

Graham Jenkins

From: Graham Jenkins
Sent: 03 October 2018 13:45
To: Hugh Towns
Cc: Frampton, Mark M (Newport) GBR
Subject: Craig yr Hesg
Attachments: Ecological_Baseline_Review Final 24 09 18 (1).pdf; Note on output at Craig Yr Hesg Quarry Final 03 10 18.pdf

Hugh, I refer to our meeting at Craig yr Hesg Quarry on 25th July to discuss the draft schedule of conditions. I apologise for the delay in responding but we have been awaiting the results of an updated ecological survey with a view to responding to the key action points via one submission.

As intimated above, we agreed at the meeting that it would be prudent to undertake an update of the ecological baseline survey given that the baseline surveys accompanying the 2015 Ecological Impact Assessment (EclA) were undertaken in 2014 (as reported in the May 2015 Environmental Statement). The update survey has now been completed, with the objective of establishing whether there have been any significant changes in the intervening period which could materially alter the conclusions reached in the EclA or the recommendations for ecological mitigation measures. I attach a copy of a letter dated 24th July from SLR which sets out the results of the survey, and you will note the conclusions that (i) the habitats remain broadly comparable to when the initial habitat surveys were completed in 2014; (ii) the baseline presented in the 2015 EclA remains sufficiently accurate and reflective of the value of the site; (iii) the potential impacts remain as originally reported; and (iv) the proposed mitigation strategy remains appropriate to address the identified ecological impacts. I therefore trust that this update report is sufficient to close off this issue.

At our meeting we identified two key draft conditions of concern – the removal of permitted development rights (draft condition 8), and an output limit (draft condition 10). Following discussions, our understanding is that it has been agreed that the removal of permitted development rights does not meet the guidance set out in MPG2 that GPDO rights should only be withdrawn in “exceptional circumstances”, nor is the condition deemed to be “necessary” given the wider amenity controls which will be in place via planning conditions and other legislative regimes. I thus understand that you are content that draft condition 8 can be deleted from the schedule.

We also agreed to provide a note explaining the issues associated with output and traffic movements, which reinforces our view that condition 10 is not appropriate and should not be imposed. The suggested clarification note is attached, and we trust that this will be sufficient to allow condition 10 to be deleted from the final schedule.

There are a number of more minor points of detail on other conditions, and we will respond to these separately with suggested tracked changes and comments. However, we thought it best to initially deal with the two key issues of concern, as discussed above.

In the meantime, other than additional comments on other draft conditions, our understanding is that there are no outstanding issues which require further comment from the Applicants. It would thus be useful if you could provide an update regarding a potential date for determination, and whether there has been any further response from Welsh Water where, you will hopefully understand our view is that this cannot be allowed to drift interminably.

Regards

24/09/18

Mr M Frampton
Hanson UK

(by email)

Our Ref: 406.00027.00481

Dear Mark

RE: CRAIG YR HESG QUARRY EXTENSION – ECOLOGICAL BASELINE REVIEW

Further to your instructions, this letter sets out a review of the ecological baseline conditions of the proposed north-westerly extension to Craig yr Hesg Quarry near Pontypridd. It has been prepared by SLR Consulting Ltd (SLR) for Hanson UK (Hanson).

1. BACKGROUND

Planning Background

In 2015, a planning application was submitted to Rhondda Cynon Taf County Borough Council (RCT) in respect of a proposed north westerly extension and consolidation of existing planning permissions of Craig yr Hesg Quarry, Pontypridd. The proposed extension relates to a 7.9 hectare (ha) parcel of land centred on the grid reference ST 072 919.

The proposed quarry development was described in full within the ES, although in summary it will essentially comprise:

- establishment of proposed landform screening bunds to enclose the quarry extension area and accommodate overburden material from phase 1 of the extension area development;
- progressive development of existing quarry faces and benches in a north-westerly direction, to a depth of 100m AOD in accordance with existing quarry depth; and
- restoration of the application site in accordance with the established principles for the existing quarry.

The planning application was accompanied by an Environmental Statement (ES) which included an Ecological Impact Assessment (EcIA) which focussed on the potential ecological effects associated with the proposed quarry extension.

Ecological Background

The 2015 EcIA followed guidelines set out by the Institute of Ecology and Environmental Management (IEEM 2006) (now the Chartered Institute of Ecology and Environmental Management) and references therein.

During preparation of the 2015 EclA, RCT were consulted through a request for an informal scoping opinion and direct discussion with the RCT Ecologist. The EclA was based upon an agreed scope of work which comprised the following tasks:

- A desk top study drawing upon a range of data sources including pre-existing ecological information for the site itself, the South East Wales Biodiversity Records Centre (SEWBReC), The Natural Resources Wales (NRW) website¹; the Wales Biodiversity Partnership website²; the RCT website³ and the Forestry Commission Wales (FCW) website⁴;
- An Extended Phase 1 habitat survey of the extension area and immediate surrounding area was undertaken in May 2014 following the standard JNCC methodology; and
- A Phase 2 botanical survey was undertaken in September 2014 following the National Vegetation Classification (NVC) methodology⁵.

The Extended Phase 1 survey and consultation identified that the potential for protected and notable fauna to be negatively impacted upon by the proposed extension, was considered to be low and no specific protected species surveys were undertaken. The presence of birds and reptiles was confirmed during the habitat surveys.

Document Purpose

At the time of preparing this letter report, SLR understands the planning application is due to be determined in the near future and that Hanson is anticipating commencing site works during 2019. As such, the purpose of this document is to review the habitat survey results used to inform the 2015 EclA in order to assess whether any significant changes that could materially alter the conclusions reached had taken place in the intervening period. In particular this relates to changes in habitat type, or extent, and the potential for protected or notable species to occur.

It should be noted that since completing the 2015 EclA, that CIEEM has updated the guidelines⁶ for completing EclA. Whilst there are subtle differences in the approach and terminology which would now be used when completing an EclA, these changes are not deemed to be significant in planning policy or legislative terms when it comes to considering the validity of the conclusions reached within the 2015 EclA.

¹ <http://naturalresourceswales.gov.uk>

² <http://www.biodiversitywales.org.uk>

³ <http://www.rctcbc.gov.uk>

⁴ http://maps.forestry.gov.uk/imf/imf.jsp?site=fcwales_ext&

⁵ Rodwell, J.S. (2006). *National vegetation classification, users' handbook*. Joint Nature Conservation Council, Peterborough.

⁶ CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Chartered Institute of Ecology and Environmental Management, Winchester.

2. ECOLOGICAL REVIEW (2018)

To review the 2015 EclA, a site visit was undertaken on the 13th September 2018. The survey was led by Mr Chris Mitchell, a Chartered Ecologist (CEcol), a Chartered Environmentalist (CEnv) and Full Member of the Chartered Institute of Ecology and Environmental Management (MCIEEM)⁷.

Methodology

The 2018 survey comprised a systematic walkover of the original Phase 1 habitat survey area to review the habitat types present and descriptions included in the 2015 EclA. The survey area is shown on Figure 7.1 (as included with the 2015 EclA) and appended to this report for reference.

Results

Habitats

The 2018 survey found the habitat baseline remains broadly comparable to that reported by the surveys undertaken to inform the 2015 EclA. Subtle changes were evident as a result of less intensive management (grazing) being in place at the time of survey and evidence of a fire across parts of the extension area, the cause of which is unknown but not an uncommon situation following an exceptionally dry summer in 2018. As a result, the grassland sward was found to be higher, in locations unaffected by the fire, than reported in 2015 although the sward composition remained comparable.

Based on the observations made during the 2018 survey, these subtle changes are not significant enough that the Phase 1 habitat map (Figure 7.1 of the 2015 EclA) would be revised. As such, the habitat descriptions contained within the 2015 EclA as Target Notes also remain reflective of the habitat type and species composition present. On this basis it is considered that the vegetation communities identified by the Phase 2 NVC survey also remain comparable to those reported in the 2015 EclA.

Table 1 below shows photographs to highlight the comparability of the current situation to that reported in the 2015 EclA together with Target Note (TN) references. Only the main grassland habitats of the proposed extension area are shown and it should be noted that actual photograph locations were not fixed between years.

⁷ The recognised professional body for ecologists.

Table 1- Site Photographs

2014 Photo	2018 Photo
<p>TN3</p> 	
<p>TN5</p> 	

Protected and Notable Species

The continued presence of common lizard (*Lacerta vivipara*) was confirmed during the 2018 survey, with one adult and three juvenile lizards observed basking on dry stone walling within the extension area.

No other evidence of protected species was noted during the 2018 survey.

As such, the potential for protected or notable species to be present within the extension area or immediate surroundings is considered to remain as reported by the 2015 EclA.

3. SUMMARY AND CONCLUSIONS

The ecological baseline at the proposed north-eastern extension of Craig yr Hesg Quarry was presented in an EclA completed in 2015. A review undertaken in September 2018 has confirmed that the site habitats remain broadly comparable to when initial habitat surveys were completed in 2014.

Therefore, it is considered that the baseline data presented in the 2015 EclA (i.e. the ES and planning application) remains sufficiently accurate and reflective of the value of the site and suitable for the assessment of the potential ecological impacts of the proposed quarry extension.

An assessment of potential impacts of the proposed extension was undertaken within the 2015 EclA. As the habitats baseline remains broadly unchanged from that assessed 2015, it is considered that the potential impacts remain as reported and as such the proposed mitigation strategy remains appropriate to address the identified ecological effects.

No recommendations for additional mitigation are considered necessary in 2018, although the recommendations made in 2015 remain valid and need to be followed. Full details are provided in the 2015 EclA and these should be referred to if further information is required, although the summary Table 7-6 of the 2015 EclA is appended to this report for reference.

If you have any queries in relation to the content of this letter, then please do not hesitate to contact me on 01743 239 250.

Yours sincerely
SLR Consulting Limited



Chris Mitchell
Principal Ecologist

APPENDIX A

Table 3-1
Summary of Potential Impacts, Mitigation and Residual Impacts

Ecological Feature	Description of Potential Impact	Characterisation of Impact	Ecological Significance of Impact if unmitigated	Mitigation and Enhancement Proposals	Significance of Residual Impact following Mitigation and level of Confidence.
Habitat Loss – c.7.9 ha of MG6 Grassland including small areas of bracken, scattered scrub and ruderal vegetation.	Loss of 7.9ha to allow establishment of screening bunds and mineral extraction area.	<ul style="list-style-type: none"> Negative. Certain. Direct. 7.9ha or c. 40% of the approximate 19ha of connected grassland habitat present. Permanent (although reversible through restoration). 	Significant at Parish (Local) level.	Regeneration of acid grassland around screening bunds using topsoils/turves to be lost, wider long term establishment of further areas during site restoration.	<p>Minor negative significance at a local level during operational period.</p> <p>High level of confidence.</p>
Breeding birds Protected under Wildlife and Countryside Act 1981 whilst nesting.	Loss of nesting habitat.	<ul style="list-style-type: none"> Negative. Certain. Direct. Negligible proportion of wider habitat network. Permanent (although reversible through restoration). 	Insignificant.	Provision of alternative comparable habitats along screening bund and during restoration.	<p>Not significant.</p> <p>High level of confidence.</p>

Reptiles	Potential killing or injury during vegetation removal, reduced foraging area.	<ul style="list-style-type: none"> Negative. Certain. Direct. Loss of approximately 0.8ha, minor proportion of wider habitat network. Permanent (although reversible through restoration). 	Significant for any reptiles killed, unlikely to be significant for wider site reptile assemblage.	Implementation of Reptile Mitigation Strategy to prevent killing or injury, provision of alternative habitats during operational stages and final restoration.	Not significant. High level of confidence.
Habitat Creation and Species Enhancements during landscape and restoration works.	<p>The following habitats will be present upon completion of all quarrying and restoration works resulting in 'no net loss' in terms of habitat area:</p> <ul style="list-style-type: none"> Exposed quarry faces, bare ground and rock/scree; Naturally regenerated acid 	<ul style="list-style-type: none"> Positive. 	n/a	Creation of northern screening bund with woodland planting would provide a habitat linkage between currently unconnected blocks of woodland in the peripheral areas of the site. This would also represent an enhancement for bats, invertebrates,	Positive long term gains, significant at Parish (Local) level.

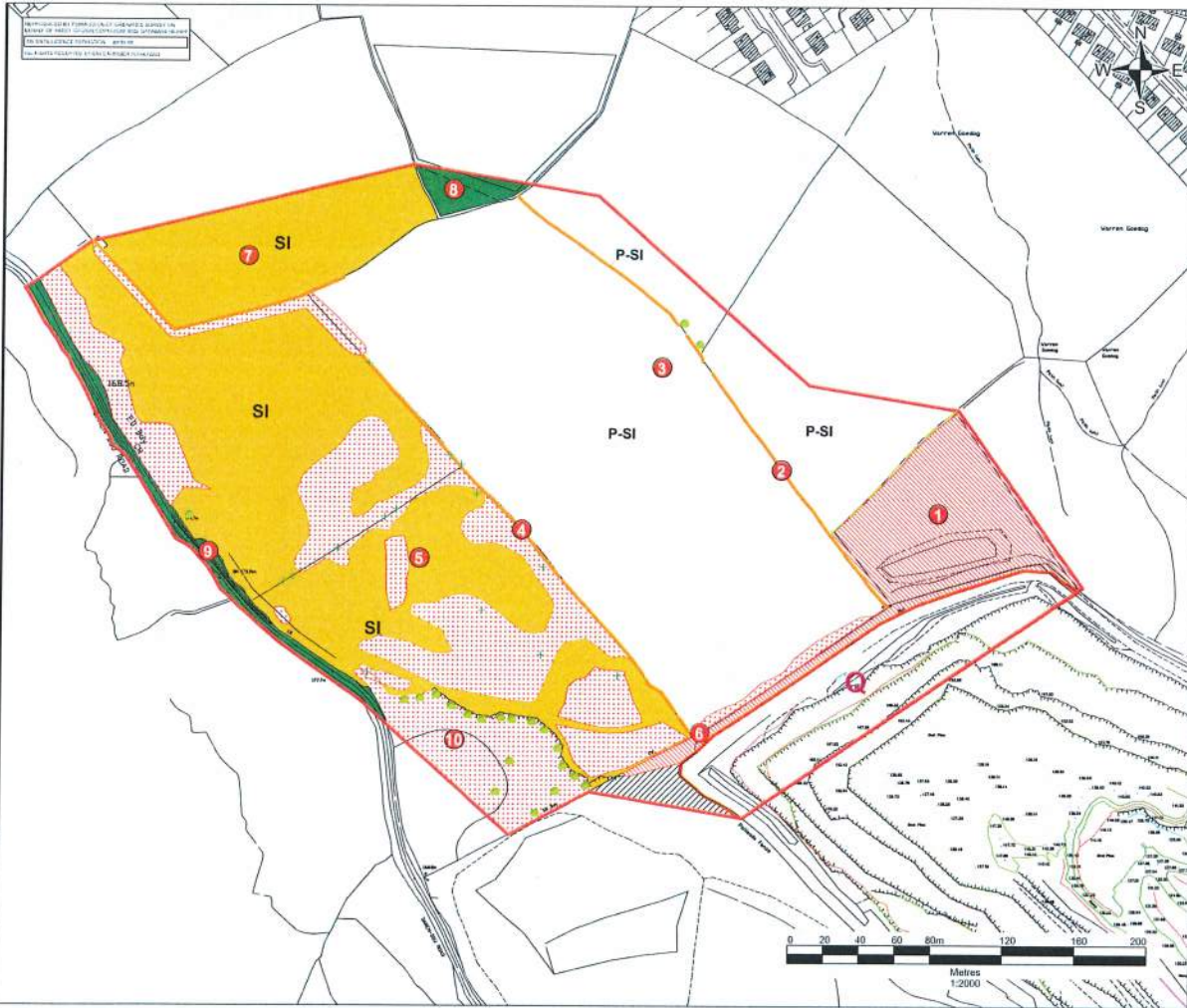


	<p>grassland; and</p> <ul style="list-style-type: none">• Woodland and scrub. <p>Further areas of these habitat types will also occur within the wider site as per the permitted restoration concept.</p>		<p>breeding birds and reptiles.</p> <p>The southern screen bund would be allowed to naturally regenerate, to include a mosaic of woodland, scrub and acid grassland to compliment the wider Ffridd mosaic of the Craig yr Hesg ridgeline.</p> <p>Progressive restoration of the quarry void would also provide further areas of habitat for bats (foraging), birds, invertebrates and reptiles.</p>	
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FIGURE 7.1



Map of the site showing the proposed extension of the quarry. The map is based on a survey of the site in 2014. The map is a plan view of the site and does not show any topography or elevation. The map is a plan view of the site and does not show any topography or elevation.



LEGEND	
[Red outline]	SURVEY AREA
[Red box with Q]	QUARRY
[White box with P-SI]	POOR SEMI IMPROVED GRASSLAND
[Yellow box with SI]	ACID SEMI IMPROVED GRASSLAND
[Dotted pattern]	BRACKEN
[Hatched pattern]	TALL RUDERAL
[White box with diagonal lines]	BARE GROUND
[Green box]	BROADLEAVED WOODLAND
[Green circle with dot]	SCATTERED TREES (INDICATIVE)
[Green cross]	SCATTERED SCRUB
[Dashed line]	DEFUNCT HEDGE
[Orange line]	WALL
[Red circle with number]	TARGET NOTES

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**CRAIG-YR-HESG QUARRY
PROPOSED EXTENSION
ECIA - PHASE 1 SURVEY**

7/1

Scale: 1:2000 @ A3 Date: OCT 2014

0027_00093_05.7_1.0 Habitat Plan.dwg

Note on output at Craig Yr Hesg Quarry

Craig yr Hesg Quarry has benefited from a series of planning permissions for extensions to the original quarry, the most recent of which was granted in August 1993 (reference 56/86/0827). None of the permissions have been subject to a planning condition restricting output from the site, noting that (a) output will be dictated by market conditions; and (b) given the high specification aggregate which is produced at the quarry, a key component of the customer base is local authorities and other public bodies responsible for highway construction and maintenance who would not want supply to be constrained.

In April 2013 the planning permissions were the subject of an Environment Act 1995 'Review of Old Mining Permissions (ROMP Review)'. Again, no restrictions were imposed relating to output from the quarry (reference 08/1380/10). This up to date schedule of conditions provides a template for the controls which could reasonably be imposed on a planning permission for the western extension development (application reference 15/0666/10). The existing conditions allow Hanson to operate at an unrestricted output level until 31st December 2022, with a further 12-month period for the sale of residual stock.

The Environmental Statement (ES) accompanying the western extension planning application noted that recent and historic output at the quarry has averaged 400,000 tonnes per annum. As an 'average' there have thus been years when the output was higher than 400,000 tonnes, and years when the output was lower. For example, in 2011 output was 364,718 tonnes, whereas in 2009 output was 458,908 tonnes.

The traffic impact assessment reported in chapter 13.0 of the ES assumed an average output of 400,000 tonnes per annum for the purposes of an assessment of the capacity of the local highway network to continue to accommodate traffic from the quarry. The analysis assumed an average of 20 tonne pay loads, as opposed to higher capacity pay loads using articulated vehicles. This average equates to 70 loads per day or 140 movements. The study concluded that:

- (i) The proposals effectively represent a continuation of current activities;
- (ii) During the study period there have been no recorded accidents at the quarry accesses and no recorded accidents involving HGVs on the neighbouring highway network;
- (iii) The percentage of HGV movements attributable to Craig yr Hesg Quarry (some 140 movements), represents 16.5% of overall HGV movements on the B4273 (847 HGV movements per day);
- (iv) At peak hour flows the B4273 currently operates at 67% of its design capacity, retaining a reserve or spare capacity of approximately 500 vehicles or 33% of design capacity; and
- (v) Highway capacity is not a constraint to the ongoing development.

It follows from the above that consistent with the historic planning permissions and ROMP Review, there is no basis for imposing an output limit on the quarry in terms of traffic movements.

It is also relevant to note that in practical terms the majority of dry aggregate leaving the quarry is carried in articulated vehicles with average 28 tonne payloads. A similar analysis to that carried out in the ES based upon an average of 70 articulated vehicles carrying an average of 28 tonne loads per day would equate to a notional output of 563,500 tonnes per annum. The ES analysis of the effects of 70 loads (140 movement) per day, which has been deemed acceptable in traffic terms, is thus capable of accommodating a range of outputs above a notional 400,000 tonnes per annum depending on the payload profile of delivery vehicles (comprising both Hanson fleet and collect customer HGVs),

noting also the above conclusion that there is substantial spare capacity in the highway network to accommodate additional movements.

In terms of potential wider amenity effects of a range of outputs, these have similarly been implicitly assessed within the EIA. The noise study (ES chapter 10.0) is based upon setting noise limits at defined representative residential properties which would need to be adhered to irrespective of sales output. The noise criterion levels which have been set, which are founded upon advice in MTAN1, are not based upon specific levels of output or average output but will apply to all operations undertaken within the defined day time and night-time noise periods irrespective of output.

The blast vibration study (ES chapter 11.0) sets limits on vibration from blasting which will similarly apply irrespective of output.

The air quality study (ES chapter 12.0) confirms that average PM10 concentrations are well within the long-term air quality objectives, and fugitive dust is controlled by a suite of conventional good practice measures. These issues are reinforced by the submitted 'Dust and Particulate Management Plan and Dust Monitoring Plan' which comprises a detailed scheme for ongoing management and monitoring of emissions, with provision for formal reviews and updates as required. Again, these measures will be applicable irrespective of quarry output.

The position at Craig yr Hesg Quarry is re-enforced by:

- (i) the recent and ongoing PM10 monitoring which confirms a trend of improving air quality;
- (ii) the provisions of the proposed Section 106 Agreement and the financial contribution to be made by Hanson to further ongoing PM10 monitoring to be undertaken by RCT; and
- (iii) by the detailed controls exercisable via the Environmental Permit which imposes dust management and emission controls not just on the plant items but on related activities within the overall quarry, including haul roads, stockpiles etc.

Thus, if contrary to the established trend of improving air quality there is found to be (i) a deterioration in air quality attributable to the quarry identified via the RCT Air Quality Monitoring, or (ii) fugitive dust issues identified either via the Dust Management and Monitoring Plan or Permit compliance monitoring, then RCT will be able to secure the implementation of additional dust /air quality mitigation measures which can be enforced both via the terms of the Dust and Particulate Management Plan and Environmental Permit compliance. Again, these issues will apply irrespective of quarry output.

The ES has thus considered output expressly via the traffic impact assessment, and implicitly via other studies which set out amenity controls which would be applicable whatever the quarry output.

Finally, in terms of quarry output, the absence of any existing output restrictions properly reflects the advice that planning conditions need to be, inter alia, necessary, relevant, enforceable, and reasonable (ref Welsh Government Circular 016/2014). An output limit would not satisfy these tests, and RCT appear to have reached such a conclusion in determining earlier planning applications and the recent ROMP Review.