



**LRM**  
PLANNING  
LIMITED

**APP11/3**

## **Town and Country Planning Act 1990 Appeal under Section 78**

PEDW Reference APP/L6940/A/20/3265358 and  
APP/L6940/A/21/3282880

Craig yr Hseg Quarry, Glyncoch, Rhondda Cynon Taf  
Hanson UK

Summary Proof of Evidence prepared by  
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## Summary and Conclusion

- 1.1 My evidence has been prepared on behalf of Hanson UK, the Appellant. It concerns the Well-being of Future Generations Act 2015 (the “WBFG Act”) and how its well-being goals interact with decisions on planning applications generally, and how, in my opinion, the Appeals Schemes contribute to the achievement of each of these goals.
- 1.2 In particular, I discuss:
  - a. The WBFG Act as it relates to public bodies and a decision-maker, who, in the instance of these Appeals, are the Welsh Ministers, and describe the well-being objectives that have been established pursuant to it.
  - b. How Planning Policy Wales presents and applies the WBFG Act as part of the planning process.
- 1.3 I also set out my analysis of the proposed developments in the context of each the seven well-being goals, given that the LPA have alighted upon an alleged conflict with one goal, that being a healthier Wales.

### The Appellant’s Case

- 1.4 The Appellant’s case is that both Appeals Schemes are important in providing a continuity in the supply of nationally important aggregate and are consistent with the principle in the Local Development Plan that Craig yr Hesg Quarry, as the only operating sandstone quarry in the County Borough, provides a future supply of minerals.
- 1.5 The environmental effects of working these minerals can be controlled by means of planning conditions (and other environmental permits and control measures) such that they are within acceptable proven limits, would not cause unacceptable harm to human health, and would not cause a significant or unsatisfactory impact on the amenities of neighbouring occupiers.
- 1.6 As such, the Appeals Schemes accord with the Local Development Plan, and absent any other material consideration that would indicate to the contrary, planning permission should be granted, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 1.7 The analysis of the Appeals Schemes against each of the WBFG Act’s seven well-being goals indicates that they contribute positively to those, albeit to different extents. In some instances, there are clear positive contributions, for example, a Prosperous Wales, a Resilient Wales, and a Globally Responsive Wales. In other instances, the effects are more limited in that the schemes protect cultural and heritage assets and



would not harm the Welsh language.

- 1.8 In respect of a Healthier Wales, and the in the context of the evidence provided on behalf of the Appellant by expert witnesses, the proposed developments would not cause unacceptable harm to human health and there would be no significant impact on the amenities of neighbouring occupiers; noise, dust and air quality effects can be controlled to an acceptable limit. This accords with the principles that Planning Policy Wales and Minerals Technical Advice Note 1 requires in the case of minerals development.
- 1.9 The various public health bodies also considered the proposed developments could be undertaken without unacceptable effects. Their involvement in considering the planning applications and making recommendations regarding planning conditions is consistent with the WCFG Act's "ways of working" in terms of integration, involvement and prevention.
- 1.10 A holistic view must be taken of both the positive and negative effects of any development in order to arrive at a balanced consideration of their merits. This is analogous with the *planning balance* identified in Planning Policy Wales.

#### **The Well-being objectives of relevant public bodies**

- 1.11 As public bodies defined by the WCFG Act, Rhondda Cynon Taf County Borough Council, Cwm Taf Public Service Board, Cwm Taf Morgannwg University Health Board, and the Welsh Government each have well-being objectives. These are distinct from but framed by the WCFG Act's seven well-being goals.
- 1.12 I have not identified any objectives that I consider bear directly on these Appeals and none of those objectives can reasonably be said to be a material consideration that indicate planning permission should be refused.
- 1.13 Improving cities, towns and villages as places to live is an objective of the Welsh Government. As with each of the Welsh Government's objectives this is broad, with wide-ranging interpretation and application. It is unanswerable that this objective, and indeed others, require the efficient use of mineral resources. For example, the social and economic benefits that are realised by construction projects are underpinned by the supply of aggregate.
- 1.14 To the extent that such a well-being objective relates to land use planning, this should be considered in the context provided by PPW in respect of Minerals. PPW and the National Plan 2040 recognise that "*construction related minerals and mineral products are particularly important in Wales and are essential for housing and infrastructure, such as schools, roads, railways, airports and flood defences and a steady and adequate supply of materials is necessary.*" For this reason, the principles and policy approach in Planning Policy Wales are particularly germane to the decision-making



process.

### Planning Policy Wales

- 1.15 Planning Policy Wales interprets and presents the WBFG Act as part of the planning process. In the context of these Appeals, the themes of PPW and its underlying ethos of placemaking have only a narrow focus. That is encapsulated in PPW's four key principles for Minerals:
- a. Provid[ing] 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;
  - b. Protect[ing] 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;
  - c. Reduc[ing] 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
  - d. 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.
- 1.16 Mr Jenkins' evidence explains the identified need for working the high specification aggregate of national importance at Craig yr Hesg, with reference to Planning Policy Wales, Minerals Technical Advice Note 1, and the Regional Technical Statement.
- 1.17 Craig yr Hesg Quarry is identified as the **Preferred Area of Known Mineral Resource** in the Local Development for mineral extraction to meet identified needs set out in the Regional Technical Statement. This reflects a long-term and integrated approach to policy making consistent with the "five ways of working". Reflecting this status, planning permission for mineral extraction can reasonably be anticipated.
- 1.18 I note that extracting the permitted reserve at Craig yr Hesg (i.e., the S73 Appeal) is part of the calculation of existing mineral supply and that the Extension of Craig yr Hesg (i.e., the Extension Appeal) implied by the Preferred Area status in the LDP is necessary for the required mineral landbank to be achieved and would make a substantial contribution towards meeting forecast future need.
- 1.19 Moreover, I note that there is no alternative supply of crushed rock aggregate within



RCT either operating presently or identified in the LDP, that could fulfil the role of Craig yr Hesg. Plainly, there is a demonstrable and therefore justifiable need for working those minerals in order to meet society's need.

- 1.20 For the reasons given by Ms Hawkins, Ms Canham, Dr Farnfield, Dr Buroni and Mr Hurlstone it is evident that winning the minerals for which there is an identified need can be achieved within acceptable limits. As is conventional, controls secured either by planning condition or via the environmental permit will prescribe satisfactory operating procedures to regulate these aspects of the developments.

### **Contribution to Welsh Government Well-being Goals**

- 1.21 I have set out my analysis of the proposed developments in the context of each the seven well-being goals:
- a. Allowing the Appeals would enable the mineral resources to be used effectively and economic benefits would be maintained, supporting a productive society.
  - b. Conversely, there would be detrimental economic impacts if the Appeals are dismissed, and quarrying was required to cease whilst there remain unworked minerals.
  - c. The proposed developments do not result in adverse landscape or ecological or hydrological effects and there are benefits that can be achieved from the Extension Appeal to woodland management, new planting and habitat creation.
  - d. The proposed developments can be undertaken without unacceptable adverse effects on health and well-being and within acceptable limits, consistent with the tests in the Local Development Plan and PPW for mineral development.
  - e. The Extension Appeal provides a recreational route that would encourage use of the wider footpath network and allow access to the countryside.
  - f. The Appellant has previously made investments in the local community and would continue to play an active role in supporting local initiatives.
  - g. The proposed developments protect cultural and heritage assets and would not harm the Welsh Language.
  - h. The Appeals Schemes enable mineral reserves to be worked efficiently and appropriately, contributing to the economic health of the country by ensuring that the construction industry is provided with an adequate supply of the minerals it needs.
  - i. Were the winning of minerals to cease and the reserves sterilised, this could only



be described as an inefficient use of natural resources. Whilst this may be justifiable in instances where the effect of continued quarrying is beyond an acceptable limit so as to warrant that, plainly that is not the case in this instance.

- j. Investment has been made by the Applicant at Craig yr Hesg based on the extent of the minerals permitted to be worked and the reasonable anticipation that planning permission would be granted for quarrying in the “preferred area” for future mineral extraction. If winning of minerals were to cease, the lifecycle costs of those investments would not be fully realised and this would represent an inefficient use of resources.

1.22 In my opinion, when considered in the round, the Appeals Schemes contribute to the achievement of the Act’s Well-being Goals. Contrary to the LPA’s view, this represents a material consideration that supports the grant of planning permission.

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May 2022***