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Adran yr Amgylchedd, Cynllunio a Chefn Gwlad
Department for Environment, Planning and Countryside

Eich cyf . Your ref:
PRA/100029.070272

Ein cyf . Our ref:
Our ref: A-PP146-07-025

Date: 19 January 2005

Dear Mr Atkinson

**TOWN AND COUNTRY PLANNING ACT 1990:SECTION 77
APPLICATION BY HANSON QUARRY PRODUCTS EUROPE LTD
EXTENSION TO THE SOUTH OF THE EXISTING WORKING AREA AT ST
GEORGE'S QUARRY, NANT DDU ROAD, ST GEORGE, ABERGELE**

Consideration has been given to the report of the Inspector Clive Nield BSc, CEng, MICE, MCIWEM who held a local inquiry into the application by Hanson Quarry Products Europe Limited for an extension to the south of the existing working area at St George's Quarry, Nant Ddu Road, St George, Abergele, Conwy.

2. On 3 April 2003 the National Assembly for Wales directed under Section 77 of the Town and Country Planning Act 1990 (the 1990 Act) that the application be referred to it rather than be determined by the local planning authority. On 12 January 2005 the Assembly resolved that a committee, to be known as Planning Decision Committee (2)2005/1 be established, in accordance with Standing Order 17 to discharge the functions of the Assembly under Section 77 of the 1990 Act, in respect of the application by Hanson Products Europe Limited. Accordingly, the

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Planning Decision Committee has considered the application and has resolved under Standing Order 17.16 to adopt this letter.

3. The Inspector's conclusions are set out at paragraphs 114 -142 of his report, a copy of which is enclosed, and those paragraphs are at Annex A to this letter. The Inspector recommended that the application be approved, subject to planning conditions. The Planning Decision Committee agree with the Inspector's conclusions for the reasons given by him and accept his recommendation.

4. A letter from the National Assembly Planning Division dated 29 September 2004, a copy of which is at Annex B to this letter, was sent to you seeking clarification of the level of reserve at Llandulas Quarry and also the submission of a completed Section 106 Agreement the effect of which would be to relinquish permitted reserves at that quarry. In response you submitted to the National Assembly's Planning Division a letter dated 18 October 2004 enclosing a letter from independent consultants confirming the estimated gross in situ reserve at Llandulas Quarry as 18.1 million tonnes together with a copy of an executed Section 106 Agreement. Following further correspondence between the National Assembly Planning Division and yourselves regarding the recital of the Owner's title to the Minerals at Llandulas an amended and dated Section 106 Agreement was submitted to the National Assembly with your letter of 9 November 2004.

5. The Planning Decision Committee agree with the Inspector that the development would be in accord with development plan policies and would bring significant benefits to the local economy. The Committee also agree that with suitable conditions, the limited effects on the environment and the amenity of local residents would be outweighed by the benefits of the proposal. With regard to national policy the Committee agree with the Inspector that the proposal would meet the guidelines for sustainable minerals development, and they accept that the extension of the quarry would be a more sustainable option than the supply of aggregates into the area from other quarries and would not materially harm the long term policy of using secondary and recycled materials as substitutes for primary aggregates. The Committee also consider that the amended Section 106 Agreement would serve to reduce the hard rock landbank in North Wales in accordance with national policy guidance in Minerals Planning Technical Advice Note (Wales) 1.

6. The Planning Decision Committee have taken the environmental information, referred to by the Inspector in paragraph 133 of his report, into account in reaching their decision.

7. The Planning Decision Committee have carefully considered the question of the conditions to be attached to the planning permission having regard to the conditions discussed at the inquiry, the comments of the Inspector and the advice contained in Welsh Office Circular 35/95. Subject to minor amendments the Planning Decision Committee consider that those conditions recommended by the Inspector, listed at the Annex to his report, should be imposed for the reasons given by him. The Committee agree with the Inspector that the possible condition suggested at the inquiry to limit the height of material stockpiles in the processing plant area, referred to at paragraph 113 of his report, is not necessary. However, they do not agree with the Inspector that the suggested condition concerning the provision of a wider buffer

zone near Dinorben Farm, referred to at paragraph 112 of the Inspector's report, is not necessary. The Planning Decision Committee do not consider on the basis of the evidence before them that there are clear and justifiable reasons for reducing the minimum distance for hard rock quarries indicated in Minerals Technical Advice Note (Wales)1:Aggregates. They therefore consider that the possible additional condition listed as condition 33 in the Annex to the Inspector's report should be imposed to safeguard residential amenity.

FORMAL DECISION

8. For the reasons given by the Inspector the Planning Decision Committee hereby grant planning permission in respect of planning application Ref. 0/26569 dated 27 September 2002 for an extension to the south of the existing working area at St George's Quarry, Nant Du Road, St George, Abergele, Conwy subject to the conditions in Annex C to this letter.

9. This letter, a copy of which has been sent to the Head of Planning Services Conwy County Borough Council, does not convey any approval or consent which may be required under any enactment, bye law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Yours faithfully

Carwyn Jones AM

Chair, Planning Decision Committee (2)2005/1

Enc: Leaflets "H" and "HC"