘influence’ on those responsible for the maintenance of the A5 in Bethesda;
- environmental concerns, such as noise and air quality;
- impacts upon the Eryri Special Area of Conservation (SAC);
- visual impact, especially in relation to increasing the height of the tips and how that may block views.

A number of the responses sought further information or clarification which resulted in further email exchanges.

## 4.0 Consideration of Responses

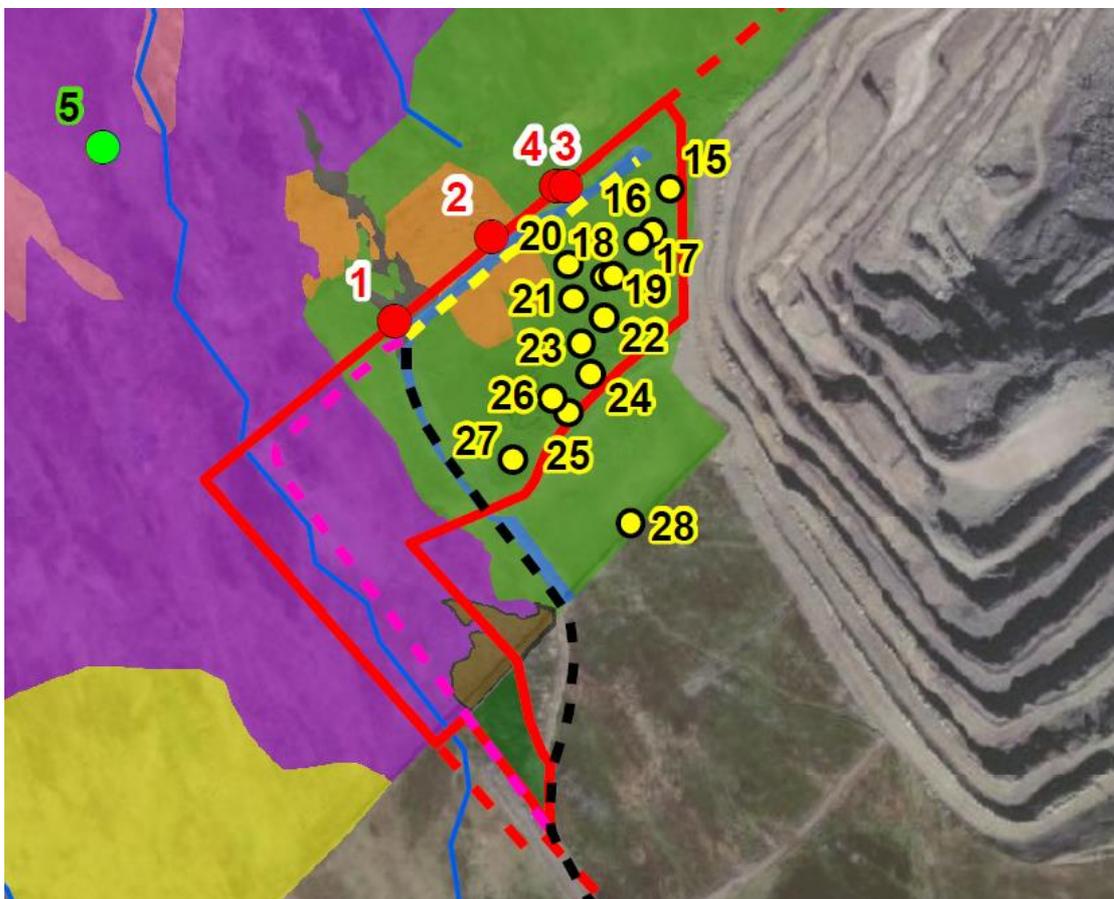
From the responses received the main one to consider as part of the Pre-Application Consultation is that provided by NRW in their letter of 22 January 2021.

As noted above in Section 3.1.2 NRW indicated that they had significant concerns over the proposed development and the potential effects that it may have on the SAC, indicating that the proposals would affect the integrity of the SAC. As a result, 7 areas were identified as requiring further information to be provided as part of the EIA.

In reviewing the content of NRW's response, SLR's ecologists identified that a considerable amount of work would be required to address the loss of 'Priority Habitat' from the SAC and would require *inter alia* the provision of compensatory land to offset the loss. As part of the decision making process it is acknowledged that consideration needs to be given to whether an alternative scheme is available.

Having reviewed the development scheme and examined the potential to extend the workings within the area bounded by the drainage leat it has been demonstrated that there is an alternative viable scheme. Keeping the mineral workings to within the area bounded by the leat avoids the areas of priority habitat. This is illustrated in Figure 4-1 below, where the priority habitat is shown coloured purple and the original proposed extraction limit shown by a pink dash line. The red line illustrates the extent of the extension and the black/yellow dash line is the drainage leat.

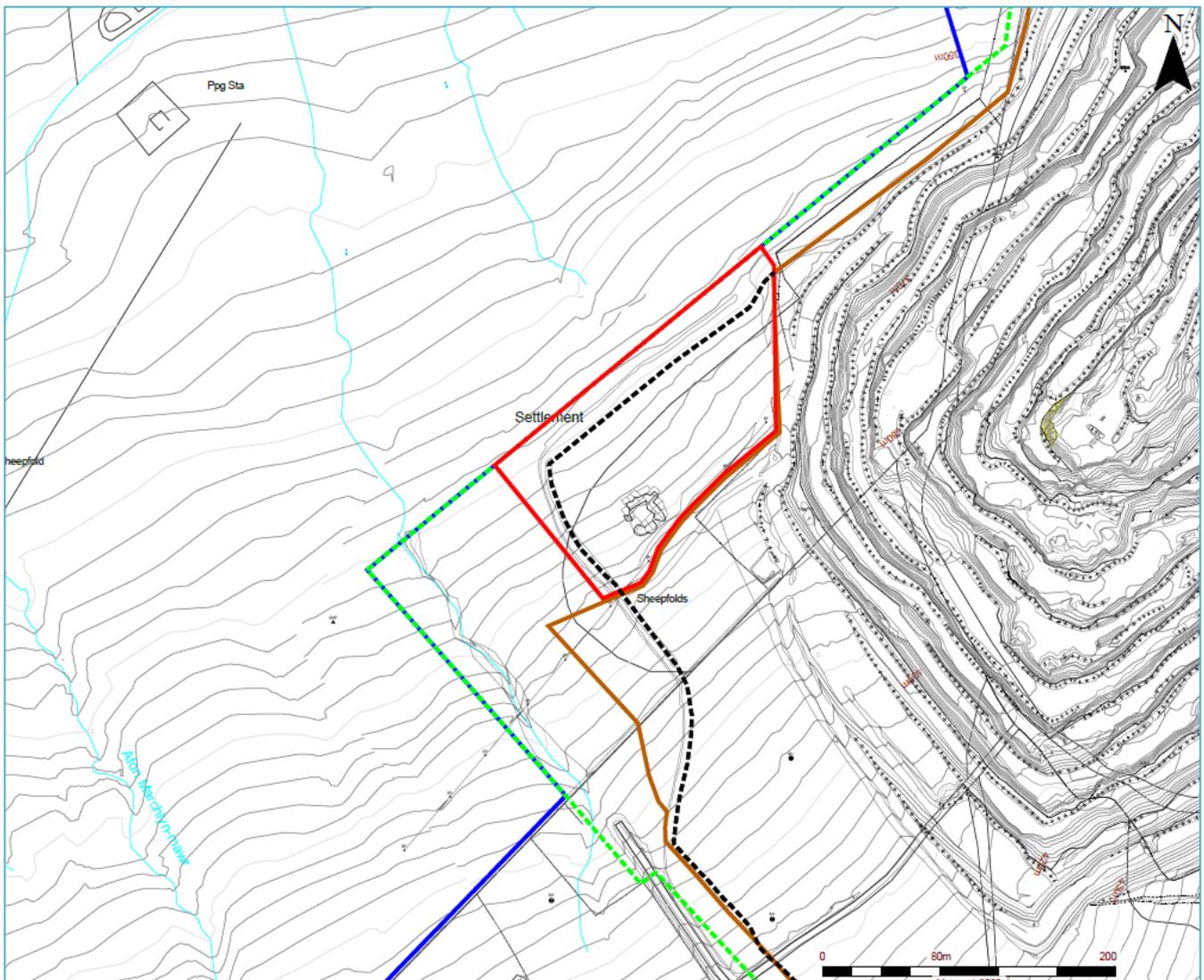
Figure 4-1  
Habitats



Being smaller in extent the resources of slate are naturally reduced from that in the application consulted upon, but it still would allow a section of the workings to be widened and thus increase the amount of slate resources at the quarry.

Accordingly, a revised scheme has been prepared and now forms the basis of the planning application. The extent of the extension is shown on Drawing PQ 2/2 within the ES, an extract of which is shown below.

**Figure 4-2**  
**Amended Scheme**



The revised scheme has results in an application site measuring 2.3ha (within which the extraction area would be 1.6ha). This is a reduction of some 2ha for the application site. Allied to this, no changes would be needed to the line of the leat; it would be retained in its current location.

Turing to other points raised by NRW:

**Table 4-1**  
**NRW Comments and Response**

Response	Comment
Requirement 2 (Eryri SAC) – The applicant revises the Hydrogeological Risk Assessment to demonstrate how indirect hydrological effects on SAC habitats will be avoided	As there will no longer be any change to the leat then this no longer relevant . Notwithstanding this, more information has been provided within Chapter 9 of the ES to explain the function of the leat.
Requirement 3 (Eryri SAC) – Further information about current and expected dust deposition rates and likely effects on SAC habitats to be provided.	This has been addressed in the revised Chapter on Ecology, along with the associated Appendix 7/4 Report to Inform Habitat Regulation Assessment.
Requirement 4 (Eryri SSSI) - Further information (lichen survey results) about each of the boulders supporting lichens of interest to be submitted	This has been addressed in the revised Chapter on Ecology,
Requirement 5 (Eryri SSSI) - A suitable assessment of chough habitat loss to be provided.	This has been addressed in the revised Chapter on Ecology,
Requirement 6 (Water quality) – The applicant submits a site drainage drawing to show where the water flow from the new extended section of the quarry will go to, this to include any run-off, along with evidence that the site settlement lagoons, ponds and their operation are sufficient for the proposed quarry extension and increase in heights of two tips.	As there will no longer be any change to the leat then this no longer relevant . Notwithstanding this, more information has been provided within Chapter 9 of the ES to explain the function of the leat.  In brief the proposals would not lead to any fundamental change to the drainage strategy for the site and conditions are already in place to control drainage.
Requirement 6 [7] (Protected Landscapes) – The applicant revises the overall final restoration landform.	The comments raised mainly relate to the restoration proposals for the tips. It is no longer proposed to amend the profile of the tips as part of the development. Reference is made to the use of spoil <i>“to infill and re-grade some of the highly engineered benches within the south quarry, for example, reducing the height and steepness of the final tip landforms at the same time”</i> . To achieve the approved restoration scheme some regrading works will be required. As access will be required to all benches throughout the life of the development, any placement of spoil could only be undertaken at the end of the development. There are existing provisions in the current planning permission for regular reviews of the working and restoration schemes, and so any refinement of the scheme can be picked up through the extant conditions.

Finally, it is noted that Cadw’s comment related to the restoration scheme for the quarry. In this respect they consider that the restoration scheme should be heritage led, rather than ecologically. The restoration scheme has been based on the approved scheme. As it is no longer proposed to amend the tips, then no changes to the approved restoration scheme have been put forward. It is considered that such a matter is best debated as the planning application is determined as a balance needs to be struck between heritage and biodiversity interests.

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