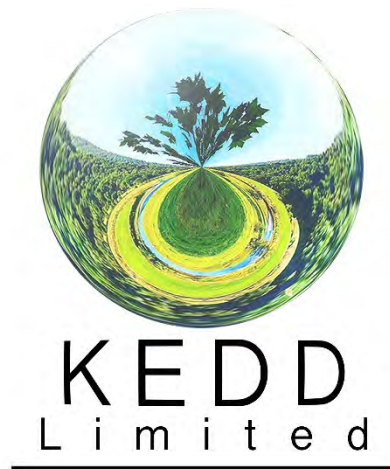




PLANNING STATEMENT

Planning Application for 2No. Changes to the Limits of Extraction within
the Existing Permitted Planning Boundary of Ballswood Quarry *Relating
to Planning Permission ref. P/2016/0110*

at

Ballswood Quarry, off Gegin Lane, Llay, Wrexham LL12 0NU

May 2022

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1 Introduction

1.1 Background

- 1.1.1 This planning application has been prepared on behalf of Cheshire and North Wales Sand and Gravel Limited (hereafter referred to as the Applicant) for 2 proposed extensions (Referenced as Areas A & B) to the extraction boundary of Ballswood Quarry utilising existing quarry infrastructure and access. The proposed development will release currently sterilised mineral within the permitted planning boundary of the site.
- 1.1.2 Ballswood Quarry contains a number of different types of sand and gravel, which are worked from various “faces” within the site. The reason for the 2 changes is to release additional and higher quality reserves of building sand and sand and gravel.
- 1.1.3 The Planning Application falls within the red line boundary of Planning Permission ref: P/2016/0110, which was approved under the Environment Act 1990 Periodic Review of Planning Conditions (09/05/2016). Condition 2 of Planning Permission ref: P/2016/0110 sets out that mineral working is to cease by 22nd February 2042.
- 1.1.4 The 2 proposed changes to the extraction area fall within the red line boundary of Planning Permission ref: P/2016/0110, although outside the extraction area on the approved plans.
- 1.1.5 The new planning application boundaries are illustrated on Drawing No. KD.BLWQ.2.D.003 (Referenced as Areas A & B). This drawing also illustrates the permitted planning boundary and associated limit of extraction.
- 1.1.6 In terms of existing permitted mineral remaining, it has been identified that there is 200,000 tonnes of sand and gravel remaining. Based upon current sales of ~500,000 tonnes, this means mineral will run out within 4 to 5 months (mid May 2022). The proposed extension areas are suitable to provide an additional 690,000 tonnes, which combined with the existing reserves gives a total of 890,000 tonnes. It is anticipated that sales will continue at 500,000 tonnes per annum, resulting in ~1.78 years of extraction with a further year to complete restoration.
- 1.1.7 A Section 73 (s73) application was recently submitted for three extension areas to the extraction boundary identified within the ROMP totalling an additional 2.267 million tonnes of sand and gravel (Ref: P/2021/0486). However, this application was subsequently withdrawn. Consultation comments received on the S73 application have also been taken into account and the scheme and supporting reports have revised to address the consultees comments and concerns.
- 1.1.8 The proposal does not propose changes to the methods of quarrying at Ballswood Quarry,

which will continue to be within the permitted application boundary and will be completed well within the approved end date of mineral working at the quarry. Access to the site is proposed to remain via the existing access off Gegin Lane.

- 1.1.9 This Statement provides details of the application site as it currently exists, the site's planning history and context, the proposed development, and how the proposals may impact the local environment and community. Consideration has been given to the proposed impact on the local environment and community during the proposed mineral extraction and progressive restoration phases, and the long-term impacts of the proposal upon final site restoration and beyond.
- 1.1.10 This Statement assesses the proposed development's compliance with the various planning policies that constitute the Development Plan for the area and with other material planning considerations that are relevant to the determination of the planning application.
- 1.1.11 For completeness, this Statement should be read in conjunction with the accompanying application forms, plans and supporting technical considerations.
- 1.1.12 To assist Wrexham County Borough Council (WCBC) in arriving at a considered view, details of the proposed development and a site description are outlined below along with a broad assessment of any potential environmental effects and their significance. In addition to environmental matters, other considerations material to the preparation and consideration of the planning application are also set out below:
- 1.1.13 This Planning Statement should be read in conjunction with the following documents and plans:
- Landscape and Visual Considerations – Kedd Limited;
 - Nature Conservation and Ecology – Heatons;
 - Arboriculture - Heatons;
 - Noise – Kedd Limited;
 - Air Quality and Dust – Kedd Limited; and
 - Archaeology and Cultural Heritage – Kedd Limited.
- 1.1.14 In addition to the above supporting documentation the following plans are also submitted as part of this application:
- Location Plan – Drawing No. KD.BLWQ.2.D.001;
 - Current Situation – Drawing No. KD.BLWQ.2.D.002;

- Block Proposals Plan – Drawing No. KD.BLWQ.2.D.003; and
- Concept Restoration – Drawing No. KD.BLWQ.2.D.004.

2 Site Context

2.1 Site Location

- 2.1.1 Ballswood Quarry is located at Gegin Lane, Wrexham, LL12 0NU, and is one of two active sand and gravel quarries in the County Borough of Wrexham (the other being Borrass Quarry).
- 2.1.2 Ballswood Quarry is situated approximately 4 km north of Wrexham, on the eastern edge of the village of Llay. The Quarry has access onto the A483 at its junction with the B5102 some 1.5 km north-east of the quarry. Access is gained on to the B5102 along a short stretch of an unclassified road, Gegin Lane. The stretch of Gegin Lane between the quarry access and the B5102 (Croeshowell Hill) has been improved. The A483 is a dualled highway which provides access south to Wrexham and beyond, whilst to the north the road links with the A55 before continuing in to Chester.
- 2.1.3 Vehicular access to the Quarry is shared with users of Homestead Garage, which is both a vehicle repair and testing business and an HGV haulage yard, a ready-mixed concrete producer, Dependable Concrete North West Limited and Inertia Waste, who operate an inert waste aggregate recycling facility within the Quarry.
- 2.1.4 The access into the Quarry comprises a surfaced road which leads from a bellmouth off Gegin Lane. On entering the site, the entrance to Homestead Garage is on the right-hand side whilst the entrance to the ready-mixed concrete plant and associated offices and carpark is to the left. The surfaced access road then continues to the quarry weighbridge and offices. There is a wheelwash situated on the “exit side” of the main access.
- 2.1.5 The nearest properties that might be affected by quarry activities are situated along Gegin Lane and Straight Mile/Croeshowell Hill (B5102), all of which are to the north, north-west and east of the site, at a minimum of 100m from Areas A and B. The processing plant area is some 540 metres from the nearest properties. These properties lie on the opposite side of Gegin Lane and are separated from the extraction limit by a mature hedgerow (which runs along the southern side of the lane). The levels fall away from the property in a south-easterly direction dropping from c 70 metres aOD at the property to c 55 metres aOD at the top of the extraction boundary before falling sharply into the quarry itself, the floor of which is around 40 metres aOD at its lowest point.
- 2.1.6 Mount Alyn Lodge, the only property which lies to the south of Straight Mile/Croeshowell Hill (B5102), is some 140 metres north of proposed Area A.
- 2.1.7 Yew Tree Farm outbuildings lie some 200 metres to the north-east of Area A (at the nearest

point) with relatively flat agricultural land between the farm buildings and the quarry.

- 2.1.8 The Homestead (residential property) is located adjacent to the existing quarry entrance off Gegin Lane, with Area B being located some 110m to the south.

2.2 Planning History

- 2.2.1 The proposed extension areas fall within the red line boundary of Planning Permission ref: P/2016/0110, although outside the extraction area on the approved plans. Planning Permission ref: P/2016/0110 was approved under the Environment Act 1995 Periodic Review of Planning Conditions (ROMP) (09/05/2016). Condition 2 of Planning Permission ref: P/2016/0110 sets out that mineral working is to cease by 22nd February 2042. Prior to this mineral extraction was controlled by planning permission reference LLA CB/1997/1013 approved in 2001.
- 2.2.2 During the determination of the now withdrawn S73 application (Ref: P/2021/0486), a consultation response questioned the validity of Planning Permission ref: P/2016/0110 and made reference to the WCBC planning application portal still referencing the application as pending in June 2021 (Kedd Note: the portal now references the application as permitted).
- 2.2.3 Schedule 14 of the Environment Act 1995 sets out the procedural guidance for dealing with Periodic Review of Mineral Planning Permissions, which was the guidance to be followed for the application approved under Planning Permission ref: P/2016/0110 and despite the portal being updated, I will set out below the reasoning behind the granting of permission.
- 2.2.4 Paragraph 6 of Schedule 14 to the Environment Act 1995 states that,

“...

(8) Subject to sub-paragraph (9) below, where, within the period of three months of the mineral planning authority having received an application under this paragraph, or within such extended period as may at any time be agreed upon in writing between the applicant and the authority, the authority have not given notice to the applicant of their decision upon the application, the authority shall be treated as having at the end of that period or, as the case may be, that extended period, determined that the conditions to which any mineral permission to which the application relates is to be subject are those specified in the application as being proposed in relation to that permission; and any such permission shall, from that time, have effect subject to those conditions.

(9) Where a mineral planning authority, having received an application under this paragraph, are of the opinion that they are unable to determine the application unless further details are

supplied to them, they shall within the period of one month from having received the application give notice to the applicant—

(a) stating that they are of such opinion; and

(b) specifying the further details which they require,

and where the authority so serve such a notice the period of three months referred to in subparagraph (8) above shall run not from the authority having received the application but from the time when the authority have received all the further details specified in the notice”.

- 2.2.5 The application for the determination of conditions was submitted on 4 February 2016 and was registered by the Council on 9 February 2016, Ref P/2016/0110.

After 3 months from the registration date, the Council had not,

(a) Made any request to extend the period for determination; or

(b) Within one month of the date of the application made any request for further information.

- 2.2.6 Therefore, the agent for the application wrote to the Council on 21 June 2016 on behalf of the operator at the time (DP Williams Holdings Limited) to advise that it was the applicant’s view that from the 9 May 2016 (the 3 month period referenced in sections 8 and 9 of the Paragraph 6 of Schedule 14 to the Environment Act 1995), the planning permission relating to the development at Ballswood Quarry is subject to the those conditions which were attached to the application.

- 2.2.7 The Act does not require the mineral planning authority to confirm that this is the case.

- 2.2.8 Therefore, P/2016/0110 was quite clearly approved under the Environment Act 1995 Periodic Review of Planning Conditions despite the confusion caused by the status on WCBC’s planning application portal.

3 Description of Proposals

3.1 Development Overview

- 3.1.1 Ballswood Quarry contains a number of different types of sand and gravel, which are worked from various “faces” within the site. The reason for the extension areas is to release additional and higher quality resources of building sand and sand and gravel.
- 3.1.2 Details of the proposed development is set out in the attached plans:
- Location Plan – Drawing No. KD.BLWQ.2.D.001;
 - Current Situation – Drawing No. KD.BLWQ.2.D.002;
 - Block Proposals Plan – Drawing No. KD.BLWQ.2.D.003; and
 - Concept Restoration – Drawing No. KD.BLWQ.2.D.004.
- 3.1.3 The proposed application boundary is to be the same as the extant red line boundary for the site which covers an area of 54.6Ha. The extension areas are located in the eastern and western extent of the extant red line boundary, however are currently outside the permitted extraction boundary. Extension Area A covers 4.37Ha of agricultural land and has a calculated saleable resource of 500,000 tonnes; Extraction Area B covers a much smaller area of land (0.68Ha), and currently consists of the Site Offices and a tree with a Tree Preservation Order designation, here there is 190,000 tonnes of saleable resource. At the current rate of extraction, these areas shall take approximately 1.38 years to extract. Combined with the existing reserves of 200,000 tonnes gives a total of 890,000 tonnes, resulting in ~1.78 years of extraction with a further year to complete restoration.
- 3.1.4 The proposal does not propose changes to the methods of quarrying at Ballswood Quarry, which will continue to be within the permitted application boundary and will be completed well within the approved end date of mineral working at the quarry.
- 3.1.5 As illustrated in Drawing No. KD.BLWQ.2.D.003 (Proposals Plan) the proposals for the working and restoration of the development are all contained within the existing permitted application boundary. The reason for this application being to avoid the sterilisation of on-site mineral.
- 3.1.6 Please note that the Proposals Plan represents a combination of the proposals including both working and restoration, and it should not be read that these works would all take place at the same time.
- 3.1.7 All mineral will be worked dry i.e. above the local ground water table. The base of extraction

to be no lower than 25 maOD.

3.2 Concept Restoration

- 3.2.1 The sites permitted restoration scheme is illustrated on Drawing No. DPW/BW/ROMP/16-03. The restored land use being to a mix of agriculturally managed grassland, with blocks of existing and proposed woodland, areas of wet/marshy habitat, willow planting and natural regeneration. It is noted on this plan that there are no restoration levels.
- 3.2.2 The permitted woodland species planting includes Ash, Beech, Willow, Hawthorn and Alder. This mix of plants can be assimilated into the proposed restoration scheme excluding Ash species which are currently subject to Ash Dieback disease.
- 3.2.3 Based upon consultation responses received on the now withdrawn S73 application (Ref: P/2021/0486) together with a site meeting with Wrexham County Borough Council's tree and ecology officers and the North Wales Minerals Group planning officer on 7th January 2022. The Provisional Concept Restoration Scheme for the site has been revised to address the officers comments and concerns. As discussed the Extension Areas A and B form the planning application site set within the wider quarry / current Planning Permission Boundary. The Provisional Concept Restoration Scheme being subject to a requirement for a detailed restoration scheme to be submitted separately. The main areas of change being:
- I. An increase in the area of land allocated for natural regeneration / establishment of habitat suitable for colonisation of vegetation for invertebrate species. This area forming a continuous block of land around the northern, western and southern areas of the site. With natural generation an option is also provided to sow sections of species rich grassland to allow more rapid vegetation establishment if required. Species mix too be agreed as a condition pre seeding;
 - II. Concentrating new native tree and shrub planting / woodland and hedges to the higher elevated ground to both reflect local existing vegetation structure and to integrate into an area of woodland running along the sites southern boundary; and
 - III. Tree planting will also be placed in proximity to an existing single TPO tree which will be removed within Extension Area B. Please note that based upon an independent Arboricultural Assessment this tree has decay and rot and its life expectancy is assessed as medium. To compensate for the loss of this decaying tree the revised restoration scheme will include new mitigation native tree and shrub mitigation planting in proximity to the existing tree (approximately 500 number plants) and approximately 13,250 number native Trees and shrubs within the Provisional Concept

Restoration Scheme. Seasonal planting will commence along the southern boundary of the existing quarry in winter 2022 with approximately 3,750 number plants. Native tree and shrub planting mix to be agreed as part of a condition pre planting.

3.2.4 The Revised Provisional Concept Restoration Scheme will comprise the following land uses:

Existing Woodland	9.6 Ha
Proposed Woodland	5.3 Ha
Existing Agriculture	7.2 Ha
Proposed Agriculture	18.2 Ha
Proposed Sandy Substrate /	
Proposed Species Rich Grassland	9.5 Ha
Ephemeral Wet Area	1.2 Ha
Section of River Alyn	0.2 Ha
Residential Land	0.5 Ha
Commercial and Industrial Activities	2.5 Ha
Section of A483	0.4 Ha
Total Land Area	54.6 Ha

3.2.5 All restored land is to be subject to a 5-year Aftercare and Management Plan.

3.3 Public Consultation

3.3.1 The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 requires applicants who are submitting 'major development' to carry out a pre-application consultation.

3.3.2 The order provides guidance and requirements with regard to publicity of the planning application, documents which should be provided as part of the consultation, the duration for which the consultation must be, and also the particulars of a pre-application consultation report.

3.3.3 As part of the preparation of this planning application, the statutory 28-day public consultation was held and full detail regarding the requirement for pre-application consultation and

consideration of the responses received from the consultation are provided in the Statement of Community Involvement submitted as part of this planning application.

4 Planning Policy

4.1 Introduction

- 4.1.1 This Chapter focuses on the main planning policy considerations including all relevant policy considerations contained within adopted and emerging policy documents. Appropriate regard is given to the emerging Development Plan as well as National Planning Policy Guidance.

Adopted Policy

- 4.1.2 The site falls within Wrexham CBC. The local development plan documents and Welsh national policy relevant to the proposed development at Ballswood Quarry have been reviewed:

- Wrexham Unitary Development Plan (UDP), 2005;
- Planning Policy Wales (Edition 10), 2018;
- Minerals Planning Policy (Wales) Minerals Technical Advice Note (MTAN) (Wales) 1: Aggregates (MTAN1), 2004; and
- North Wales Regional Technical Statement 1st Review, 2014.

Emerging Policy

- Wrexham Local Development Plan 2 (Deposit version currently undergoing examination), March 2018;
- Wrexham Local Development Plan 2: BP 11 Minerals Technical Paper, January 2018; and
- Welsh Government: Regional Technical Statements for the North Wales and South Wales Regional Aggregate Working Parties. Second Review - Public Consultation, September – November 2019.

4.2 Adopted Policy

Wrexham County Borough Council: Unitary Development Plan (UDP), 2005

- 4.2.1 Strategic Policy PS9 states that: *“provision for minerals development will be made at a level that ensures a supply of minerals set in the context of regional land bank requirements, and that takes account of environmental protection policies and the potential for the use of rail freight transport.”*

- 4.2.2 At present the site is wholly within a 'Green Barrier' the policy for which (Policy EC1) states that development in Green Barriers will only be permitted for a limited range of land uses, including those which *"maintain the openness of the Green Barrier and do not conflict with the purpose of including land within it"*. Policy preamble states that *"mineral extraction does not conflict with the purpose of Green Barrier provided it does not detract from the open character and provides high standards of restoration"*.
- 4.2.3 The site is also located within a 'Special Landscape Area' covered by Policy EC5 which states that development outside of agriculture, and that by utility service providers is strictly controlled. Furthermore, development in SLAs is required to *"conform to a high standard of design and landscaping, and special attention will be paid to minimising visual impact both from nearby and distant viewpoints."*
- 4.2.4 Policy EC12 covers flood risk, and states that development in flood plains will only be permitted where it:
- a) would not be subject to an unacceptable risk of flooding on-site; and/or
 - b) does not result in an unacceptable risk of flooding on or off-site; and/or
 - c) does not adversely affect flood management or maintenance schemes.
- 4.2.5 The UDP contains specific policies on minerals and waste development in Wrexham. Of particular interest to this Appraisal are those below:
- 4.2.6 Policy MW1 'Mineral Landbanks' states that in determining applications for aggregates, regard is had to maintaining the appropriate landbanks and the sub-regional apportionments by the North Wales Regional Aggregates Working Party will also be taken into account.
- 4.2.7 Policy MW2 is specific to sand and gravel. It offers a sequential approach to the location of sand and gravel extraction in the County Borough, as below:
- a) Firstly, on land with planning permission for mineral working;
 - b) Secondly, on extensions to active workings either where reserves are worked under (a) above are insufficient to maintain landbank requirements or when further working is necessary to enable the full utilisation of materials (in relation to their quality and composition) which would not be possible from within the existing working above;
 - c) Thirdly, new sites...
- 4.2.8 Policy MW8 provides guidance on progressive restoration of mineral sites and promotes beneficial after uses of sites as soon as practicably possible.

- 4.2.9 The protection of mineral resources from sterilisation is covered by Policy MW9. The policy stresses that identification of unworked resources does not provide a presumption in favour of working the identified deposits but resists non-mineral development that does not supply a resource assessment which demonstrates that no exploitable reserves exist within the development site. If non-minerals development must go ahead, prior extraction is encouraged.
- 4.2.10 Finally, Policy MW11 relates to Minerals Buffer Zones, in which new mineral extraction and non-mineral development will be resisted. Ballswood is listed as an active mineral site with a Minerals Buffer Zone around it. At the time of UDP adoption, it was considered unlikely that new permissions for new mineral extraction would be granted over the plan period, given the large landbank at the time.

Planning Policy Wales, 2018

- 4.2.11 Planning Policy Wales (PPW) provides Wales-wide policy guidance. The most recent version of PPW was Edition 10, published in December 2018. PPW includes a section solely relating to minerals development (Chapter 5.14), as discussed below.
- 4.2.12 Chapter 5.14 stresses the importance of construction related minerals necessary for meeting the needs of society. PPW also stresses the need to balance an adequate supply of minerals with the protection of amenity and the environment. Paragraph 5.14.3 outlines when mineral extraction is not appropriate, namely where there would be demonstrable harm to the environment, AONB, Conservation Areas, or amenity that cannot be overcome by planning conditions or agreements.
- 4.2.13 Sterilisation of mineral resources and mineral infrastructure by other forms of permanent development is covered by paragraph 5.14.7. The same paragraph states that “planning authorities should consider the long term and the need for preventative action to avoid the creation of problems in the future”.
- 4.2.14 PPW aims to ensure the sustainable supply of minerals through maintenance of landbanks. On the subject of landbanks, paragraph 5.14.18 specifically mentions the high volume of mineral resources tied up in inactive sites in mid and north Wales. The paragraph goes on to encourage the maintenance of landbanks of realistically workable reserves, especially new permissions in more acceptable locations.
- 4.2.15 PPW details the wider environmental considerations that should be considered accompanying any proposal for new mineral extraction. Paragraph 3.14.35 states that mineral development should be subject to *“the most rigorous examination and all major mineral developments demonstrated to be in the public interest before being allowed to proceed.”* Consideration will

include an assessment of:

- The need for the development in terms of UK considerations of mineral supply;
- The impact on the local economy of permitting/refusing the development;
- Whether alternative supplies can be made available at reasonable cost and the scope of meeting the need in another way;
- The detrimental effect of the proposals on natural and historic environment and the local community and landscape. The extent to which effects can be moderated and/or the detrimental effect of the proposals on the nature conservation interest of the site in terms of habitat / protected species / biodiversity; and
- In the case of extension to existing quarries, the extent to which the proposal would achieve an enhancement to the local landscape and provide for nature conservation and biodiversity.

Minerals Planning Policy (Wales) Minerals Technical Advice Note (Wales) 1: Aggregates (MTAN1), 2004

4.2.16 Minerals Technical Advice Note (MTAN) 1: Aggregates provides advice about how the land use planning system should contribute to the sustainable supply of aggregates and sets out detailed advice on aggregates, such as limestone, sand and gravel. Paragraph 49 requires a minimum 10 year land bank of crushed rock and minimum 7 year land bank of sand and gravel to be maintained throughout the LDP period. Where a land bank can provide for over 20 years of extraction, new allocations will not be necessary and proposals for further extraction should not be permitted apart from in exceptional circumstances. The Welsh Government has since published Policy Clarification Letter CL-05-14 which, significantly, advises that given the length of LDPs it would be prudent to come to this conclusion only if there was in place a landbank of 25 years or more.

4.2.17 Of particular pertinence for Ballswood Quarry is MTAN1's Buffer Zones guidance. MTAN1 builds upon the principle of Buffer Zones in that "within the buffer zone, no new sensitive development or mineral extraction should be approved." Buffer zones are defined from the outer edge of the area where extraction and processing operations take place / will take place, including site haul roads. Buffer Zones for sand and gravel extraction (and no blast extraction) and hard rock quarries are set out below:

- Sand and gravel (and others where no blasting is permitted): 100m; and
- Hard rock quarries: 200m.

North Wales Regional Technical Statement 1st Review (2014)

- 4.2.18 The North Wales Regional Technical Statement was published in 2009 and set out the regional need for aggregates and how this would be met within individual authorities, in line with the requirements of the MTAN which states a minimum 7 year landbank for sand and gravel should be maintained during the entire plan period. The document has since been reviewed and a North Wales Regional Technical Statement 1st Review published in 2014. The Review identifies that the Local Planning Authority should make provision for 0.58 million tonnes per year of sand and gravel until the end of the LDP Plan period and 7 years thereafter.

4.3 Emerging Policy

- 4.3.1 Emerging local planning policy has been considered in order to provide some understanding of the likely trajectory relevant planning policy will take. This is invaluable when considering long-term options for a site's potential. The emerging policy for the site is summarised below:

Wrexham Local Development Plan 2 (Deposit version currently undergoing examination),
March 2018

- 4.3.2 The Wrexham Local Development Plan 2 (LDP2) will cover a plan period up to 2028 and is currently at examination. The LDP2 is therefore at a very late stage in its preparation and its content can therefore be given a degree of weight and its contents considered in the determination of planning applications.
- 4.3.3 The LDP2 Deposit version contains Policy SP17 'Minerals Supply and Safeguarding' which aims to direct new development away from areas underlain by minerals of importance and encourages prior extraction. SP17 continues the use of buffer zones but aims to ensure the continued contribution towards the regional need for aggregates. Mineral extraction within the County Borough which contributes towards maintaining an adequate supply of minerals in sustainable locations with high quality restoration is supported.
- 4.3.4 There are six minerals and waste policies contained within the LDP2 Deposit version, three of which are relevant to the potential extraction of primary aggregates / mineral extraction at Ballswood.
- 4.3.5 Policy MW1 'Minerals Safeguarding' states that within Mineral Safeguarding Areas, non-mineral development will only be permitted where it can be demonstrated that the mineral underlying does not merit extraction, the need for the non-mineral development outweighs the need to protect the resource, prior extraction is possible, the non-minerals development is temporary, or essential infrastructure supporting supply of minerals would not be compromised or would be provided elsewhere.

4.3.6 Policy MW2 ‘Mineral Buffer Zones’ states that development in mineral buffer zones must not compromise current or planned mineral extraction. A sufficient buffer between extraction and any sensitive development must be maintained.

4.3.7 Policy MW3 ‘Sustainable Supply of Minerals’ states that proposals for mineral extraction outside of Extraction Exclusion Areas *“will be supported where they are necessary to enable the local authority to meet a need identified at the regional level, or the needs of the industry concerned provided it can be demonstrated that:*

- *There would be no unacceptable impact on the highway taking into account the proposed access and routes to be used for transportation,*
- *Noise levels would not have an adverse impact on sensitive receptors,*
- *Air quality would not be adversely affected by dust, smoke or fumes,*
- *Satisfactory provision can be made for the management of any mineral wastes which would be generated by the proposal,*
- *Where blasting is proposed, vibration would be within acceptable limits at nearby sensitive receptors,*
- *There would be no adverse impact on water resources, either through pollution of surface or groundwater or by increasing the risk of flooding,*
- *There would be no significant adverse visual impact on areas of landscape importance,*
- *Any adverse visual impacts can be satisfactorily mitigated through the use of landscaping both during the development and following completion of the development,*
- *The proposal would not compromise adjacent land through instability, and*
- *Satisfactory restoration and after-use is proposed.”*

Wrexham Local Development Plan 2: BP 11 Minerals Technical Paper, January 2018

4.3.8 The LDP2 is supported by a Minerals Technical Paper (January 2018) that builds upon Welsh national guidance and outlines the background behind the approach to minerals development contained within the LDP2. The Technical Paper refers to mineral safeguarding and explains that a relatively large distribution of variable quality sand and gravel are present in Wrexham. There are strategically important workings in Wrexham located in both glaciofluvial sand and gravel deposits. Given the extensive distribution of sand and gravel it is recommended in the Technical Paper that the LDP focuses on ‘Category 1’ sand and gravel through its safeguarding

policy, which consist of reserves considered to be of national importance in Wales, the glaciofluvial and river terrace sand and gravel deposits.

- 4.3.9 Regarding Buffer Zones, the Technical Paper states that buffer zones of 100m are placed around all existing active quarries in Wrexham. It states that *“the identification of a buffer is not a moratorium on all development but does require it to be demonstrated that any development which would occur within the buffer zone would not itself inhibit quarrying operations, either through the introduction of sensitive development or through the direct sterilisation of areas which would be required for quarrying development”*.

Welsh Government: Regional Technical Statements for the North Wales and South Wales Regional Aggregate Working Parties. Second Review - Public Consultation, September – November 2019

- 4.3.10 Minerals Technical Advice Note 1: Aggregates (2004) (MTAN 1) requires the preparation of Regional Technical Statements (RTS) for the areas covered by both the South Wales and North Wales Regional Aggregates Working Parties (RAWPs). Whereas MTAN1 develops the national policy set out originally in Minerals Planning Policy Wales (now part of Planning Policy Wales - PPW), the RTS provides the supporting detail which allows this to be implemented.
- 4.3.11 The original RTS documents for both regions were completed in 2008 and are required, by MTAN 1, to be reviewed every five years. The First Review was undertaken in 2013/2014 and this, the Second Review, commenced in 2018.
- 4.3.12 The Review comprises this main document and the Regional Appendices for North Wales and South Wales, which are issued separately. The two components of the new RTS for each Region are intended to provide a strategy for the future supply of construction aggregates within that Region, taking account of the latest available information regarding the balance of supply and demand, and current notions of sustainability (see below). Together, the two revised RTSs aim to ensure that an adequate and steady supply of aggregates can be maintained throughout Wales (and beyond, in the case of materials that are exported), taking into account the key objectives of sustainable supply outlined in MTAN 1.

4.4 Summary of Main Policy Considerations

- 4.4.1 A review of the Development Plan for the site and other policy documents/guidance has indicated the need to ensure the delivery of an environmentally responsible and acceptable scheme of mineral operations at Ballswood Quarry which weighs the benefits of the proposed development against all aspects of the proposal’s environmental, social and economic impacts.

4.4.2 In reviewing the planning policies relevant to the proposed development, the following policy considerations are of particular relevance and are listed below.

- The Need and Supply of Sand and Gravel;
 - o Consideration of Emerging Local Plan Policy and the role of Ballswood Quarry in future sand and gravel supply; and
 - o Sub Regional Apportionment and Landbank implications.
- Development, Growth and Economic Considerations; and
- Environmental and Technical Considerations.

4.4.3 These issues are tackled within the following chapters of this planning statement.

5 Sand and Gravel Need Assessment

5.1 Introduction

5.1.1 In reviewing the planning policies relevant to the proposed development, the following sand and gravel need considerations are of particular relevance and are discussed below.

5.1.2 Issues of relevance:

- The Need and Supply of Sand and Gravel
 - o Consideration of Emerging Local Plan Policy and the role of Ballswood Quarry in future sand and gravel supply; and
 - o Sub Regional Apportionment and Landbank implications.

5.2 Need and Landbank Considerations

Wrexham

5.2.1 North Wales is a net exporter of aggregates with Wrexham being an important supplier of sand and gravel both within the region and in neighbouring England.

5.2.2 Wrexham is the largest producer of sand and gravel in the North Wales region and has two active sand and gravel sites, which includes Ballswood Quarry, with the other being Borrass Quarry.

RTS 1st Review

5.2.3 The North Wales Regional Aggregate Working Party publishes an annual survey which sets out the level of sales for aggregates within the region. Due to commercial confidentiality and the limited number of sites elsewhere within the region, data for Wrexham is combined with figures for other sand and gravel producing authorities including Flintshire and Gwynedd. The 2015 annual survey identified that there was a 24 year landbank in North East Wales and a 21 year landbank across the whole of North Wales using a 10 year sales average. No requirement for sand and gravel was identified within the RTS 1st Review for Wrexham due to the level of existing reserves at the end of 2015, and in an effort to try to re-balance the distribution of supply within the region. Nevertheless, a requirement has been identified in Flintshire and Denbighshire which, in the absence of additional provision, could place additional pressure on sites in Wrexham. Policy MW3 of the Deposit version Wrexham Local Development Plan 2 is flexible and provides criteria against which an application for sand and gravel extraction could be assessed.

RTS 2nd Review - Main Document and Appendix A (North Wales)

- 5.2.4 Para A33 of RTS Appendix A states that there are extensive glaciofluvial sand & gravel deposits, primarily in Wrexham (where they are worked at Borrass and, intermittently, at Ballswood).
- 5.2.5 Para A39 of RTS Appendix A sets out that in the case of land-based sand and gravel extraction in North-East Wales, the current supply pattern is dominated by one site within Wrexham (i.e. Borrass Quarry), although smaller contributions are also made by three other active (or intermittently active) pits: one other in Wrexham (i.e. Ballswood), and two in Flintshire. Para A39 goes on to state that there is a shortfall of existing permitted reserves of sand & gravel in Wrexham, though in that case the landbank (in 2016) stood at 19.6 years. Nevertheless, there is a need for further allocation within that area, in order to meet RTS requirements.
- 5.2.6 Table A1 of RTS Appendix A sets out the 10-year and 3-year Total Land-Won Primary Aggregates Sales Averages (to 2016) for each LPA in North Wales. Wrexham's figures are 0.435 mtpa based on 10yr average sales and 0.514 mtpa based on 3yr average sales. Figures for Wrexham are only for sand and gravel.

Local Planning Authority	10-yr Average Aggregate Sales (total) (mtpa)	3-yr Average Aggregate Sales (total) (mtpa)	Highest of 3-yr and 10-yr ave. sales in each LPA (mtpa)	Proportion from crushed rock sources
Denbighshire	0.329	0.043	0.329	100%
Flintshire	2.663	3.204	3.204	93.77%
Wrexham	0.435	0.514	0.514	0%
Conwy + Snowdonia NP	0.955	0.813	0.955	100%
Gwynedd	0.868	0.898	0.898	84.56%
Isle of Anglesey	0.236	0.255	0.255	100%
TOTAL, North Wales			6.155	86.6%

- 5.2.7 Table 5.2 of the Main Document sets out the Assessed Sub-Regional and LPA Apportionments, North Wales.

Local Planning Authority	OPTION A			OPTION B			Preferred Annualised Apportionments (mtpa) (By default = Option A, but modified in some cases (not right) to allow for Option B or qualitative observations as noted in column to right)
	highest of 10-yr and 3-yr Ave. Aggregate Sales (total) (mtpa)	% share of Regional total	Resulting Annualised Apportionments for all Land-Won Primary Aggregates ¹ (mtpa)	Annualised Future Housing Requirement from Local Plans	% share of Sub-Regional total	Resulting Annualised Apportionments for all Land-Won Primary Aggregates ² (mtpa)	
N. WALES TOTAL (from Stage 2)				7.738			
Wrexham	0.514	8.35%	0.646	517	34.93%	1.777	0.646

Notes:

- The annualised apportionments for Option A were obtained by applying the percentages in column 3 (representing each LPA's share of Regional historic sales totals) by the Regional Apportionment total from Stage 2 (as shown at the top of the table).
- The annualised apportionments for Option B were obtained by applying the percentages in column 6 (representing each LPA's share of sub-regional housing requirement

- 5.2.8 In terms of an apportionment for the future provision of land-won primary aggregates, RTS Appendix A states that the planning authority is required to make future provision for land-

won primary aggregates within its Local Development Plan on the basis of the following annualised apportionments:

- Wrexham - Land-won sand & gravel provision: 0.646 million tonnes per year until the end of the Plan period and for 7 years thereafter
- The total apportionments for Wrexham, as calculated in Tables 5.4 and 5.6 of the Main Document, over the 22-year horizon required for sand & gravel are 14.217 million tonnes for land-won sand & gravel. These figures compare with existing landbanks of 12.652 million tonnes for sand & gravel; and
- With regards of Surpluses, Shortfalls and Allocations for land-won sand & gravel, Tables 5.4 and 5.5 of the Main Document reveal that new allocations to meet RTS requirements over the next 22 years will be required within Flintshire, Wrexham, Gwynedd and Ceredigion. In terms of Wrexham, it states that the landbank is currently adequate, at just under 20 years, but a further allocation is needed to meet the RTS requirement over the full plan period. Therefore, in order to address the sand & gravel shortfall, new allocations totalling at least 1.565 million tonnes will need to be identified within the Wrexham area.

Flintshire

Flintshire Local Development Plan 2015-2030 Deposit Plan September 2019

5.2.9 Policy STR16: Strategic Planning for Minerals sets out that Flintshire's important mineral resources will be sustainably managed by among other things: contributing towards the regional supply of mineral through the allocation of 1.4 million tonnes of sand and gravel through the extension to existing quarries, in collaboration with Wrexham County Borough Council.

5.2.10 Policy EN25: Sustainable Minerals Development sets out allocated extensions to the following quarry sites for sand and gravel:

- EN25.3 Extension to Ddol Uchaf Quarry (Sand and Gravel); and
- EN25.4 Extension within Fron Haul Quarry (Sand and Gravel).

Extension to Ddol Uchaf Quarry	Sand and Gravel	9.95ha.	1.4 million tonnes	Site originally put forward by operator was too close to residential properties. The gradient of the site was too steep to allow extraction to its northern extent. Boundary of the proposed allocation was changed to account for this.
Extension within Fron Haul Quarry	Sand and Gravel	3.2ha.	900,000 tonnes	Proposed extension within the existing footprint of the consented Fron Haul underneath plant/buildings.

- 5.2.11 The North Wales Regional Technical Statement (RTS) 1st Review has identified a requirement for Flintshire to allocate at least 1.4 million tonnes of sand and gravel. The Deposit Plan sets out that the allocations identified in Policy EN25 are sufficient to meet the identified need over the Plan Period.

RTS 2nd Review

- 5.2.12 The total apportionments for Flintshire, as calculated in Tables 5.4 and 5.6 of the main document over the 22-year horizon required for sand & gravel is 4.912 million tonnes for land-won sand & gravel. This figure compares with existing landbank of 1.369 million tonnes for sand & gravel. In order to address the resulting shortfalls, new allocations totalling at least 3.543 million tonnes of sand & gravel will need to be identified within the LDP. This is a substantial increase compared with the requirements set out in the First Review.
- 5.2.13 As can be seen from the proposed allocations in the Deposit Plan set out above, these are insufficient to meet the RTS 2nd Review requirement.

Denbighshire

Annual Monitoring Report 2020

- 5.2.14 No planning permission has been granted for the extraction of sand and gravel since LDP Adoption in June 2013.
- 5.2.15 The RTS 1st Review has identified a need to allocate 2.2 million tonnes sand and gravel
- 5.2.16 Regional reserves in excess of 15 million tonnes sand and gravel remained at the end of 2018, equating to a 20 year landbank using a 3 year sales average.

RTS 2nd Review

- 5.2.17 The RTS 2nd Review makes no apportionment for sand and gravel in Denbighshire over the 22-year horizon required for sand & gravel. The document goes on to state that although Denbighshire has a zero apportionment for natural sand & gravel, and no existing permitted reserves, it does have potential resources – particularly within the Clwyd Valley, between Denbigh and Ruthin. Some of these fall within the Bryniau Clwyd AONB, but others do not. It may be possible for these areas to be worked, in future, as alternatives to the deposits in adjoining parts of Flintshire, should that be come necessary. It would therefore be useful for the two authorities to work collaboratively on this and, if necessary, for the allocation requirements for Flintshire to be shared.
- 5.2.18 However, as set out above in terms of Flintshire, the proposed allocations in the Deposit Plan are insufficient to meet the RTS 2nd Review requirement. This therefore leaves Denbighshire

requiring sand and gravel resources from other Council's and in particular Wrexham, given that it is the largest producer of sand and gravel in the North Wales region.

Cheshire West and Chester

Cheshire West and Chester Council Local Aggregate Assessment 2021

Sand and Gravel Imports

- 5.2.19 In terms of sand and gravel imports, Table 7 of the LAA sets out the consumption of total sand and gravel in Cheshire (land-won and marine-dredged) for aggregate use in 2014 by source and identifies that 10-20% of a total 170,000 comes from Wrexham.

Sand and Gravel Exports

- 5.2.20 In terms of sand and gravel exports, Cheshire West and Chester is a key supplier of high quality sand and gravel in the North West. Material is exported to neighbouring mineral planning authorities as well as to destinations further afield. Table 5 of the LAA provides export destination data for the period 1 January to 31 December 2019 for all active sites within the borough alongside export data for 2016, 2017 and 2018 for comparison.
- 5.2.21 As set out in table 5, 30% of overall sales in 2019 (down from 43% as reported in the LAA 2019) were exported outside of Cheshire West and Chester and Cheshire East. As set out at paragraph 12.4, demand from within Cheshire, accounts for approximately 70% of overall sales. 12.4 goes on to state that consumption within the borough as a percentage of overall sales and it suggests that consumption may be rising in line with housing completions and employment land development over the same period.
- 5.2.22 Paragraph 13.1 sets out that there will be continuing demand for sand and gravel aggregate from within the borough throughout the Plan period and beyond and the level of demand is likely to be impacted by the Coronavirus pandemic, but then increase in the future.

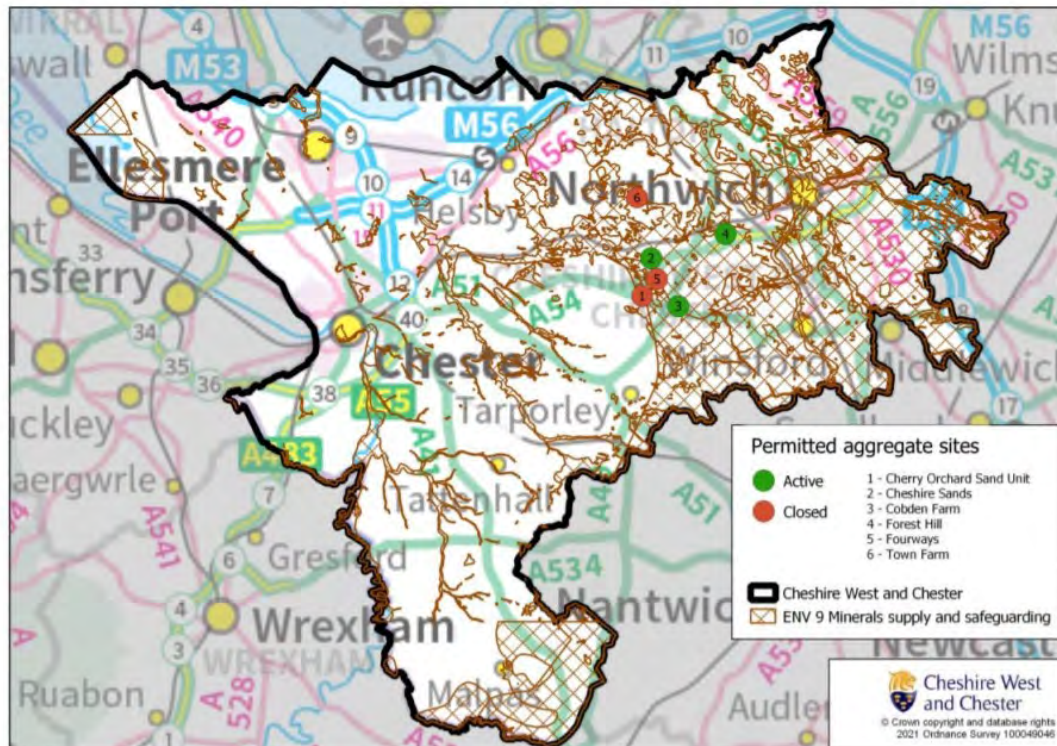
Landbank

- 5.2.23 Table 10 of the LAA provides sand and gravel landbank calculations for the borough as at 31 December 2019 using both the current apportionment figure of 0.80mt per annum and 10 year average sales of 0.62 mt per annum.
- 5.2.24 Table 10 of the LAA shows that the landbank provides a landbank of 9.77 years based on a ten year average sales and 7.58 based on the annual apportionment figure.

Active Sand and gravel Sites

- 5.2.25 The LAA identifies 3 active sand and gravel quarries in Cheshire west and Chester, all of which

are located in eastern part of the Council area.



5.2.26 On review of the active sites, the planning permission for Cobden Farm expired on 17 September 2021. Cheshire Sands will remain operational until 2042. There has been an extension approved at Forest Hill and extraction will be permitted until 5 years after commencement and but this has not yet started, so it is likely that reserves will be available until 2027. Rudheath Lodge with reserves of silica sand and aggregate sand, has been operational since July 2019. However, actual extraction began in September 2020.

5.2.27 As set out at paragraph 4.13 of the LAA, only having two operational sites beyond 2027 could result in the market being unnecessarily constrained.

Cheshire West and Chester Local Plan (Part Two) Land Allocations and Detailed Policies

5.2.28 The Cheshire West and Chester Local Plan (Part Two) Land Allocations and Detailed Policies has allocated an extension to Forest Hill, identified a Preferred Area at Moss Farm and north of the railway forming an extension to Forest Hill and identified an Area of Search.

5.2.29 The Local Plan (Part Two) also allocates a site at Rudheath Lodge, Cranage, for silica sand extraction and this site will also produce a proportion of aggregate sand. This site is partly within Cheshire West and Chester and partly within Cheshire East.

5.2.30 The proposed site at Forest Hill was made up of two parts, one within the operator's ownership and one under different ownership. The whole site was identified as suitable and

with no unacceptable impacts that cannot be mitigated. The part within the operator's ownership has been allocated for sand and gravel, with the other part, and some additional adjacent areas identified as a Preferred Area. Initial assessments undertaken by the operator indicate that approximately 230,000 - 560,000 tonnes of sand could be extracted from the allocated site, depending on whether this is extracted by dry or wet working methods. Approximately 560,000 tonnes could be extracted from the Preferred Area adjacent to Moss Farm, plus additional sand from the area north of the railway, for which the anticipated level of sand and gravel extraction has not yet been assessed.

5.2.31 A planning application for a Northern extension to the quarry (north of the railway line) for the extraction of approximately 350,000 tonnes of sand at a rate of approximately 75,000 tonnes per annum (ref: 19/02452/MIN) was approved on 21 Jan 2021.

5.2.32 In terms of Rudheath Lodge, Planning permission has been granted for the extraction of 3.3 million tonnes to be extracted over 12 years. The site is split between the Cheshire West and Chester and Cheshire East, with rough half the reserve in each council area. In terms of sand, 75% of the resource is comprised of silica sand, this leaves 825,000 tonnes of construction sand. Given the 12 year extraction timeline, this gives roughly 70,000 tonnes of construction sand per annum and equates to circa 35,000 tonnes per annum in Cheshire West and Chester (dependent on phasing).

Permitted Reserves

5.2.33 In terms of the allocated and permitted sites discussed above, by 2022, it appears that the Council's sand and gravel sites will comprise the following:

- Cheshire Sands - 300,000 to 650,000 tonnes per annum
- Forest Hill – 75,000 tonnes per annum
- Rudheath Lodge – circa 35,000 tonnes per annum

Total 760,000 tonnes per annum

5.2.34 This is below the annual apportionment figure of 800,000 tonnes per annum and given the demand of the export of aggregate, this points to potential increasing need for importation of sand and gravel to meet the demand and maintain an adequate landbank.

Greater Manchester, Merseyside and Halton, and Warrington

5.2.35 As set out in the Greater Manchester, Merseyside and Halton, and Warrington LAA, the North West imported 140,000 tonnes of sand and gravel from North Wales in 2014.

5.3 Conclusion

- 5.3.1 As set out in the RTS 2nd Review, the total requirement for Wrexham over the 22-year horizon required for sand & gravel is 14.217 million tonnes for land-won sand & gravel. These figures compare with existing landbank of 12.652 million tonnes for sand & gravel. The RTS sets out that in order to address the sand & gravel shortfall, new allocations totalling at least 1.565 million tonnes will need to be identified within the Wrexham area.
- 5.3.2 Ballswood is running out of sand and gravel, therefore changes to the quarry extraction boundaries within the permitted planning boundary are required by the Council for the continued supply from Ballswood Quarry in order to maintain the existing landbank never minding an additional 1.565 million tonnes to address the shortfall.
- 5.3.3 In terms of a review of surrounding authority areas, as assessed above, the following need and demand is identified:
- Flintshire – Identified shortfall of 3.543 million tonnes of sand and gravel.
 - Denbighshire – Has no apportionment for the 22 year period set out in the RTS 2nd Review, although the RTS 1st Review (2014) identified a need to allocated 2.2 million tonnes of sand and gravel. There are no existing permitted reserves.
 - Cheshire West and Chester – Historically imported sand and gravel from Wrexham. Currently producing below annual apportionment sand and gravel figure with a demand for the export of sand and gravel.
 - The north west region of Greater Manchester, Merseyside and Halton, and Warrington – Imports 140,000 tonnes of sand and gravel from North Wales (2014 figures).
- 5.3.4 Therefore, notwithstanding the need to maintain the existing landbank and address the shortfall within Wrexham, exports from Ballswood will also be required to address the demand and landbanks from surrounding authorities within Wales and England.

6 Development, Growth and Economic Considerations

6.1 National Sales Trends for Aggregates

- 6.1.1 The minerals products industry is a vital enabling sector of the UK economy, which has a broad impact on overall economic activity. As the largest element of the construction supply chain, a supplier of key materials to many other industries, and the largest material flow in the UK economy, a healthy domestic mineral products industry is essential for the UK.

6.2 Ballswood Quarry and Economic Considerations

- 6.2.1 Granting Planning Permission for the 3 proposed changes to the extraction area of Ballswood Quarry would maintain the employment for 11 jobs for approximately ten years if the scheme is approved. Aside from the sand and gravel need (as set out above), the proposed development will help provide and secure jobs for people directly and indirectly employed as part of the quarry operations and which contribute to the local economy through wages, business rates, use of local suppliers, and at a national level; to the economy through aggregates levy and other taxation processes. The proposed quarry would provide a significant contribution to the local economy. It is estimated that this contribution would equate to approximately £750,000 to £1,000,000 per annum (based on the Applicant's other operations) on external suppliers and on goods and services over the life time of the development, as well as contributing to the national and local tax base.
- 6.2.2 There are limited alternative employment opportunities in the immediate locality. Also, the extractive industries (i.e. mining and quarrying) are much more capital intensive than other sectors of the British economy and have very high levels of labour productivity (measured by Gross Value added per employee). Gross value added (GVA) is defined by the Office for National Statistics (ONS) AS "the contribution to the economy of each individual producer, industry or sector."
- 6.2.3 In the mining/ quarrying sector, workers generate over £110,000 of value added per year. This is more than 2.5 times the national average and higher than many sectors which are often described as high value activities (Source: 'Capital Economics 'The Foundation For a Strong Economy: October 2012', available from www.mineralproductsorg.com). The GVA in the mining and quarrying sector represents very good value to the economy and contributes positively to economic growth.
- 6.2.4 In addition to high GVA, the mining/ quarrying industry produces high levels of immediate consumption in comparison to other industry sectors i.e. purchases of goods and services

(with spending particularly high in the transport and construction sectors).

- 6.2.5 The above considerations are important as they provide an indication of the wider/ indirect effects of quarrying, including how the expenditure generated from this activity is likely to be distributed across other parts of the local economy, and hence whether jobs could be retained or generated in these sectors.
- 6.2.6 The quarry depends on its suppliers to provide critical goods and services to act as inputs to maintain the production process. The absolute level of expenditure can be very variable, reflecting the ad hoc nature of capital investment in what is one of the most capital intensive industries.
- 6.2.7 Some of the major suppliers provide a blend of equipment and services, from a range of local and non-local premises. These considerations, taken in combination with the year-on-year variations reported above, mean that accurate cost data is difficult to predict and should not be over-interpreted, particularly as regards the level of stimulus that is being provided to the very local economy. This is partly due to the fact that the economic effects arising from the site also affect remote locations such as the company/ suppliers regional and head offices where a number of employees might be based to provide the support services. Identifying the exact economic benefit is therefore somewhat difficult. However, what is clear is that without the site there will be a significant deficit in the local economy based on annual costs incurred at present.

6.3 Conclusions

- 6.3.1 As set out in section 5 of this statement, a positive determination of this planning application would provide a viable and high quality mineral supply to meet identified need, as required by both adopted and emerging Minerals Local Plan Policy.
- 6.3.2 11 jobs will be retained by the proposed development and it will aid employment to be maintained across a range of industries, many of which depend directly upon quarrying, for business. As well as the direct benefits to the Applicant and the employment effects which benefit their workforce, there will be a series of spin-off benefits.
- 6.3.3 In addition to the direct and indirect benefits of the proposal, it will also induce benefits to the local and national economy through a multiplier effect. The overall contribution to the local economy from the site is significant.

7 Environmental and Technical Considerations

7.1 Introduction

- 7.1.1 Technical reports on environmental matters accompany this application and these are discussed in summarised form below:

7.2 Landscape and Visual Impact Assessment

- 7.2.1 A Landscape and Visual Impact Assessment (LVIA) has been prepared by Kedd Limited, a Planning, Landscape Architectural and Environmental Design Consultancy. This assessment report accompanies this planning application and the main findings are summarised below:
- 7.2.2 Desktop and Site survey visual assessment works have taken place within a 5km study area around the Site. The existing quarry elements and features which have been identified as potentially resulting in adverse visual effects including the higher elevated, unrestored western and northern quarry faces, areas of disturbed ground, and to a lower degree, quarry plant and equipment. The majority of quarry plant and equipment being located within the quarry void.

Potential Visual Effects

- 7.2.3 Six differing visual Zones have been identified where receptors including residents for properties, users of public open space and PROW, along with road users, can potentially view the existing quarry and proposed development. These Zones representing a type of view of the Site which may be available to individual receptors within them. These are outlined in Table 7.1 below:

Zone	Distance from Site	Receptor Type of View
1	<i>Receptors are located between ~1km and 3km of the Site</i>	<i>Receptors look west from lower or similar elevations to the Site. Views are panoramic, of which the quarry comprises an element. The eastern and southern minor extension areas are screened from view. Extraction and restoration works to Area B will be observed.</i>
2	<i>Receptors are located between ~20m to 3km of the Site</i>	<i>Receptors tend to look up towards the Site from a lower elevation, looking west. Views are contained / vistas, generally of the upper ridge elements of the quarry.</i>
3	<i>Receptors are located adjacent to the Site to ~1km of the Site</i>	<i>Receptors tend to look west from similar / lower elevations to the Site. Views are both open and contained / vistas, principally of the upper north / north western quarry faces.</i>

4	<i>Receptors are located adjacent to the Site to 200m from the Site's western boundary</i>	<i>Receptors look east / south east across and over the Site from similar or higher elements. Views are principally of the Site's western boundary vegetation; on-going restoration works and of the current eastern faces and plant site.</i>
5	<i>Receptors are located generally between 400m to 600m of the Site's southern boundary</i>	<i>Receptors look north / north east towards the Site. Potential views are very restricted by existing landform and vegetation structure. Possible views from 1st floor windows of the site office, weighbridge area and higher south facing quarry face.</i>
6	<i>Receptors are located at a distance of ~1km to 3km +</i>	<i>Receptors look south and west towards the Site. The higher elements may be observed as skyline features, specifically during the winter months, as part of a wider panoramic view or vista.</i>

- 7.2.4 Of 32N° individual representative visual receptor locations within these Zones, it is assessed that no receptor is currently receiving a Significant Adverse Visual Effect from existing quarry activities.
- 7.2.5 In assessing the potential visual changes resulting from the proposed development which include the progressive restoration of the western / north western quarry faces, the changes to mineral extraction and overall continuation of phased working and restoration, it is concluded that there will be no change in the overall level of visual influence of the quarry compared to the existing situation. Individual representative receptors will observe a change in view over the operational period as currently exposed faces and disturbed land is restored, but this will be offset by other areas of continued / new extraction and operational activity. Receptors in Zone 4 will receive a reducing impact as existing vegetation continues to establish.
- 7.2.6 At restoration all quarry plant and machinery will be removed from site. The resulting restored quarry landform is considered capable of assimilation and integration into the local area and all quarry land established as either woodland, agricultural land sandy substrate or species rich grassland. These land uses and landforms reflecting the local landscape character and visual setting.

Potential Landscape Effects

- 7.2.7 The Site is not located within a National Designated Landscape. In respect of Landscape Character, the Site and its regional area are located within the Deeside and Wrexham National Landscape Character Area. In respect of the LANDMAP descriptive characterisation, Ballswood

Quarry has its own classification (Visual and Sensory Area WRXHMOV058). The area being characterised by bare disturbed sand, which is constantly changing due to the nature of its landuse. The quarry is located adjacent to three further Aspect Areas, WRXHMOV054, 057 and 069, and within and adjacent to Wrexham Landscape Supplementary Planning Guidance landscape character areas 8 – Gwessyllt, Llay, Gresford, Borrass (within which the Site is located), 9b River Alyn Valley, and 13c Dee Terraces.

- 7.2.8 Overall, it is assessed that the proposed operational development will not result in any Significant Adverse Effects on any of the regional / local landscape character areas / types identified. The development itself is located within both the LANDMAP Visual and Sensory Area WRXHMOV058, and the Wrexham Landscape Character Area Guidance Area 8, Gwersyllt, Llay, Gresford, Borrass, which have historical and current associations with mineral development, including the long term Ballswood Quarry site, Area 8 also incorporating recreational opportunities at a local level. The LANDMAP classification area relating to Ballswood Quarry itself and noting its economic importance.
- 7.2.9 The scale and nature of the proposed development, set within the context of the existing operational Ballswood Quarry, is considered to be capable of physical integration and absorption into the local landscape setting. Upon final restoration of the quarry, the potential Significance of Effect is assessed as between and Slight and Moderate Beneficial, through the reinstatement of a landform and morphology characterful of the Alyn valley landscape, and the establishment and long term management of large areas of native woodland planting, additional hedgerow planting, areas of species rich grassland and reinstated agricultural land, along with the removal of quarry operational infrastructure (plant and vehicular movements).

Cumulative Assessment

- 7.2.10 The potential for cumulative landscape and visual effects has been assessed and it is considered that there will be No Significant cumulative degradation or adverse effects on landscape and visual receptors as a result of the proposed development.

Conclusions

- 7.2.11 In respect of landscape planning policies, the proposals offer opportunities to meet and enhance Wrexham Unitary Development Plan policies, including biodiversity enhancement (Policy PS11 and EC6), to promote agriculture (Policy EC2), and the significant establishment of trees and woodlands (Policy EC4 and NE3).
- 7.2.12 At a landscape policy level, with respect to the designated Special Landscape Area, which covers a narrow strip of land to the east of the Site (within the planning permission boundary) spreading out to cover land to the east and north east, due to the scale and nature of the existing landscape and the proposed additional mineral extraction, it is not considered that

the associated impacts at a landscape scale would be Significant. Progressive restoration, including the planting of large areas of additional native tree / woodland, the establishment of new native hedgerows and areas of species rich grassland, along with the reinstatement of productive agricultural land mitigating the effects of additional working and providing long term landscape enhancements.

7.2.13 Emerging policy within the Wrexham Local Development Plan, yet to be adopted, includes the operational Ballswood Quarry site as a Designated Site of Nature Conservation and Geological Importance. Based upon the ecological survey work carried out as part of this application, combined with the current landscape and visual elements and features which comprise the quarry, its proposed designation status appears very premature and not founded on the current baseline situation. The progressive and final restoration for the Site will create both landform and vegetative structure and habitat, which will allow the promotion of species diversity and geodiversity.

7.2.14 It is therefore consider that the proposed development scheme for the release of currently sterilised mineral within the existing Site permitted planning boundary is acceptable and appropriate in Landscape and Visual Effects, and in accordance with landscape orientated designations and policies.

7.3 Ecology and Nature Conservation

7.3.1 Ecological work has been undertaken by Heatons which is informed by a Preliminary Ecological Assessment in order to obtain information of designated sites of nature conservation interest, and a suite of ecological surveys undertaken in 2020 as follows:

- GCN eDNA Surveys;
- Breeding bird surveys;
- Bat activity and roost surveys;
- Reptile surveys; and
- Habitat Regulation Assessment.

7.3.2 The PEA and survey reports accompany this planning application, and the following provides a summary of the findings and recommendations:

7.3.3 There are three statutory designated sites located within 2km of the site boundary. It is not anticipated that the proposed works will have any impact on any of these Statutory Designated Sites.

- 7.3.4 There are seven non-statutory designated sites within 2km of the site boundary. The closest of these is the Ballswood Quarry and Cockpit Wood (LWS) which covers the existing quarry and the wider extending broad-leaved semi natural woodlands. It is not anticipated that the proposed works will have an impact on this LWS as the habitats within this designation are to be retained during the extent of the works. In addition, it also not anticipated that the proposed works will have an impact on any of the other non-statutory designated site within 2km of the site boundary.

Habitats

- 7.3.5 Habitats present within the site include broad-leaved semi natural woodland, broad-leaved plantation woodland, semi-improved species poor grassland, scattered scrub, tall ruderal vegetation, scattered trees and arable fields. There are also areas of bare earth and standing water associated with the existing quarry workings.
- 7.3.6 It is recommended that suitable stand-off distances are observed in areas of where boundary woodlands are to be retained. It is recommended that 5m is observed from the northern boundary woodlands and a 10m stand-off distance is observed from the southern boundary woodlands.
- 7.3.7 The restoration proposals are to include the planting of broad-leaved semi natural woodland and a number of hedgerows across the site. It is recommended that the woodlands include the planting of woodland species similar to what is present within the existing boundary woodlands. Hedgerow planting should contain a range of native species including hawthorn, blackthorn and hazel with small quantities of holly, guelder rose (*Viburnum opulus*) dog rose, and dogwood.

Site of Special Scientific Interest (SSSI)

- 7.3.8 During the determination of the now withdrawn S73 application (Ref: P/2021/0486), Natural Resources Wales (NRW) set out the following in their consultation response dated 22/06/2021 (Ref: CAS-153083-G9L8) in terms of Marford Quarry SSSI:

“We have concerns that the proposed development, as submitted, will damage the features for which the Marford Quarry SSSI is of special interest, in particular the wild licorice”.

- 7.3.9 A response to these comments has been provided below:
- 7.3.10 The Marford Quarry SSSI is located over 500m from the site boundary and therefore due to this distance it is not anticipated that the proposed extension will have any additional impact than the quarry has in its current form. There will be no additional noise or dust issues that are likely to impact the SSSI nor will there be any impact of the direct removal of habitat. It should be noted that no wild licorice was recorded within the site during the surveys.

- 7.3.11 It is anticipated that restoration from the quarry will provide a long term benefit for species such as wild licorice which can be introduced to the site as part of the proposed restoration scheme. Marford Quarry is an example of how quarry restoration can be designed to benefit wildlife in the long term.

Species

- 7.3.12 Development within the site has the potential to have a minor impact on bats, birds, reptiles and GCN. However, the majority of the habitats located within the existing quarry lack connectivity from the wider area due to ongoing quarry workings. In addition, the majority of the boundary habitats are to be retained during the extent of the works.
- 7.3.13 The large horse chestnut tree located within the existing quarry compound is to be removed during the proposed works. This tree has been assessed to provide a moderate suitability for roosting bats as there were a number of split limbs and cracks observed within the tree.

Protected Species Surveys

- 7.3.14 A number of specialist protected species surveys have been commissioned as follows:

GCN eDNA Surveys

- 7.3.15 GCN eDNA samples were undertaken on four waterbodies. Ponds 1, 2 and 3 were located within the existing quarry and Pond 4 is located approximately 200m to the west of the site boundary.
- 7.3.16 The results of the GCN eDNA test were negative for all four ponds testing within the site and within 500m of the site boundary. It is not anticipated that GCN would be present within any of the waterbodies scoped out as part of the HSI assessment.
- 7.3.17 In the unlikely case that any GCN are discovered during the works, then all works must be stopped immediately, and a suitably qualified ecologist must be informed so the issue can be dealt with accordingly.
- 7.3.18 During the determination of the now withdrawn S73 application (Ref: P/2021/0486), Natural Resources Wales (NRW) set out the following in their consultation response dated 22/06/2021 (Ref: CAS-153083-G9L8) in terms of GCN:

“However, in our view inadequate survey and assessment has been carried out in respect of Great Crested Newt (GCN). This is because only a sample of ponds that could potentially be occupied by the species have been surveyed and field survey methods used eDNA and Habitat Suitability Index (HSI) only.

GCN are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning

(TAN5) states that your Authority should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any GCN on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

We consider that there currently is not enough information to assess potential effects of the proposal on any GCN that may be present at this site.

Further information is required to assess the extent of adverse effects on GCN and any avoidance or mitigation measures required. We advise further survey. Following this, it must be demonstrated that the proposed development would not be likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

NRW would refer the Planning Authority to the letter from the Welsh Government to the Chief Planning Officer's letter dated 1 March 2018 which advises Local Planning Authorities to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site".

7.3.19 A response to these comments has been provided below:

7.3.20 The NRW guidance states that eDNA test results as evidence of great crested newts are now accepted. 'We will accept this new technique to determine GCN presence or absence if samples are undertaken in strict accordance with the published technical advice note and they are collected by a suitably trained and experienced licensed GCN surveyor'. Therefore, by conducting the initial HSI assessment and then undertaking eDNA samples on suitable ponds, it is therefore considered that Heaton's have followed the recommended guidance provided by NRW to assess the absence of GCN within the site boundary and also within the maximum dispersal zone for GCN.

7.3.21 As part of the breeding bird surveys conducted on the site, in order to further clarify the validity of the GCN eDNA surveys, egg searches were conducted within onsite waterbodies to identify if GCN eggs may be present. It should be noted that no evidence of GCN was observed within any of the onsite waterbodies or within any waterbodies located 500m of the site. In addition, these waterbodies provided very limited aquatic vegetation that would be suitable for breeding GCN.

7.3.22 It is assessed that all surveyed waterbodies present within the site are highly unlikely to contain a population of GCN due to the intense quarrying activity immediately surrounding waterbodies. Any waterbodies present within the quarry that were not surveyed were either temporary lagoons or used as silt lagoons which are highly unlikely to contain the presence of GCN.

- 7.3.23 It is also assessed that the proposed works will have very limited impact on areas of suitable terrestrial habitat. Area A contains no suitable terrestrial habitat for GCN that are to be removed. For area B, the woodland is surrounded by intensively worked quarry directly to the south and south-west, the main quarry haul road to the east and the existing plant site to the north. It is considered that even in the case that a GCN population was present surrounding the site, then the more favourable area of terrestrial habitat would be located to the south which has a large area of broad-leaved woodland.
- 7.3.24 Within the 2021 survey season, further GCN eDNA testing was conducted on waterbodies located approximately 650m outside of the site boundary. It should be noted that these surveys were conducted on ponds with a higher suitability for GCN with less adjacent disturbance and with more surrounding areas of terrestrial habitat. All results from these tests were negative further suggesting the absence of a local population of GCN.

Breeding Bird Surveys

- 7.3.25 A combined total of 33 bird species were observed within the site during the surveys. This total includes the tawny owl recorded as an incidental sighting during a bat activity survey. Of the recorded species, 24 were confirmed as potential breeding species. This indicates that the site has a 'local' level of importance. These breeding bird species include many common and widespread opportunistic species.
- 7.3.26 The proposed development has the potential to impact on four Red List species (house sparrow, linnet and skylark and song thrush) and five Amber List species (black-headed gull, dunnoek, greylag goose, mallard, swift and tawny owl).
- 7.3.27 The desk study found a number of species of high conservation concern and medium conservation concern that were not observed on site. It is considered that these species may have been present within the habitats on the nearby land but do not occur within the site. Therefore, it is considered that these species are unlikely to be impacted by the proposed works.
- 7.3.28 It is considered that the site mainly provides suitable habitat for opportunistic breeding bird species making use of the created habitats present within the existing quarry. A number of bird species were also recorded using the boundary woodlands, arable fields and hedgerows. It is considered that with the implementation of the above recommendations and the habitats within the proposed restoration proposals, the long-term avian diversity of the site would be improved.
- 7.3.29 It is considered that the site provides suitable habitat for a wide range of breeding bird species that will be impacted by the proposed works. However, with the implementation of the above

recommendations, it is considered that the long-term avian biodiversity of the site would be improved.

Bat Activity and Roost Surveys

- 7.3.30 Bat activity surveys were undertaken between on the 29th May 2020, 31st July 2020 and on the 13th August 2020. Three bat roost surveys were undertaken on the 21st July 2020, 7th August 2020 and on the 13th August 2020. The survey visit on the 7th August was undertaken at dawn.
- 7.3.31 The site is generally an open quarry site with marginal woodland/scrub habitat surrounding the site, on the north boundary there is a broad leaved semi natural woodland running along Gegin Lane. Scrub habitat and tall ruderal are found scattered around the quarry with species-poor semi improved grassland margins on the east of the site. Southern boundaries also consist of broad leaved woodland and the River Alyn flowing through the base of the site.
- 7.3.32 A total of four species of bat were recorded throughout the site; these were common pipistrelle, soprano pipistrelle, noctule and brown long eared bats.
- 7.3.33 Mitigation recommendations and enhancements for these species have been outlined within the Bat Survey Report above and include the plantation of woodland and hedgerows to replace the ones lost.
- 7.3.34 It is noted that the horse chestnut tree in the compound is to be removed, which was found to have both brown long eared bats and soprano pipistrelle bats emerging from the trunk holes. The data recorded during the roost surveys is only valid for one year as roosting bats can frequently change roosting locations on a yearly basis. Therefore, this tree will require additional emergence re-entry surveys conducted during the survey season, closer to date when the tree is to be removed.
- 7.3.35 In the case no roosting bats are identified during later surveys, a climbing tree inspection should be completed by a suitably licenced bat ecologist within 48 hours prior to the tree's removal. This survey can be completed alongside the tree removal as part of a soft feeling technique.
- 7.3.36 In the event that roosting bats are identified during any of the above surveys, a Mitigation Licence for a European Protected Species Licence (EPSL) will be required from Natural Resource Wales (NRW) prior to the tree removal being completed.
- 7.3.37 As the horse chestnut tree within the site is to be removed, it is recommended that bat boxes are installed within the woodlands to be retained surrounding the site boundary. Six bat boxes should be installed on trees to be planted within the landscape scheme.
- 7.3.38 The hedgerows and woodlands that will be lost during development, should aim to be replaced by replanting elsewhere on site, only off site if all the potential onsite areas have been

exhausted.

7.3.39 Site enhancement recommendations have also been outlined to further improve the site for foraging and roosting bats.

7.3.40 As part of the statutory pre-application consultation carried out, NRW set out the following in their response with regards bats:

“We note that the PEA report submitted in support of the above application has identified that bats are present at the application site. From the information submitted, we consider that the proposed development is likely to represent a higher risk for bats, as defined in our guidance document ‘Natural Resources Wales Approach to Bats and Planning (2015)’. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

Although the PEA (2021) and Bat Survey Report (2020) have been submitted, we advise that there is insufficient information to assess potential effects on bats, and how any effects will be avoided or mitigated. We advise that further information (in keeping with the recommendation from the PEA quoted below in italics) is submitted with the application to assess the extent of adverse effects on the bats and any avoidance or mitigation measures required. This must demonstrate that the proposed development would not be likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

...it is recommended that bat roost surveys are undertaken in order to identify the presence or absence of bats within this tree. This will involve two emergence / re-entry survey visits, with at least one of these surveys conducted at as a dawn re-entry survey. Bat Surveys can be conducted from May - September.

In the meantime, we are unable to give you any assurance that the proposal would not be likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range”.

7.3.41 Following the Response from NRW and in line with the latest Bat Conservation Trust (BCT) Guidelines, Kedd Limited are now undertaking update bat roost emergence/re-entry surveys on the horse chestnut TPO tree located within Ballswood compound. This is due to the previous survey information now being out of date. These surveys commenced on the 05/05/2022 and will be undertaken over a 6 week period in order to comply with the BCT guidelines.

7.3.42 Here is a summary following the first bat survey completed at Ballswood Quarry on 05/05/2022.

- 7.3.43 The survey began at 15 minutes before sunset which last night was 20.32 and went until 1.5 hours after sunset so finished 22.17. The weather conditions during the survey were 17 degrees, no wind and approximately 40 percent cloud cover.
- 7.3.44 An initial assessment was undertaken in order to identify the best position to view the tree during the survey. Due to the main roosting feature being a large crack in the trunk, the survey viewpoint was undertaken from the south-west of the tree.
- 7.3.45 During the survey no bats were observed emerging from the tree. Species recorded foraging include early noctules foraging over the quarry from around 20.43 – 20.59.
- 7.3.46 Other species observed foraging include common and soprano pipistrelles in low numbers foraging through the quarry courtyard.

Reptile surveys

- 7.3.47 No reptiles were recorded during the seven surveys performed for June to August 2020. The surveys were performed during the desired weather conditions, therefore, it is assumed that there are no reptiles in the areas surveyed.
- 7.3.48 If any reptiles are to be discovered during the works, they must be stopped immediately and a qualified ecologist must be informed so the issue can be dealt with accordingly.
- 7.3.49 A peak count of one common toad was recorded onsite during the reptile surveys. A number of grasslands and waterbodies are to be created within the site as part of the proposed restoration strategy. This will therefore increase the habitat diversity for this species within the site and the local surrounding area.
- 7.3.50 Overall, in terms of ecology and nature conservation, with the implementation of the recommended mitigation measure, the proposed development and operations are in accordance with the objectives of the Development Plan, the emerging Wrexham Local Development Plan 2 and other material policy considerations.
- 7.3.51 In November 2021, comments on the now withdrawn scoping request were provided by Councillor Apsley in relation to protected species. For reptiles, Councillor Apsley stated:
- “Their report on reptiles was also out of date being August 2020”.*
- 7.3.52 A response to this comment has been provided below:
- 7.3.53 The initial reptile surveys were conducted in the 2020 survey season. However, further surveys have since been conducted in areas to the east of the site in areas of habitat that provide a higher level of suitability than the areas surveyed within the proposed Ballswood extension. No reptiles were recorded as part of these surveys.

7.3.54 The guidance provided by the Chartered Institute of Ecology and Environmental Management (CIEEM) is that for surveys that have been conducted within 12 – 18 months then these surveys are still likely to be valid in almost every case. The only exception to this would be that if the habitats on the site have changed or if there have suddenly been dramatic changes in the management practises for the site. In relation to this development, this is not the case.

7.3.55 It is therefore assessed that as further adjacent habitats have been surveyed to the east and produced a negative result and because of the high disturbance of the existing quarry, that the reptile assessment provided will likely be valid for up to 3 years without any chance of a significant change.

Habitat Regulations Assessment (HRA)

7.3.56 A Habitats Regulations Assessment (HRA) has been produced and submitted in support of the application, at the request of Natural Resource Wales following the pre-application consultation. The HRA screening was to determine whether the proposed development presents any likely significant effects (LSEs) on the qualifying interests of the River Dee and Bala Lake Special Area of Conservation (SAC).

7.3.57 The River Alyn, which is a tributary of the River Dee, is located approximately 240m south of the site. As the proposed development largely covers the existing footprint of Ballswood Quarry, it is not anticipated that there will be any additional impact to the River Alyn. The Natural Resource Wales consultation response states “However, recognising the specific nature of the proposal, we are satisfied that it is unlikely to increase the amount of phosphorus entering the catchment. Therefore, we are satisfied that the proposal is not likely to have a significant effect on the River Dee and Bala Lake SAC”.

7.3.58 As a result, no further assessment work is considered to be required in order to assess the potential impacts to the River Dee and Bala Lake SAC.

7.4 Arboriculture

7.4.1 An Arboricultural Survey Report has been prepared by Heatons and the findings are summarised below:

7.4.2 The survey results are shown in the Tree Survey Schedule at Appendix A. The root protection areas are shown in the Tree Constraints Plan at Appendix B. The Tree Constraints Plan has been produced to inform the design process.

7.4.3 A total of six individual trees were surveyed. Two trees have been placed in Category A, two trees in Category B and two trees have been placed in Category C. No trees were identified as veteran trees.

- 7.4.4 Of these trees (Tree Survey Schedule is included at Appendix A of the Arboricultural Report), T1, T5 and T6 are to be removed in order to facilitate the proposed works. T2, T3 and T4 are to be retained during the extent of the works. The impact of removing T1 is considered to be **high** because of its value as a Category A tree and a tree protected under Tree Preservation Order (TPO).
- 7.4.5 The impact of removing T5 and T6 is considered to be **low** because these trees are semi mature and in arboricultural terms were considered to be low value Category C trees.
- 7.4.6 The proposed restoration strategy includes a significant amount of **mitigation and enhancement** in the form of:
- a) Native tree and shrub planting; and
 - b) Long Term Management Plan.
- 7.4.7 In respect of a) it is proposed to plant and establish 20,500 new trees and shrubs. These will help recreate and diversify local landscape character and setting, create new habitat suitable for wildlife connectivity and Biodiversity. The planting will also help visually support ancient woodland along the southern boundary of the site. The planting will commence in winter 2021/22 and would progress as land becomes available through restoration.
- 7.4.8 It is assessed that the removal of T1 will have a minor short-term impact due to the removal of a landscape feature and also due to the removal of habitat for roosting bats. However, the large areas to be replanted will have a major medium/long-term positive impact replacing this existing landscape feature with larger areas of broad-leaved woodland and creating future habitat for roosting and foraging bats as well as habitat for other protected species.
- 7.4.9 Following an onsite meeting held on the 7th January 2022 with the Planning Officer, Wrexham County Borough Council's Arboricultural Officer and Wrexham County Borough Council's Ecologist, a second independent arboricultural assessment of the TPO tree (T1) status has been produced. access2trees have produced a 'Pre-development tree condition survey & aerial inspection' report, submitted in support of this application. The full methodology and findings of the survey are included in the report, but are summarised below.
- 7.4.10 T1 is a mature Horse Chestnut tree located south east of the existing storage / parking area, close to the entrance of the quarry. The tree is of fair vigour but has reduced form from notable defects. The most significant being a large tear wound at 9m high, in addition to a weak union caused by a tight fork between co-dominant stems at 3m high with the presence of included bark.
- 7.4.11 There were other notable branch failures within the canopy, many callusing slowly and minor decay pocket noticed on one at 13m height to the south west. Further defects include a

rubbing branch at 9m height to the south. On balance it was determined that the overall physiological condition of the tree is 'Fair', and the structural condition ranges from 'Good' for the canopy, and 'Fair' relating to the stem and base of the tree.

- 7.4.12 Even with this considered, the tree is still assessed as a Category A tree, however does not constitute a Veteran tree. Its age class is assessed as mature.
- 7.4.13 Overall, T1 is considered to be compromised by the reduced form, and the presence of significant defects. Due to this, on balance the impact of its removal is considered to be 'Moderate'.
- 7.4.14 Therefore, in terms of arboriculture, the proposed development and operations are in accordance with the objectives of the Development Plan, the emerging Wrexham Local Development Plan 2 and other material policy considerations.

7.5 Noise

- 7.5.1 A review of noise has been carried out and a Noise Environmental Scheme prepared, which accompanies this Planning Statement.
- 7.5.2 The 2 proposed changes to the extraction area fall within the red line boundary of Planning Permission ref: P/2016/0110, although outside the permitted extraction area on the approved plans.
- 7.5.3 The proposal does not propose changes to the methods of quarrying at Ballswood Quarry, all development will be within the currently permitted application boundary and will be completed well within the approved end date of mineral working at the quarry.
- 7.5.4 The existing planning permission for operations at Ballswood Quarry (Planning Permission ref: P/2016/0110) already specifies conditions that limit the levels of noise (conditions 9 and 10).
- 7.5.5 Proposed Area A will move operations closer to properties to the north east at Yew Tree Farm, although this is over 200m at the closest point. Area B will move operations closer to The Homestead (residential property), located adjacent to the existing quarry entrance off Gegin Lane. Given that the current operational status quo will be maintained and there is no history of any complaints regarding sensory impact it is considered that mineral extraction can be undertaken within the 2 proposed changes to the extraction area without causing a significant impact to public amenity from noise arising. Furthermore, the 2 proposed changes to the extraction area accord with Minerals Planning Policy (Wales) Minerals Technical Advice Note (Wales) 1: Aggregates (MTAN1), Buffer Zones guidance. MTAN1 builds upon the principle of Buffer Zones in that "within the buffer zone, no new sensitive development or mineral extraction should be approved." Buffer zones for sand and gravel extraction are set at 100m. Area B is the closest to sensitive receptors but it is proposed to maintain a 100m buffer to The

Homestead, located adjacent to the existing quarry entrance off Gegin Lane, in line the MTAN1.

7.5.6 For the purpose of providing supporting information for this application, an Environmental Scheme in terms of noise has been prepared. The scheme proposes the procedures to be adopted and outlines the measures to be taken in order to identify, mitigate, control and monitor noise impact. The scheme draws upon operational good practices, recognised good practice, relevant national policy as set out in MTAN1, Planning Guidance (Wales) Technical Advice Note (Wales) 11 Noise (TAN11), Welsh Office, October 1997, other guidance documents and relevant British Standards.

7.5.7 It is noted that the consultation response from the Council's Public Protection Team for the now withdrawn S73 application (Ref: P/2021/0486) stated the following in terms of noise:

"The noise levels proposed in the report "NOISE ENVIRONMENTAL SCHEME" by Kedd Limited dated May 2021 are not accepted as they do not reflect the current guidance MTAN 1. I therefore recommend the following limits in place of the proposals stated in section 5.5 of the above report

The maximum daytime noise limit shall be:

- i. 55dB(A) (1 hour, free field) where the background noise level exceeds 45dB(A) or*
- ii. Where the background noise level is less than 45dB(A) the noise limit shall be 45dB(A) + 10dB(A) (1 hour, free field)*

During temporary and short-term operations higher levels are permissible but should not exceed 67dB(A) (1 hour, free field) for periods of up to 8 weeks in a year at the nearest noise sensitive property".

7.5.8 Section 5.5 of the Noise Environmental Scheme has been updated to reflect the comments from the Public Protection Team.

7.5.9 In summary, it is concluded that with appropriate mitigation measures, the relevant site noise limits can be complied with. The assessment concludes that noise from the proposed quarry will not cause an unacceptable impact. The objectives of the adopted and emerging Development Plan documents are met.

7.6 Air Quality and Dust

7.6.1 A Dust Impact Assessment has been carried out and the report accompanies this Planning Statement.

7.6.2 The potential for fugitive dust emissions from the proposed excavation of sand and gravel at the 2 proposed changes to the extraction area is minimal due to the inherently high moisture

content of the 'as dug' material. Although there is potential of wind-blow during handling. However, given the distance from any receptors and the difference in height between the quarry working area and the nearest properties, and dust raised during the extraction of the sand will be contained within the quarry.

- 7.6.3 There is a risk during dry, windy weather of generating dust during the transportation phase, when vehicles are used to take the sand to the processing plant. In order to minimise dust creation then in these conditions internal haul roads will be sprayed with water using the on-site bowser, to "wet down" loose particles. Nevertheless, appropriate mitigation will be employed at all stages of the development.
- 7.6.4 With the deployment of the mitigation measures recommended in this assessment, it is considered that along with the high moisture content of the extracted material, this should ensure negligible dust impact from the proposed development.
- 7.6.5 Overall the effect on air quality of this development with the implementation of suitable dust mitigation measures is considered to be not significant, and the proposed development is to be compliant with policies contained in the adopted and emerging Development Plan.
- 7.6.6 It is noted that the consultation response from the Council's Public Protection Team for the now withdrawn S73 application (Ref: P/2021/0486) stated the following in terms of air quality and dust:

"The findings of the report "DUST AND AIR QUALITY ASSESSMENT" by Kedd Limited dated May 2021 are accepted and I recommend the dust management scheme as detailed in section 4 be conditioned on any planning permission that may be granted".

7.7 Transport

- 7.7.1 In terms of transport, this planning application proposes that vehicle movements and associated highways matters will remain similar to those currently experienced.
- 7.7.2 The Quarry has access onto the A483 at its junction with the B5102 some 1.5 km north-east of the quarry. Access is gained on to the B5102 along a short stretch of an unclassified road, Gegin Lane. The stretch of Gegin Lane between the quarry access and the B5102 (Croeshowell Hill) has been improved. The A483 is a dualled highway which provides access south to Wrexham and beyond, whilst to the north the road links with the A55 before continuing in to Chester.
- 7.7.3 Vehicular access to the Quarry is shared with users of Homestead Garage, which is both a vehicle repair and testing business and an HGV haulage yard, a ready-mixed concrete producer.

- 7.7.4 The access into the Quarry comprises a surfaced road which leads from a bellmouth off Gegin Lane. On entering the site, the entrance to Homestead Garage is on the right-hand side whilst the entrance to the ready-mixed concrete plant and associated offices and carpark is to the left. The surfaced access road then continues to the quarry weighbridge and offices. There is a wheelwash situated on the “exit side” of the main access. The aggregate recycling facility is located to the right of the main quarry access route, beyond the weighbridge, towards the bottom of the Quarry.
- 7.7.5 In respect of vehicle movement the quarry sales are approximately 450,000 tonnes of mineral products per annum and imports of approximately 76,000 tonnes of dust which is required to blend and help create the range of mineral products. The gross tonnage therefore being 526,000 tonnes. There is little back-haulage between imports and exports, which are transported in both rigid and articulated HGVs, with payloads of 19 tonnes and 29 tonnes respectively. Of the overall vehicle movements, approximately 80% is in the larger articulated HGVs and 20% in the smaller rigid vehicles.
- 7.7.6 Based on the foregoing, it is established that the site attracts an approximate total of:
- $80\% \times 526,000 \text{ tonnes} = 420,800 \text{ tonnes} / 29 \text{ tonnes} / 275 \text{ days} = 53 \text{ vehicle loads} / 106 \text{ movements per day}; \text{ and}$
 - $20\% \times 526,000 \text{ tonnes} = 105,200 \text{ tonnes} / 19 \text{ tonnes (20t HGV)} = 20 \text{ vehicle loads} / 40 \text{ movements per day}.$
- The combined total vehicle flows are therefore established to be approximately 73 loads / 146 movements per day, which equates to around 7 loads / 14 movements per hour and 1 HGV movement every 4 – 5 minutes.”
- 7.7.7 The traffic movements associated with the proposed development will remain the same as existing.
- 7.7.8 In summary, the proposed development should not be refused on transport grounds as it is compliant with the adopted and emerging Development Plan.
- 7.7.9 During the determination of the now withdrawn S73 application (Ref: P/2021/0486), the consultation response received from the Welsh Government (Ref:21/NM-3905) dated 22 June 2021 stated that:
- “Traffic impact review of connectivity to the A483 trunk road is required to clarify how the proposed changes to the development would affect the existing and future free flow of traffic between the trunk and county roads.”*
- 7.7.10 The Hurlestone Partnership have provided a response to the above comments and is attached at **Appendix 1**, with a summary set out below:

- 7.7.11 The extant permission under which the Quarry operates has an end-date of 22nd February 2042. As such, the traffic activity associated with the site is currently approved on the local road network until that date.
- 7.7.12 As the output is to remain at current / permitted levels and access is to remain by the established / permitted access during the permitted operating hours, given the additional mineral will be worked within 2 years, when compared with the lawful fall-back, there is no adverse impact on the highway network, as there is nothing to prevent the same number of vehicle movements to / from the site at any point of the period over which this mineral would be worked.
- 7.7.13 The extensions effectively replace the mineral that had already been approved for distribution via the road network. Given comparable volumes of material, there would be no detrimental impact when compared with the activities envisaged when planning permission was granted.
- 7.7.14 It does not matter from where within the site the mineral is obtained, the same quantum being transported in the same vehicle via the same access and road network would result in an identical impact.

7.8 Archaeology and Cultural Heritage

- 7.8.1 An archaeology and cultural heritage desk-based assessment of the archaeological potential of land at Ballswood Quarry in relation to the 2 proposed changes to the extraction boundary accompanies this planning application. The findings of the assessment are summarised below:
- 7.8.2 The assessment involved the examination of available records relating to the quarry and the 2 proposed changes to the extraction area including documentary, cartographic and aerial photographic from sources such as Historic Wales, Archwilio (the Welsh Historic Environment Records online), the Clwyd-Powys Regional Historic Environment Record and the Archaeological Assessment carried out by The Clwyd-Powys Archaeological Trust (November 2002) in relation to a planning application for an extension to Ballswood Quarry (ref: P/2003/0357).
- 7.8.3 No sites are currently recorded within the exiting quarry or the 2 proposed changes to the extraction area in the SMR. Seven sites as set out in Archaeological Assessment carried out by The Clwyd-Powys Archaeological Trust (November 2002) have been identified in an area related to a refused planning application for an extension to Ballswood Quarry (ref: P/2003/0357). These 7 sites, will not be affected by the proposed development in its present form.
- 7.8.4 There remains the possibility that sub-surface traces of further sites are present within the 2 proposed changes to the extraction area. In order to ensure that the potential for these sub-

surface archaeological remains is taken into account, a watching brief should be undertaken during the stripping of topsoil and overburden. Sufficient time and resources should be allowed to ensure the preservation by record of any archaeologically significant features which may be revealed.

- 7.8.5 In terms of cultural heritage, listed structures or the Marford Conservation Area are not affected visually by the current Works or the proposed development.
- 7.8.6 Overall, no clear archaeological or cultural heritage constraints have been identified that would render the proposals contrary to the objectives and policies of the development plan. The objectives of the Development Plan, the emerging Wrexham Local Development Plan 2 and other material policy considerations are met.
- 7.8.7 It is noted that the consultation response from Clwyd-Powys Archaeological Trust for the now withdrawn S73 application (Ref: P/2021/0486) suggested that Area B would be the subject of archaeological mitigation using a programme of strip/map/excavate monitoring during initial topsoil and subsoil removal works. This remains valid although Area B is now Area A in this submission.
- 7.8.8 Following the pre-application consultation a Written Scheme of Investigation in respect of mineral extraction within Area A has been produced to satisfy the comments made by Clwyd – Powys Archaeological Trust (CPAT) and accompanies this statement.

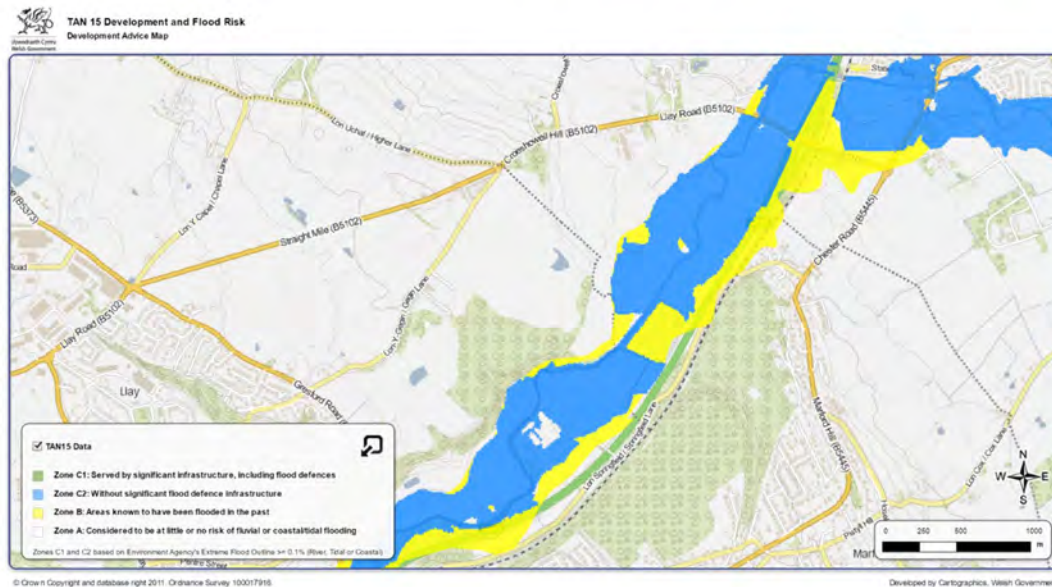
7.9 Flood Risk Assessment and Water Management

Flood Risk Assessment

- 7.9.1 Technical Advice Note (TAN) 15: Development and Flood Risk (July 2004) provides technical advice, which supplements policy set out in Planning Policy Wales, in relation to development and flooding.
- 7.9.2 The general approach of Planning Policy Wales, supported by the TAN, is to advise caution in respect of new development in areas at high risk of flooding. The overarching aim is (in order of preference) to:
- Direct new development away from those areas which are at a high risk of flooding; and
 - Where development has to be considered in high risk areas (Zone C) only those developments which can be justified on the basis of the tests outline in the TAN can be located within such areas.
- 7.9.3 TAN 15 sets out that mineral extraction sites and associated processing facilities are a Less Vulnerable Development.

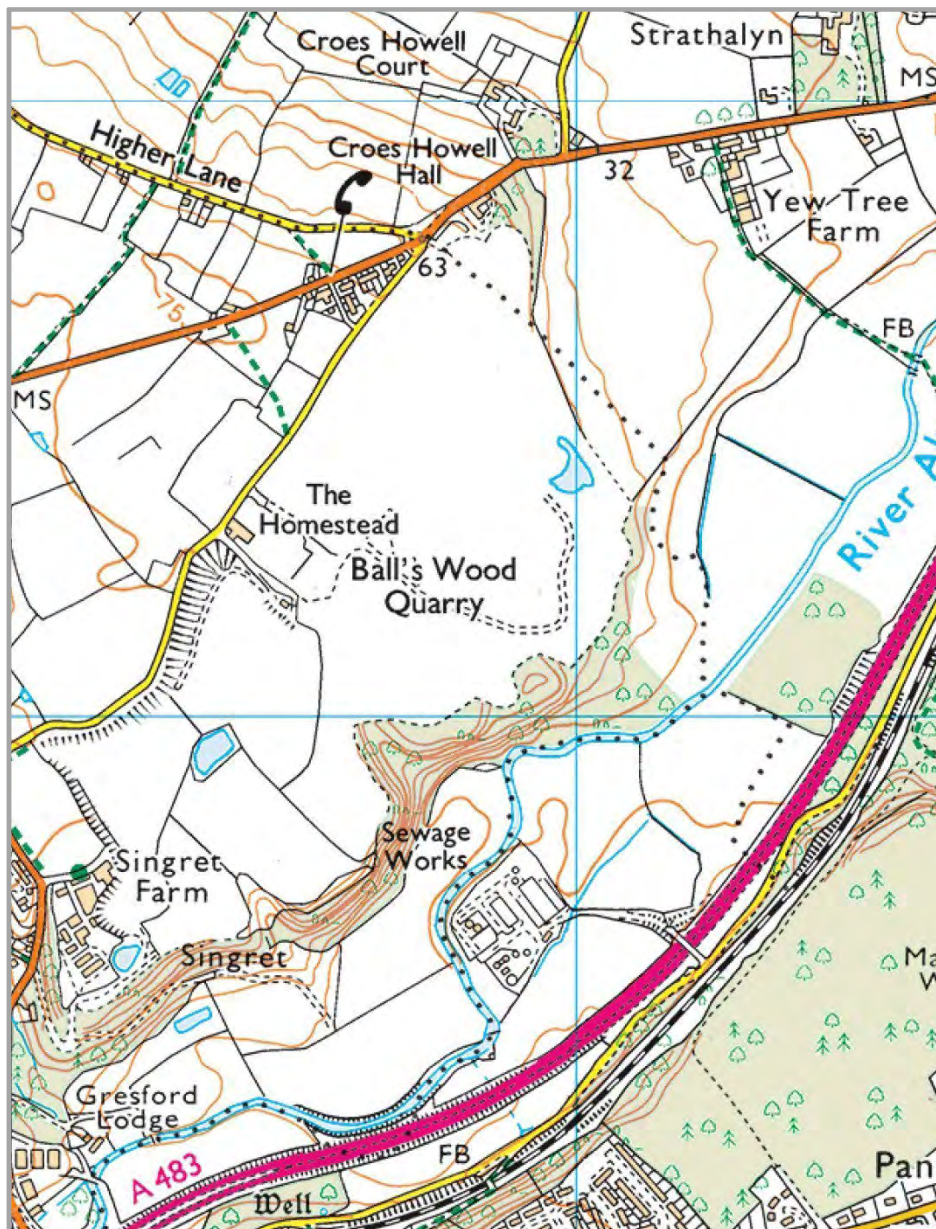
- 7.9.4 In January 2015 updated Development Advice Maps (“DAM”) were issued by the Welsh Government to be used alongside the TAN. Figure 7.1 is an extract from the DAM covering Ballswood Quarry. The DAM shows Zone C2, areas of floodplain without flood defences, in blue whilst the yellow Zone B denotes areas which have flooded in the past.

Figure 7.1 - DAM



- 7.9.5 As can be seen from the DAM at Figure 7.1, none of the 2 proposed changes to the extraction area lie within either Zone C2 or Zone B flood risk areas with the 2 areas located within Zone A - Considered to be at little or no risk of fluvial or coastal/tidal flooding. This is because of the topography of the southern boundary of the quarry which comprises a steep slope which runs down to the River Alyn which constrains the lateral extent of the flood plain (see Figure 7.2 below).

Figure 7.2 Site Topography



Water Management

- 7.9.1 Ground water monitoring has taken place at Ballswood Quarry via a combination of extraction, borehole drilling and the dipping of piezometer boreholes on adjoining land to the south east – see Drawing No. KD.BLWQ.1.D.025A which included both average recorded ground water levels and monitored data (attached at **Appendix 2**).
- 7.9.2 In summary, over the past 14 months existing ground water levels have been observed to vary between 22.9 maOD to 24 maOD within the current extraction area/disturbed land within the quarry. These figures include drilling borehole water strike information. There has been a relative consistency observed in both the quarry itself and land to the south and east. Please note that there are clay lenses within the mineral deposit which appear to result in localised

areas of perched water. Quarry operational works observe that when clay is removed to extract sand and gravel below the actual ground water table is below these clay bands. There is a trend from the north and west of the site to the south and east of lower ground water levels progressing to the River Alyn.

- 7.9.3 It is proposed that the base of extraction in the 2 proposed changes to the extraction area is to be no deeper than 25 maOD i.e. the quarry is to be worked dry. Therefore, there will be no impacts on ground water.
- 7.9.4 As part of the Pre-Application Consultation, Natural Resources Wales requested that a Surface Water Management Plan be produced addressing the surface water drainage and disposal around the site; and, a Pollution Prevention Measures Method Statement to prevent potential pollutants entering the controlled waters. These have been included as Appendix 3 and Appendix 4 respectively.
- 7.9.5 On the basis of the above, therefore, there will be no consequences of flooding or ground water on the proposed 2 areas, ensuring a continued safe and secure working environment throughout the life of the development.

7.10 Agricultural Land Classification and Soil Resources

- 7.10.1 An agricultural land classification and soils resources assessment carried out by Reading Agricultural Consultants Ltd (RAC) in relation to extension Area A accompanies this planning application. The findings of the assessment are summarised below:

Soil parent material and soil type

- 7.10.2 The underlying geology mapped by the British Geological Survey across the site is sandstone of the Kinnerton Sandstone Formation. Superficial deposits of sand and gravel from Glaciofluvial Sheets Deposits are also mapped across the site.
- 7.10.3 The Soil Survey of England and Wales soil association mapping⁶ (1:250,000 scale) shows the Newport 1 soil association mapped across the site. This association is characterised by well drained, medium sandy loam soils over loamy sand and sand soils. Profiles are typically well drained and assessed as Wetness Class (WC).

Agricultural land classification and site limitations

- 7.10.4 Assessment of land quality has been carried out according to the ALC guidelines. Soil profiles have been described according to Hodgson which is the recognised source for describing soil profiles and characteristics according to the revised ALC guidelines.
- 7.10.5 Agricultural land quality within the site is limited by soil droughtiness to Grade 2.
- 7.10.6 One soil type is present within the site. The topsoil comprises a dark brown (7.5YR3/2,

7.5YR3/3 in the Munsell soil colour charts), medium sandy loam. The topsoil is slightly stony at about 10% by volume. The stones are generally less than 2cm in length with about 2% between 2cm and 6cm in length. The topsoil has a fine medium subangular blocky structure and a friable consistency.

7.10.7 The upper subsoil comprises friable, loamy medium sand or medium sand which is predominantly brown or dark brown (7.5YR4/4, 7.5YR3/4, 7.5YR3/3). The upper subsoil has a granular structure. The upper subsoil is predominantly slightly stony at 10% by volume. Augering to depth was prevented at depths of between 45cm and 60cm.

7.10.8 The lower subsoil comprises brown or reddish brown (7.5YR4/4, 5YR4/4) sandy clay loam. The soil is friable with a fine subangular structure, and stone content is about 25%. 3.12. Soils with these characteristics are assessed as WC I and limited to Grade 2 by droughtiness as shown in the table below.

Agricultural Land Classification

Grade	Description	Area (ha)	%
Grade 2	Very good quality	4.1	94
Non-agricultural		0.25	6
Total		4.35	100

Working Practices

7.10.9 All existing agricultural land will be restored utilising the current in-situ soils and to the current original soil profiles.

7.10.10 Soil stripping , temporary soil storage and replacement will be carried out in full accordance with the *Good Practice Guide for Handling Soils in Mineral Workings* published in 2021 by the Institute of quarrying.

8 Conclusion

- 8.1.1 This Planning Statement has been prepared on behalf of the Applicant, Cheshire and North Wales Sand and Gravel Limited, who propose 2 changes to existing extraction limits at Ballswood Quarry for the extraction of sand and gravel with progressive restoration.
- 8.1.2 This Statement has considered the application site as it currently exists, the site's planning history and context, the proposed development, and how the proposals may impact the local environment and community. Consideration has been given to the proposed impact on the local environment and community during the proposed mineral extraction and progressive restoration phases, and the long-term impacts of the proposal upon final site restoration and beyond.
- 8.1.3 This Statement has assessed the proposed development's compliance with the various planning policies that constitute the Development Plan for the area and with other material planning considerations that are relevant to the determination of the planning application.
- 8.1.4 Geological investigations have identified that Ballswood Quarry contains a number of different types of sand and gravel, which are worked from various "faces" within the site. The reason for the 2 changes to the extraction boundary is to release additional and higher quality reserves of building sand and sand and gravel than the nature and quality of remaining reserves in the existing quarry.
- 8.1.5 In terms of existing permitted mineral remaining, it has been identified that there is 200,000 tonnes of sand and gravel remaining. Based upon current sales of ~500,000 tonnes, this means mineral will run out within 4 to 5 months (mid March 2022). The proposed extension areas are suitable to provide an additional 690,000 tonnes, which combined with the existing reserves gives a total of 890,000 tonnes. It is anticipated that sales will continue at 500,000 tonnes per annum, resulting in ~1.78 years of extraction with a further year to complete restoration.
- 8.1.6 Ballswood is running out of sand and gravel, therefore changes to the extraction area of the quarry are required by the Council for the continued supply from Ballswood Quarry for the next 22 years in order to maintain the existing landbank never mining an additional 1.565 million tonnes to address the shortfall.
- 8.1.7 Furthermore, notwithstanding the need to maintain the landbank for Wrexham, exports from Ballswood are also required to meet the demand and landbanks within Flintshire, Denbighshire, Cheshire West and Chester and the north west region of Greater Manchester, Merseyside and Halton, and Warrington.

- 8.1.8 In terms of economic considerations, aside from the sand and gravel need (as set out above), the proposed development will help maintain 11 jobs which will contribute to the local economy through wages, business rates, use of local suppliers, and at a national level; to the economy through aggregates levy and other taxation processes. The development would make a significant contributor to the local economy. It is estimated that this contribution would equate to £750,000 to £1,000,000 per annum based on the applicant's other operations.
- 8.1.9 In summary and having full regard to the Development Plan, it is considered that given the proposal provides clear benefits of contributing to the steady and adequate supply of sand and gravel to be maintained by WCBC. Weight should also be attributed to the associated benefits to the local economy and the acceptable environmental impact of the proposal, as determined by appropriate environmental assessment.
- 8.1.10 In overall conclusion, it is considered that the proposal is environmentally acceptable and supports the economic, social and environmental roles of sustainable development. Where adverse impacts do arise, they are not significant and appropriate methods of working and other mitigation measures can be promoted that are capable of further reducing the effects of any such impact.
- 8.1.11 All mitigation can be formalised as appropriate through the imposition of planning conditions and other development control mechanisms. The potential environmental and local amenity impacts are therefore considered acceptable and the proposal accords with Development Plan policy.
- 8.1.12 Accordingly, the findings of this statement suggest that overall, the development will be environmentally acceptable and will accord with the development plan. It is therefore respectfully requested that planning permission be granted.

**Appendix 1 – Hurlestone Partnership Response to letter received from Welsh Government
(Ref:21/NM-3905) dated 22 June 2021**

The Hurlstone Partnership

Seven Oaks Farm, Crew Green, Shrewsbury SY5 9AS

Tel: 01743 884849

e-mail: office@hurlstones.com

Fax: 01743 884947

Mr. R Smithyman
Kedd Limited
Fox Studio
King Street
Much Wenlock
Shropshire
TF13 6BL

Our Ref: JPH/jph/150603

06 December 2021

Dear Mr. Smithyman

BALLSWOOD QUARRY - S73 APPLICATION - TRAFFIC IMPACT REVIEW

Further to your recent instructions, we have reviewed the letter received from Welsh Government (Ref:21/NM-3905) dated 22 June 2021 which stated a *"Traffic impact review of connectivity to the A483 trunk road is required to clarify how the proposed changes to the development would affect the existing and future free flow of traffic between the trunk and county roads."*

We have also reviewed the digital file for application P/2021/0486 on the Wrexham County Borough Council planning website, to which the response from Welsh Government relates. Whilst it is noted that the application was withdrawn, we understand a new application has been submitted for screening. The revised application is reduced from 3 to 2 extension areas, which collectively are believed to contain 690,000 tonnes and therefore reduces the supply period to approximately 1.38 years, based on the current output, which is to be maintained.

As the Planning Statement for the withdrawn application upon which Welsh Government commented confirms:

"The Planning Application falls within the red line boundary of Planning Permission ref: P/2016/0110, which was approved under the Environment Act 1990 Periodic Review of Planning Conditions (09/05/2016). Condition 2 of Planning Permission ref: P/2016/0110 sets out that mineral working is to cease by 22nd February 2042." (paragraph 1.1.5)

"It is anticipated that sales will continue at 500,000 tonnes per annum..." (paragraph 1.1.8)

"The proposal does not propose changes to the methods of quarrying at Ballswood Quarry, which will continue to be within the permitted application boundary and will be completed well within the approved end date of mineral working at the quarry. Access to the site is proposed via the existing access off Gegin Lane." (paragraph 1.1.9)

"The 3 [NOW 2 AREAS] proposed changes to the extraction area fall within the red line boundary of Planning Permission ref: P/2016/0110, although outside the extraction area on the approved plans." (paragraph 3.1.5)

"The proposal does not propose changes to the methods of quarrying at Ballswood Quarry, will be within the permitted application boundary and will be completed well within the approved end date of mineral working at the quarry." (paragraph 3.1.6)

"The Proposed Restoration Scheme as illustrated on Drawing No. KD.BLWQ.1.D.004 has been re-designed to reflect the proposed mineral extraction and the available on-site restoration materials to create final landforms and topographical levels." (paragraph 3.4.3)

The Hurlstone Partnership

"7.7 Transport

7.7.1 Transport In terms of transport, this planning application proposes that vehicle movements and associated highways matters will remain similar to those currently experienced.

7.7.2 The Quarry has access onto the A483 at its junction with the B5102 some 1.5 km north-east of the quarry. Access is gained on to the B5102 along a short stretch of an unclassified road, Gegin Lane. The stretch of Gegin Lane between the quarry access and the B5102 (Croeshowell Hill) has been improved. The A483 is a dualled highway which provides access south to Wrexham and beyond, whilst to the north the road links with the A55 before continuing in to Chester.

7.7.3 Vehicular access to the Quarry is shared with users of Homestead Garage, which is both a vehicle repair and testing business and an HGV haulage yard, a ready-mixed concrete producer. The access into the Quarry comprises a surfaced road which leads from a bellmouth off Gegin Lane.

7.7.4 On entering the site, the entrance to Homestead Garage is on the right-hand side whilst the entrance to the ready-mixed concrete plant and associated offices and carpark is to the left. The surfaced access road then continues to the quarry weighbridge and offices. There is a wheelwash situated on the "exit side" of the main access. The aggregate recycling facility is located to the right of the main quarry access route, beyond the weighbridge, towards the bottom of the Quarry.

7.7.5 In summary, the proposed development should not be refused on transport grounds as it is compliant with the adopted and emerging Development Plan."

It is apparent from the foregoing that the extant permission under which the Quarry operates has an end-date of 22nd February 2042. As such, the traffic activity associated with the site is currently approved on the local road network until that date.

As the output is to remain at current / permitted levels and access is to remain by the established / permitted access during the permitted operating hours, given the additional mineral will be worked within 2 years, when compared with the lawful fall-back there is no adverse impact on the highway network, as there is nothing to prevent the same number of vehicle movements to / from the site at any point of the period over which this mineral would be worked.

We understand the extension is due to some areas of the approved site which were believed to be saleable material being unsuitable. Therefore, the extension effectively replaces the mineral that had already been approved for distribution via the road network. Given comparable volumes of material, there would be no detrimental impact when compared with the activities envisaged when planning permission was granted.

It does not matter from where within the site the mineral is obtained, the same quantum being transported in the same vehicle via the same access and road network would result in an identical impact.

We trust the foregoing is acceptable and clarifies the traffic impact of the proposal to your satisfaction. However, should you have any queries or require any further assistance, please do not hesitate to contact the undersigned.

Yours sincerely

Jeremy Hurlstone
for THE HURLSTONE PARTNERSHIP

Appendix 2 – Ground Water Plan (Drawing No. KD.BLWQ.1.D.025)

Ballswood Quarry

Ground Water

Ground water monitoring has taken place at Ballswood Quarry via a combination of extraction, borehole drilling and the dipping of piezometer boreholes on adjoining land to the south east.

In summary, existing ground water levels have been observed to vary between 22.9 maOD to 24 maOD within the current extraction area/disturbed land within the quarry. There is a trend from the north and west of the site to the south and east of lower ground water levels. These figures include drilling borehole water strike information.

It is proposed that the base of extraction in the proposed extension areas is to be no deeper than 25 maOD i.e. the quarry is to be worked dry.

Ground Water

LEGEND

- Application Boundary (Permitted Boundary)
- WM1 Ground Water Monitoring Boreholes / Water Strikes
- WL 20.2 Average Ground Water Readings

Ground Water Monitoring Information:

	WM1	WM2	WM3	WM5	WM6
Aug-20	20.20	23.60	20.64	20.85	21.13
Oct-20	20.35	23.65	20.71	20.80	21.21
Dec-20	20.55	23.69	20.85	20.84	21.28
Feb-21	20.56	23.80	20.80	21.16	21.40
Mar-21	20.47	23.70	20.74	21.05	21.30
Apr-21	20.45	23.68	20.68	21.01	21.38
Jun-21	20.40	23.65	20.65	20.95	21.21
Aug-21	20.41	23.69	20.68	20.83	21.15
Sep-21	20.38	23.51	20.65	20.78	21.12
Oct-21	20.44	23.70	20.70	20.90	21.13
Nov-21	20.50	23.73	20.79	20.91	21.20
Dec-21	20.98	23.72	20.74	20.93	21.30
Jan-22	20.58	23.74	20.69	20.88	21.28

Average Ground Water Level (mAOD)	20.48	23.68	20.71	20.91	21.23
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CHESHIRE & NORTH WALES
SAND & GRAVEL LTD.



PROJECT:
Ballswood Quarry - Section 73 Application

TITLE:
Ground Water

REF NO:
KD.BLWQ.1.D.025A

DATE: February 2022 SCALE: 1:5,000 @ A3

STATUS:
FINAL

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Appendix 3 – Surface Water Management Plan

Cheshire & North Wales Sand & Gravel LTD

SURFACE WATER MANAGEMENT PLAN

Ballswood Quarry, Nr Wrexham,

April 2022

1.0 INTRODUCTION & BACKGROUND

Introduction

- 1.1 This Surface Water Management Plan describes the current hydrological regime at the Site, together with the existing surface water management system for the operational quarry. A description of the proposed minor development areas and operations are provided, together with an assessment of effects associated with the proposed development on the movement of water, within the Site and its local area.

Background

- 1.2 Ballswood Quarry has been operated by Cheshire and North Wales Sand & Gravel Ltd. since 2019. The quarry itself has been operated for over 50 years.
- 1.3 The quarry is located ~6km to the north west of Wrexham and 1km to the east of the village of Llay, at grid reference SJ348563.

2.0 TOPOGRAPHY

- 2.1 The Site is located on an east facing ridgeline, with ground levels to the west of ~74m above Ordnance Datum (AOD), to the east of between 30 to 34mAOD, to the west of ~60mAOD, and to the north of ~50mAOD. The area of the whole of Ballswood Quarry is ~ 54.6Ha. The area of the minor extensions which comprise this application being ~5.05 Ha. As a result of natural topography and landform, and previous mineral extraction, Ballswood Quarry including the minor extension areas, are contained within its own drainage catchment.

3.0 GEOLOGY

- 3.1 The material that has been worked at Ballswood Quarry has a fluvio-glacial origin and it is believed that the thick superficial deposits at this locality were formed by deposition in a lake marginal to a retreating ice sheet. The deposit of sand and gravel is floored by an irregular surface of boulder clay which masks the underlying solid geology which in this area consists of sandstone and marls of Upper Measures age.
- 3.2 The sand and gravel is typical of that deposited in a fluvioglacial environment, being poorly sorted and containing irregular lenses of silt.
- 3.3 Extensive Site investigations have taken place over the years at Ballswood Quarry, as it apparent that the deposit is very variable in respect of both Site variances in sand and gravel, clay, silt localities and grading of materials. A result of this over the years being that extraction needs to take place in at least two locations at any one time to allow the blending of extracted mineral to provide the variety of mineral products supplied.

- 3.4 The deposit is generally permeable, with some clay lenses observed whilst quarrying, which can hold perched water.

4.0 GROUNDWATER

- 4.1 The existing quarry and proposed minor extension areas which are already contained within the permitted planning boundary are overlying a Principal and Secondary aquifer and are located within a Source Protection Zone 3, for a public water supply. Based upon borehole monitoring (which is continuing and will continue through the ~2 years of mineral extraction associated with this application and into the restoration and post restoration period), the maximum recorded water level in the last 18 months (August 2020 to January 2022) was 23.8mAOD at WM2 in February 2020. This being 1.2m below proposed mineral extractions base of extraction. As such, mineral extraction will be above the local water table and will not require dewatering.

5.0 SURFACE WATER FEATURES

- 5.1 Site and local surface water features are illustrated on Drawing No. KD.BLWQ.2.D.015. The main feature being the River Alyn, located to the south and east of the quarry. The flow of the river being to the north and then east, to where it enters the River Dee, near Farndon. There are a limited number of small surface water ponds surrounding the Site, that are the result of natural localised topography, agricultural practices and previous quarry restoration works within the area.
- 5.2 Within Ballswood Quarry, there is a spring to the western boundary, north of the Site access off Gegin Lane. This water is directed into three settlement ponds (1, 2 and 3) via ditches / SUDS. Pond 3 being at the lowest AOD level of the three. This pond is located on in-situ undisturbed permeable material. From this point, water soaks away into the in-situ, undisturbed fluvio-glacial material, below ground, to the wider lower lying land to the south and east, to the River Alyn.
- 5.3 A contained silt lagoon (Pond 4) is located separate to the freshwater ponds. Pond 5, is located to the south of the Site in a previously worked area. This is a water collection point, separate from the main quarry to the north, contained on all sides by higher ground.
- 5.4 Within the proposed minor extension areas, there are no water features.
- 5.5 Surface water movement within the quarry, generally runs west to east (from higher ground).

6.0 FLOOD RISK

- 6.1 It is noted that the proposed extension areas A and B, as defined on drawing number KD.BLWQ.2.D.005 are located in flood Zone A of the Development Advice Maps contained in TAN15 and therefore are not at risk from flooding.

- 6.2 The proposed development will involve soil stripping of Area A, and the removal of a small thickness of overburden from Area B. Progressive mineral extraction and transportation of “as dug” mineral to the on Site processing plant, where it will be processed and removed from Site by HGV to point of sale. As part of processing, silt will be deposited within existing silt Pond 4. There will be no change in water management on Site, as compared to the current permitted situation.
- 6.3 The two extension areas currently have quarry faces bordering previously extracted land. Mineral will be extracted in directions from the existing quarry and from above the ground water table. As such, no additional surface water will be shed outwards from the Site boundary as a result of quarrying activities.
- 6.4 Neither of the extension areas will block or divert existing surface water movement flows or soakaways.
- 6.5 Restoration of the extension areas and subsequent Ballswood Quarry as a whole, will provide both contained soakaway locations through the in-situ permeable material above the base of deposit, and also provide surface landform gradient from west to east to a low point ‘water collection area’ within the central eastern areas of the Site (see Restoration Drawing No. KD.BLWQ.2.D.008). This area being sited on in-situ permeable sand and gravel to ensure connectivity with the adjoining permeable deposit to allow the controlled flow of surface / groundwater eastwards towards the River Alyn.

7.0 CONCLUSION

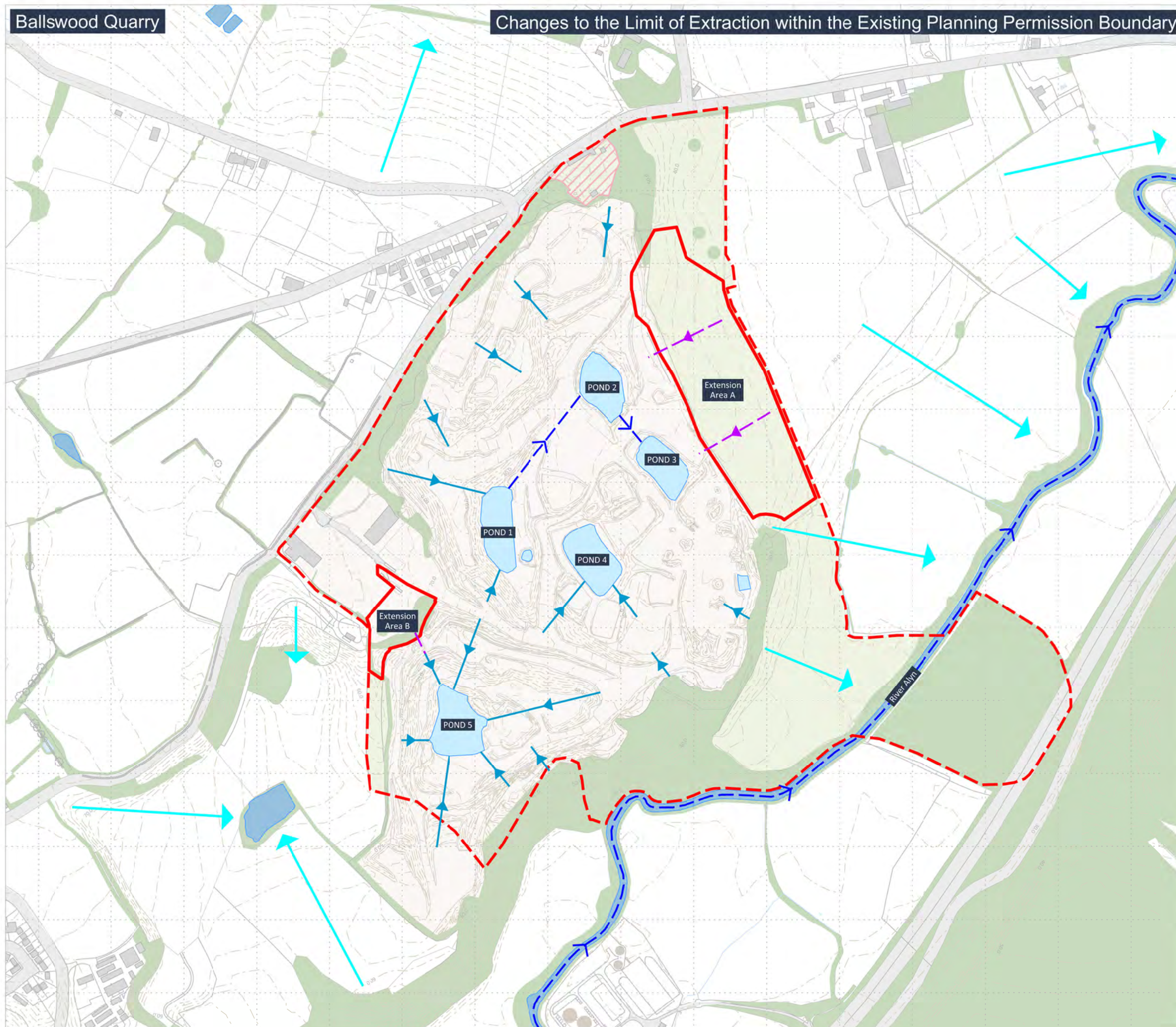
- 7.1 Current on-site surface water management operates successfully within the locally contained quarry void, where it disperses (soaks away) into natural, in-situ, undisturbed permeable sand and gravel, in continuity with adjoining permeable material above the local groundwater table, moving eastwards towards the River Alyn.
- 7.2 The proposed development of two minor extension areas A and B, which are already within the permitted planning boundary of Ballswood Quarry, will not alter the nature or scale of the existing successful surface water management.

Ballswood Quarry

Changes to the Limit of Extraction within the Existing Planning Permission Boundary

LEGEND

- Planning Application Boundary
- Existing ROMP / Planning Permission Boundary
- On Site Water Bodies / Features
- Surrounding Water Bodies / Features
- Direction of Surface Water Runoff within the Site
- Direction of Surface Water Runoff - Offsite
- Flow Direction / Ditches / River
- Proposed Operational Surface Water Runoff associated with Extension Area A and Area B



**CHESHIRE & NORTH WALES
SAND & GRAVEL LTD.**



PROJECT:
Ballswood Quarry

TITLE:
Surface Water Features Plan

REF NO:
KD.BLWQ.2.D.015

DATE:
April 2022

SCALE:
1:5,000 @ A3

STATUS:
FINAL



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Appendix 4 – Pollution Prevention Measures

Cheshire & North Wales Sand & Gravel LTD

**POLLUTION PREVENTION MEASURES
TO PREVENT POLLUTION ENTERING CONTROLLED WATERS**

Ballswood Quarry, Nr Wrexham,

April 2022

- 1.1 Cheshire and North Wales Sand and Gravel Ltd. employ a Pollution Prevention and Health and Safety Manager – Richard Curry (Mobile. 07715207907). Address: The Oaklands, Admaston, Telford, Shropshire TF5 0AN (Tel. 01952 254101).
- 1.2 At Ballswood Quarry, the identified sources of potential pollutants on Site, together with associated pollution prevention measures, are:
- A. Potential hydrocarbons from on-site wheel wash
 - B. Potential hydrocarbons from off-site vehicle use of Gegin Lane and associated surface water drains leading onto the Site
 - C. The use of flocculant within the silt lagoon
 - D. Diesel storage and filling of vehicles
 - E. Small quantities of oil on site for use within plant and machinery

Item A – Potential hydrocarbons from on-site wheel wash

- 1.3 The existing and proposed secondary wheel wash are / will be within contained concrete structures. Clean water is used each day to ensure the effectiveness of the wheel wash for HGVs. To capture and retain sediment, oils, floatables and hydrocarbons, a new Downstream Defender hydrodynamic vortex separator is to be used to capture pollutants which will be disposed of off-site, at a registered facility.

Item B – Potential hydrocarbons from off-site vehicle use of Gegin Lane and associated surface water drains leading onto the Site

- 1.4 The existing road drainage system is susceptible to blockages. As such, works are currently underway by the operator, in discussion with Wrexham County Borough Council, to:
- i. Clear any blocked drains on Gegin Lane
 - ii. Create a new SUDS drain “on-site”, into which the Gegin Lane surface water drains will connect
 - iii. Before this water is discharged, it will be merged and run through a Downstream Defender system to deliver effective pollutant removal at a single point in the drainage system

Item C – The use of flocculant within the silt lagoon

- 1.5 A flocculant is used to help settle processed silt within lagoon Pond 4. The produce name / reference is FLOPAMTM FA 920 SEP. The supply company being SNF(UK)Limited, 1 Red Hall Crescent, Paragon Business Village, Winterfield WF1 2OF (Tel. 01924 311000). The products use is contained within Pond 4, which has a built in freeboard to ensure containment of silt in high rain events. The product has been chosen for this purpose as it ‘contains no substances known to be hazardous to the environment’. The active ingredient in this product is a high molecular weight, water soluble polymer. It absorbs rapidly and irreversibly to substrates,

dissolved organic carbon and / or suspended particles forming an insoluble adduct, which precipitates out of the water-column. This adduct is totally eliminated from the wastewater stream during water treatment and / or sludge / silt dewatering and will not be discharged to surface water.

Item D – Diesel storage and filling of vehicles

- 1.6 Diesel is stored in a steel bunded tank set on a concrete slab. It is located away from water sources and is of no risk of flooding. The diesel is kept in a cool and dry area. Advice was given on emergency procedures of spillage of pollutants by Spill Management Company – Adler & Alan (Tel. 01299 270179). The following procedure is in place in case of spillage:

1 - Prevent further spillage

Turn off machinery or plant where involved, turn off stopcocks where available.

2 - Contain spillage

Use spill kit or fine sand to control the spread of spilled material

3 - Consult safety data sheets

Ascertain if there is:

- a) Risk of fire or explosion [if **YES**, call Fire brigade **IMMEDIATELY**]
- b) Any additional PPE needed to safely deal with the substance
- c) Any properties peculiar to the substance

4 - Assess the Situation

Is the spill:

- a) **Major and likely to enter local water course(s)** - Contact Environment Agency and Spill Management company
- b) **Major, but unlikely to enter local water course(s)** - Contact Spill Management Company
- c) **Minor** - Can be contained and dealt with using our own spill kits

5 - Report to Safety Manager and Managing Director

Once the incident has been controlled, contact the Safety Co-ordinator for the site as a written report will need to be carried out, detailing what happened, how it occurred, what actions were taken, and whether anything can be done to prevent reoccurrence.

Item E – Small quantities of oil on site for use within plant and machinery

- 1.7 With the small quantities of oil on site for use within plant and machinery, if a spillage occurs, the spillage of pollutants protocol would be used to manage and notify, as Item D.

- 1.8 Cheshire and North Wales Sand and Gravel Ltd's Environmental Policy is attached.
- 1.9 Additional quarry design actions to prevent pollution risk include:
- a) Minimising the area of ground used for "as dug" and processed stock piles
 - b) Retaining on-site vegetation until land is required for mineral extraction
 - c) Clean water and silt water are kept separate in different contained lagoons
 - d) Clean surface water movement takes place on-site to prevent water from entering extraction areas by using localised ditches and SUDS / cut of ditches which also help to slow water discharge
 - e) Potential water run-off from the adjacent Gegin Lane road is managed through existing drainage ditches. These ditches are currently being cleared by the quarry operator to ensure they continue to perform this function, with the installation of a managed Downstream Defender pollutants capture and removal system
 - f) All on-site lagoons have an appropriate freeboard / additional capacity to hold any additional water in respect of high rainfall events

Emergency Procedure Spillage of Pollutants

Ballswood Quarry

1- Prevent further spillage

Turn off machinery or plant where involved, turn off stopcocks where available.

2- Contain spillage

Use spill kit or fine sand to control the spread of spilled material

3- Consult safety data sheets

Ascertain if there is:-

- a) Risk of fire or explosion [if **YES**, call Fire brigade **IMMEDIATELY**]
- b) Any additional PPE needed to safely deal with the substance
- c) Any properties peculiar to the substance

4- Assess the Situation

Is the spill:

- a) **Major and likely to enter local water course(s)**- Contact Environment Agency and Spill Management company
- b) **Major, but unlikely to enter local water course(s)**- Contact Spill Management Company
- c) **Minor**- Can be contained and dealt with using our own spill kits

5- Report to Safety Manager and Managing Director

Once the incident has been controlled, contact the Safety Co-ordinator for the site as a written report will need to be carried out, detailing what happened, how it occurred, what actions were taken, and whether anything can be done to prevent reoccurrence.

CONTACT NUMBERS

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Spill Management Company - Adler & Allen 01299 270179

Safety Manager (Richard Curry) - 07715 207907

Signed 
Richard Curry
Health and Safety Manager