



**On behalf of  
Breedon Southern Limited**

**Report on Pre-Application Public Consultation**

**In respect of proposed development  
at Denbigh Quarry  
Plas Chambres Road  
Denbigh  
Denbighshire, LL16 5US**

**Our Ref: 210011/0001  
December 2021**

**Have Your Say Limited  
PO Box 374  
Bridgend  
CF31 9PP**

**[www.haveyoursay.wales](http://www.haveyoursay.wales)  
[www.haveyoursay.cymru](http://www.haveyoursay.cymru)**

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# 1 Introduction

The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 (“The Order”) introduces into Section 61Z of the Town and Country Planning Act 1990 (as amended) a statutory requirement that all proposals for major development in Wales are subject to formal pre-application consultation.

Part 1A, Section 2F of The Order requires that any application for major development subject to the provisions of Section 61Z is accompanied by a report setting out the particulars of how the applicant has satisfied the statutory pre-application consultation requirements.

Have Your Say Limited was instructed in November 2021 to assist **Breedon Southern Limited** to meet the requirements of the Order in respect of a proposal at **Denbigh Quarry, Plas Chambres Road, Denbigh, Denbighshire, LL16 5US**.

The proposal seeks planning permission for:

**“The extension of winning and working of limestone, importation of inert material and restoration to amenity”**

Section 2 of this report outlines the statutory requirements of the Order.

Section 3 provides details of how the formal consultation requirements have been undertaken by Have Your Say on behalf of the applicant in accordance with the Order’s requirements.

Section 4 provides a summary of the responses received to that consultation from community and statutory consultees.

Section 5 identifies how those responses have been considered by the applicant prior to the submission of this application.

Section 6 provides our conclusions.

## 2 Statutory requirements

Part 1A, Sections 2B-2F of the Order sets out the publicity requirements before applying for planning permission.

Section 2C (1) notes that the applicant must publicize the proposed application by giving requisite notice

- (i) by site display in at least one place on or near the land to which the proposed application relates for not less than 28 days; and
- (ii) in writing to any owner or occupier of any land adjoining the land to which the proposed application relates.

The applicant must also make available for inspection at a location in the vicinity of the proposed development for not less than 28 days beginning with each day on which each of the notices are given

- (i) any documents and particulars or evidence that would be required for a subsequent application, in the same or substantially the same form, to be a valid application except certificates in relation to notices of applications for planning permission required by article 11;
- (ii) a plan which identifies the land to which the proposed application relates;
- (iii) any other plans, drawings and information necessary to describe the development which is the subject of the proposed application;
- (iv) in a case to which article 7 applies, the design and access statement.

Any plans or drawings required to be provided by paragraph (1)(b)(ii) or (iii) must be drawn to an identified scale and, in the case of plans, must show the direction of north.

The applicant must have complied with these requirements before an application is submitted.

Where the site notice referred to in paragraph (1)(a)(i) is, without any fault or intention of the applicant, removed obscured or defaced before the period of 28 days has elapsed, the applicant will be treated as having complied with the requirements of the relevant paragraph if the applicant has taken reasonable steps to protect the notice and, if need be, replace it.

Section 2D requires that notice is given in writing to relevant community consultees and specialist consultees in the form set out in Schedules 1B and 1C. Such notice must either be accompanied by the application documents referred to in Article 2C(1)(b) or provide a link to a website on which those documents may be found.

The community consultees must be given an opportunity of not less than 28 days to respond to the notice before an application is submitted. The specialist consultees are obligated to provide a substantive response within 28 days or such other period as may be agreed between them and the applicant. For the purposes of the Order, a substantive response must meet one of the following four criteria:

- (a) states that the specialist consultee has no comment to make;
- (b) states that the specialist consultee has no objection to the proposed development and refers the applicant to current standing advice by the specialist consultee on the subject of the consultation;
- (c) advises the applicant of any concerns identified in relation to the proposed development and how those concerns can be addressed; or
- (d) advises the applicant that the specialist consultee has concerns and that it would object to an application for planning permission made in the same or substantially the same terms and sets out the reasons for those objections.

Where an applicant has been required to carry out pre-application consultation and submits an application for planning permission, that application must be accompanied by a pre-application consultation report which gives particulars of —

- (a) how the applicant complied with section 61Z of the 1990 Act;
- (b) any response to the consultation received from any person consulted under section 61Z(3) or (4) of the 1990 Act; and
- (c) the account taken of those responses.

The pre-application consultation report must also include -

- (a) a copy of the notice referred to in article 2C(1)(a)(i);
- (b) a declaration that the notice referred to in article 2C(1)(a)(i) was displayed in accordance with the requirements of that article;
- (c) a list of the addresses of persons who were given notice of the proposed application in accordance with article 2C(1)(a)(ii) and a copy of the notice given to such persons;
- (d) copies of all notices given to community consultees and specialist consultees in accordance with articles 2D(2) and 2D(3);
- (e) a summary of all issues raised by any person notified of the proposed application in accordance with section 61Z(3) of the 1990 Act and articles 2C and 2D(2), including confirmation of whether the issues raised have been addressed, and, if so, how; And
- (f) copies of all responses received from specialist consultees with an explanation of the account taken of each response.

### 3 Consultation

#### Site notice

In accordance with Article 2C(1)(a), site notices (in Welsh and English) were displayed on November 12th, 2021, at/and near the entrance to the site referred to as “Denbigh Quarry”. Copies of the site notice and photographs of its siting are provided at Appendix A to this Statement.

Also included at Appendix A is a declaration letter to confirm that the site notice was displayed in accordance with the requirements of the Order.

#### Formal consultations

Formal notification letters were issued for the November 12<sup>th</sup>, 2021, by first class post to the consultees set out in the Schedule at Appendix B. Copies of the letters and notices are provided at Appendix C.

Community consultees and residents were notified of available Internet facilities at the local library in Denbigh town centre and were provided with a link and QR code to a project website hosted at [www.haveyoursay.wales](http://www.haveyoursay.wales). Screen shots of the website are provided for reference at Appendix D.

The website provided details of the proposal and copies of the draft planning application documentation. The documentation provided included:

- The draft application forms
- Site Plan and Location Plan
- Design and Access Statement
- Plans and elevations
- Technical reports

All plans included their scale and where relevant a north arrow for orientation.

It also provided a comments form to allow for feedback to be provided directly from the site.

## 4 Summary of responses

The consultation elicited one response from neighbours to the proposal.

Seven statutory responses were received.

### Statutory consultee responses

HEAD OF HIGHWAYS & ENVIRONMENTAL SERVICES – Did not respond

PUBLIC RIGHTS OF WAY OFFICER – Did not respond

DWR CYMRU – No objection, standing advice offered

NATURAL RESOURCES WALES – Responded with concerns regarding lack of information provided

THE COAL AUTHORITY – No objection

CADW – No objection

CLWYD-POWYS ARCHAEOLOGICAL TRUST – No objection, suggested conditions

THE WELSH MINISTERS – LQAS (Agriculture) – No objection

NATIONAL QUARRIES INSPECTOR – Did not respond

DENBIGH TOWN COUNCIL – Responded with “no comments at this time”

A copy of Dwr Cymru, NRW, The Coal Authority, CADW, CPAT, LQAS and Denbigh Town Council’s statutory responses are provided at Appendix E.

## 5 Response to consultation

The issues identified above were brought to the attention of the applicant's agent and the table below summarises the consideration of the issues and the responses proposed.

### Neighbour Responses

Issue	Applicant response / changes made
<p>Opposed to the planned extension due to;</p> <p>1)Environmental issues – loss of farmland, impact on wildlife, proximity to Crest Mawr Woods</p> <p>2)Extra noise, blasting vibrations and dust</p> <p>3)Loss of footpaths, outdoor space for exercise, dog walking and to assist mental health of residents</p> <p>4)Landfill near to a residential area</p> <p>The proposal conflicts with Denbighshire County Council's declaration of a climate emergency.</p> <p>Prefer that the quarry be returned to nature making the area an asset to the town instead of an eyesore.</p>	<p>The applicant considers that the topics that have been raised have been considered in depth in the Environmental Statement and Planning Statement which demonstrate that not only will the impacts of the development be controlled to acceptable levels, similar to those in place for the current quarry operations, but that the amount of footpath will be increased.</p> <p>The land that is the subject of the application is not open access land and is not available for some of the specified uses. The deposit of the inert restoration material has also been considered and will not result in significant environmental impacts but will enable a better restoration to occur.</p>



## Statutory Responses

Consultee	Comments	Applicant response/changes made
Head of Highways & Environmental Services	Did not respond	Noted.
Public Rights of Way Officer	Did not respond	Noted.
Dwr Cymru/Welsh Water	Standing advice offered regarding the protection of Dwr Cymru/Welsh Water assets which are in close proximity to the proposal site. The development requires approval of SuDS.	There have been no incidences of damage being caused by blasting operations in the existing quarry and the current proposal is moving operations further away from the water assets. In the proposed western extension, the blast design will be tailored to ensure that vibration levels do not exceed a level where damage can be caused to these assets.
Denbigh Town Council	The Town Councillors will comment on the proposal at the formal application stage.	Noted.
Natural Resources Wales	<p>Concerns regarding the proposed application due to lack of information provided. Further information regarding Protected Sites, Great Crested Newts, Hydrology and Hydrogeology should be provided in the planning application.</p> <p><b>Protected Sites – SSSI</b> Insufficient information is provided to demonstrate how likely damage to the Crest Mawr Woods and Graig Quarry (SSSI's) will be avoided. The ES references a 30m</p>	The 30m standoff is from the external toe of the screening bund – see para 2.2.5 of the Environmental Statement.

	<p>standoff from Crest Mawr and this seems reasonable. However, it is not clear from the plans if the 30m standoff includes the perimeter bund.</p> <p><b>Hydrology &amp; Hydrogeology</b> – The HIA has detailed the site setting with respect to controlled water sensitive receptors and that dewatering is currently not undertaken as groundwater levels are below the current worked quarry base. However, there is no mention of the current quarry base depth and this should be clarified.</p> <p>We understand that dewatering will not commence until Phase 3 and for only 50% of the time. A timescale of when Phase 3 will commence and clarification of whether the 50% will be over the Winter months is expected.</p> <p>At the full application stage, any data presented should be up to date with the longest record possible. The current report is dated January 2020 and the installation of 5 new boreholes was done in 2019. Given the limited data we would request a condition at full planning application requesting that 12 months prior to dewatering commencing that an updated HIA is submitted.</p> <p>Providing cross-sections of the site will aid</p>	<p>The ES will be amended to take account of the remaining requests where feasible, including more recent borehole data. The need for a pre-dewatering condition, and its' enforceability is in the purview of the Planning Authority.</p> <p>Cross -sections are shown on drawings 039 and 041.</p>
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	<p>visualising the site workings and support the conceptual site model of the quarry.</p> <p>It is unclear if the new boreholes located around the site and extension area will be lost during extraction.</p> <p>Abstraction L has the potential to be affected by the dewatering and we recommend a monitoring plan is put in place.</p> <p>A Water Management Plan should be submitted to the LPA when the planning application is submitted.</p> <p><b>European Protected Species</b> - We note the submission of a Bat Roost Survey Report. The licence number quoted is not an NRW licence number. This should be addressed before submitting an application to the LPA. No consideration has been given to Great Crested Newts at Colomendy. The landscape design should also be amended to include additional pond creation. A post restoration plan should also be submitted.</p>	<p>The new piezometers/ boreholes are outside the area of excavation so will be retained – see Figure 6 of the HIA.</p> <p>Abstraction L is outside the control of the applicant and approaches have already been made to the landowner without success. Best endeavours will be used to try and make suitable arrangements.</p> <p>Water management is described in Sections 5.1.4 and 5.2.3. A pollution prevention protocol is in place in Appendix 9.8 to the HIA.</p> <p>The potential exists for additional GCN to be incorporated at the detailed design stage. Given the length of time before restoration is completed the submission is a 'concept' to establish the principles.</p>
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The Coal Authority	<p>The proposed development site is located outside of the defined coalfield. Accordingly, there is no requirement for the applicant to consider coal mining legacy as part of any formal planning application for this site, or for the LPA to consult the Coal Authority.</p>	Noted.
CADW	<p>No objection to the proposed development with regards to the designated historic assets listed in CADW's assessment of the application. CADW concurs with the conclusions stated in the Heritage Statement prepared by Andrew Josephs Associates.</p>	Noted.
Clwyd-Powys Archaeological Trust	<p>CPAT have provided advice on the necessary archaeological surveys for this site during the pre-application stage. In accordance with the Heritage Statement provided, CPAT agree that an archaeological scheme of investigation should be conditioned on any future planning application and implemented before any extraction commences.</p> <p><b><u>Suggested condition</u></b>          "No development shall take place within the application area until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been</p>	<p>A planning condition containing this requirement is accepted and is in line with the recommendations expressed in the Environmental Statement.</p>

	<p>submitted by the applicant and approved in writing by the Local Planning Authority.”</p> <p>“The archaeological programme of work will be undertaken and completed in accordance with the relevant Standards and Guidance laid down by the Chartered Institute for Archaeologists. A copy of the resulting report should be submitted to the Local Planning Authority and the Development Control Archaeologist. After approval by the Local Planning Authority, a copy of the report and resulting archive should also be sent to the Historic Environment Record Officer, Clwyd-Powys Archaeological Trust, for inclusion in the regional Historic Environment Record and the National Monuments Record, RCAHMW.”</p>	
National Quarries Inspector	Did not respond	Noted.
Welsh Ministers - Department of Agriculture	<p>The Department has validated the ALC survey that was undertaken for the site in January 2020 and confirms that the report be accepted as a fair and accurate representation of land quality on the site.</p> <p>The proposed after use of the site is noted as for nature conservation and not agricultural. This would represent a</p>	<p>These comments are noted and the loss of BMV agricultural land is identified in the submission as part of the planning balance that has to be considered through the Policy framework.</p>

	permanent loss of 4.0ha of Best and Most Versatile (BMV) agricultural land. The department expects the BMV policy to be fully considered by the determining authority when reaching a decision on an application.	
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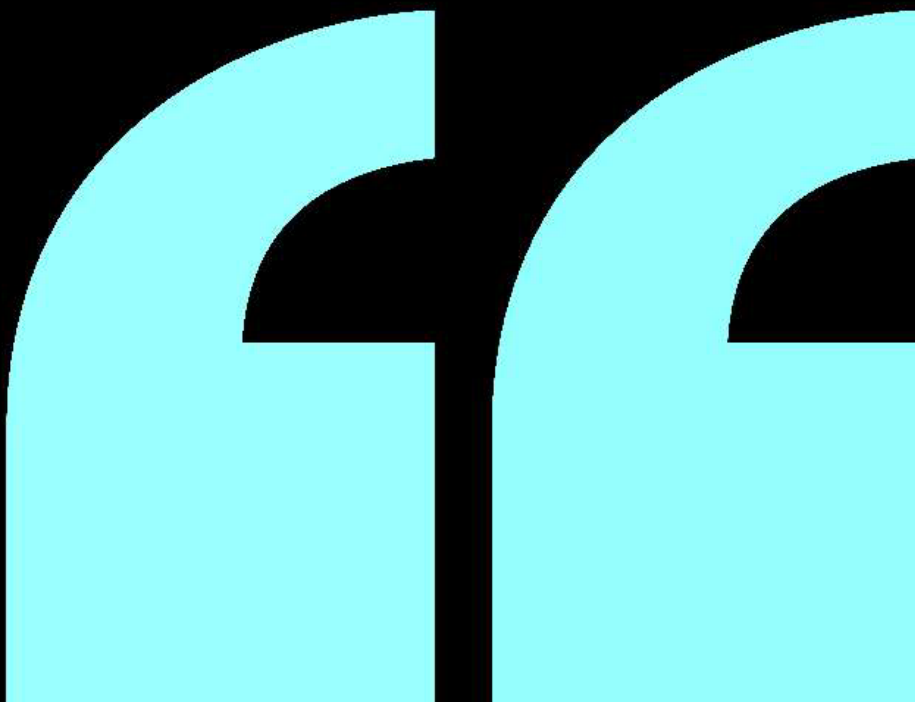
## 6 Conclusions

This Statement demonstrates that the applicant has complied with the statutory requirements for pre-application consultation set out in The Order.

In particular, it has shown that the applicant has:

- Displayed the site notice for the requisite period and provided a declaration confirming this;
- Notified all relevant community and statutory consultees in writing, providing details of where the draft application documentation may be viewed and hosting these details on a bespoke website;
- Provided copies of the site notice and all notices to consultees and the addresses of notified parties;
- Confirmed that there were four statutory consultee responses to provide as part of this report;
- Reviewed the consultation responses received; and
- Considered the need for changes to the application prior to submission.

## APPENDIX A





application  
; and  
er supporting documents

online at [www.haveyoursay.wales](http://www.haveyoursay.wales) and computer facilities  
information online at the Library and Gallery, H  
between the hours of 09.00 (Monday), 09.00 (Tuesday), 09.00 (Wednesday), 09.00 (Thursday), 09.00 (Friday), 09.00 (Saturday) and 09.30-12.30 (Sunday)

Anyone who wishes to make representations about this proposal should write to the agent at **Have Your Say Limited, PO Box 374, Bridgend**, or e-mail to, [comments@haveyoursay.wales](mailto:comments@haveyoursay.wales), by Friday, December 10, 2021 (quote the site address in every correspondence)

Signed: *Have Your Say Limited*

Date: **Friday, November 12th, 2021**

ATODLEN 1B Erthyglau 2C a 2D

**CYHOEDDUSRWYDD AC YMGYNGHORI CYN GWNEUD CAIS CANIATÂD CYNLLUNIO**  
**Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012**  
**CYHOEDDUSRWYDD AC YMGYNGHORI CYN GWNEUD CAIS AM GANIATÂD**  
**CYNLLUNIO RHYBUDD DAN ERTHYGLAU 2C A 2D**

(i'w gyflwyno i berchnogion a / neu ddelliaid tir cyfagos ac ymgynghoreion cymunedol; a'u harddangos drwy rybudd ar y safle ar leoliad y datblygiad arfaethedig neu'n agos ato)

**Pwrpas yr hysbysiad hwn:** Mae'r hysbysiad hwn yn rhoi cyfle i roi sylwadau yn uniongyrchol i'r datblygwr ar ddatblygiad arfaethedig cyn cyflwyno cais cynllunio i'r awdurdod cynllunio lleol ("ACLI"). Bydd unrhyw gais cynllunio dilynol yn cael cyhoeddusrwydd gan yr ACLI perthnasol; ni fydd unrhyw sylwadau a ddarperir mewn ymateb i'r hysbysiad hwn yn amharu ar eich gallu i gyflwyno sylwadau i'r ACLI ar unrhyw gais cynllunio cysylltiedig. Dylech nodi y gellir rhoi unrhyw sylwadau a gyflwynir yn y ffeil gyhoeddus.

Datblygiad arfaethedig yn **Denbigh Quarry, Plas Chambres Road, Denbigh, Denbighshire, LL16 5US**

Rwy'n hysbysu bod **Breedon Southern Limited** yn bwriadu gwneud cais am ganiatâd cynllunio i **Gyngor Sir Ddinbych** ar gyfer:

Gallwch archwilio copïau o'r:

- cais arfaethedig;
- cynlluniau; a
- dogfennau ategol eraill

ar-lein yn [www.haveyoursay.cymru](http://www.haveyoursay.cymru) ac mae cyfnewterau cyfrifiadu ar gael i weld y wybodaeth hon ar-lein yn **LL16 5US, Hall Square, Denbigh** rhwng oriau 09.30-19.00 (Dydd Llun), 09.30 – 17.00 (Dydd Mawrth, Dydd Mercher, Dydd Gwener), 09.30 – 13.00 (Dydd Iau) a 09.30-12.30 (Dydd Sadwrn).

Rhaid i unrhyw un sy'n dymuno gwneud sylwadau am y datblygiad arfaethedig hwn ysgrifennu at yr asiant gan ddefnyddio y ffurflen sylwadau ar y dudalen we neu drwy e-bost: [comments@haveyoursay.wales](mailto:comments@haveyoursay.wales); neu drwy ysgrifennu at Have Your Say Limited, Blwch Post 374, Pen-y-bont ar Ogwr, CF31 9PP, **erbyn Dydd Gwener, Rhagfyr 10, 2021** (Dyfynnwch gyfeiriad y safle mewn unrhyw ohebiaeth)

Llofnodwyd: *Have Your Say Ltd*

Dyddiad: **Dydd Gwener, Tachwedd 12, 2021**

Date: 23/12/2021

**Have Your Say Limited**  
**PO Box 374**  
**Bridgend**  
**CF31 9PP**

Dear Sir/Madam

**Pre application consultation: Display of Site Notice**

I hereby declare that, as required by Article 2F(2)(b) of the Town and Country planning (Development Management Procedure) (Wales) Amendment Order 2016, on **November 12<sup>th</sup>, 2021**, I erected for display the statutory notice required under Article 2C(1)(a)(i) in accord with the requirements of that Article, for a period of a minimum of 28 days.

A photograph of the site notice in-site is provided as an annex to this declaration and shows the notice firmly affixed to a telegraph pole and laminated for protection.

Yours faithfully

Signature:

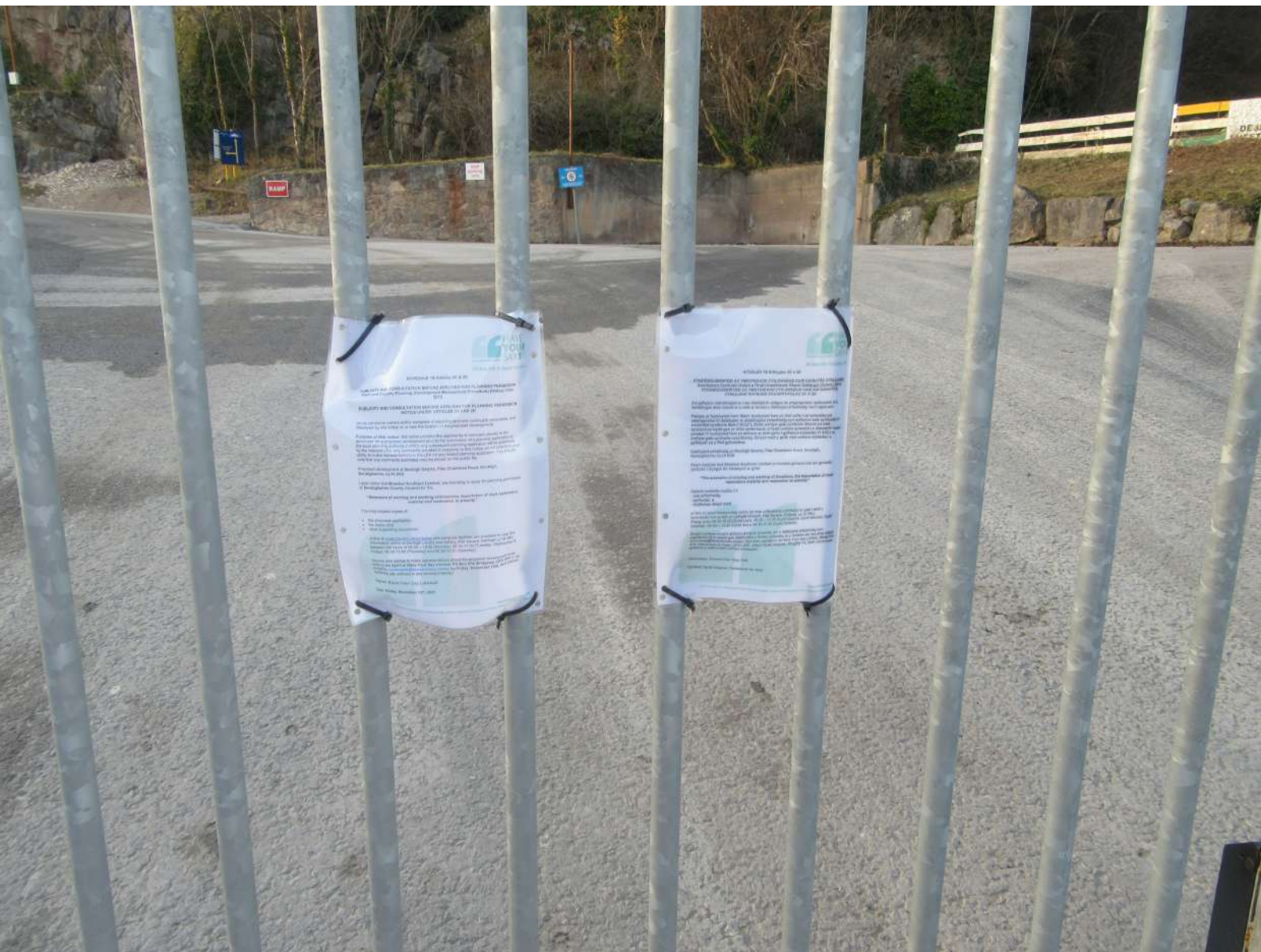
A black rectangular box redacting the signature of Ian Williams.

Name (Print): Ian Williams

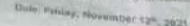
Position: Quarry Manager

Address: Denbigh Quarry,  
Graig Road,  
Denbighshire,  
LL16 5US

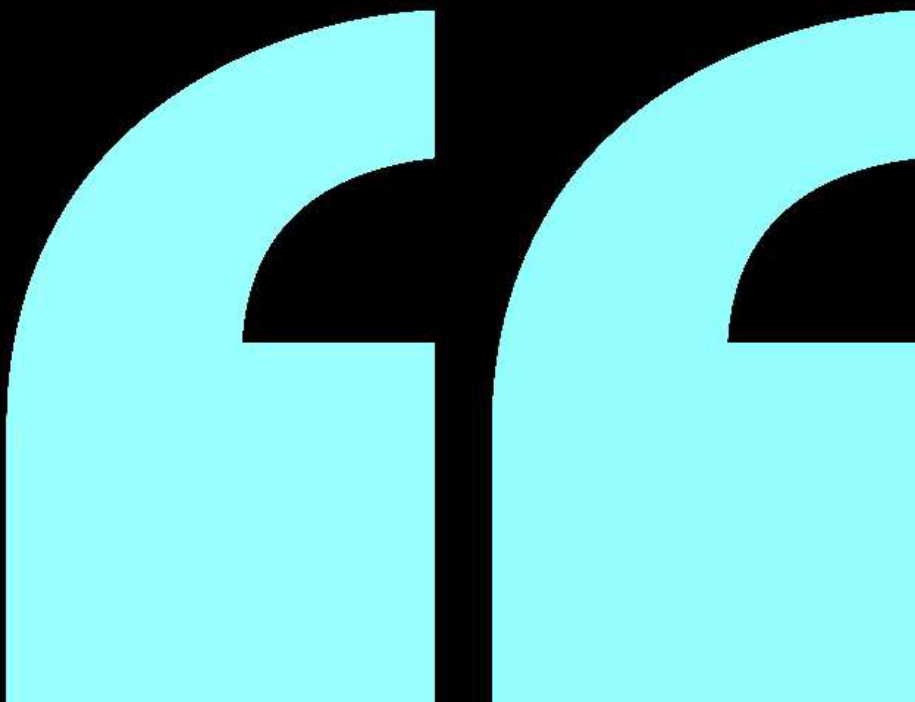
Date: 23/12/2021







## APPENDIX B



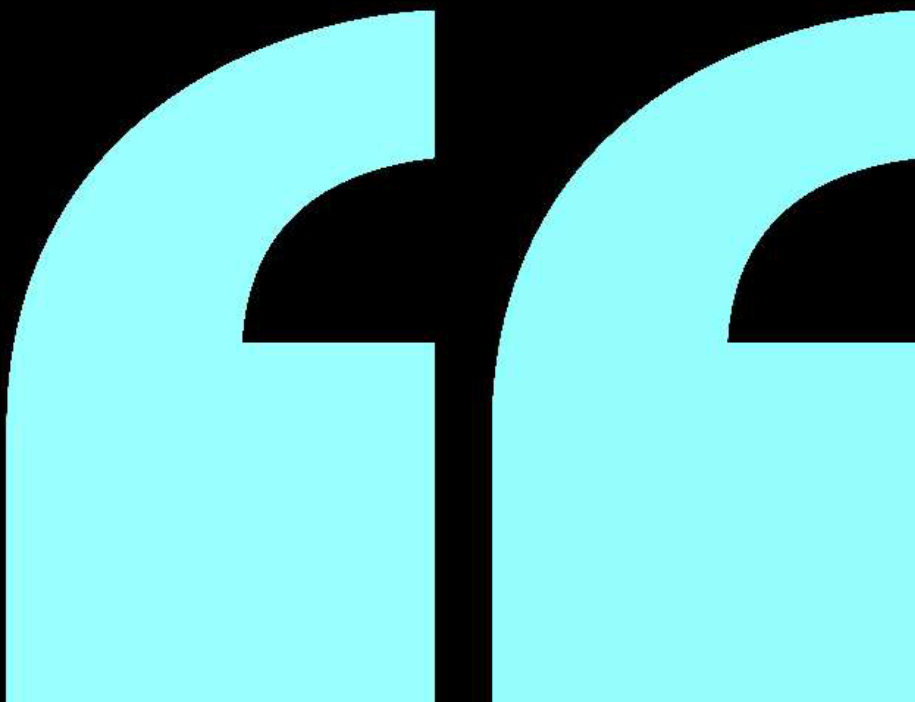
Title	Firstname/Company	Surname	Property UI	Number	Address1	Address2	Town	County	Postcode
Owner/Occupier	Lawson Civil Engineering				Graig Road		Denbigh	Denbighshire	LL16 5US
Owner/Occupier			Graig Farm		Barkers Well Lane		Denbigh	Denbighshire	LL16 3YB
Owner/Occupier	Land at Coppi Farm		C/O Carter Jonas LLP		South Pavillion	Sansaw Busin	Hadnall	Shrewsbury	SY4 4AS
Owner/Occupier	Land Lying to the North of Graig Farr		C/O Carter Jonas LLP		South Pavillion	Sansaw Busin	Hadnall	Shrewsbury	SY4 4AS
Owner/Occupier	Land lying to the West of the Green iStourfield				Back Lane	Sturminster	Marshall	Wimbourne	BH21 4BP
Owner/Occupier	Land lying to the West of the Green & Graig Road			2	Glan Y Mor	Lon St.Ffraid	Treaddur Bay	Holyhead	LL65 2YR
Owner/Occupier	Land lying to the West of the Green iThe Old Mill House			29	Preston Crowmarsh		Wallingford		OX10 6SL
Owner/Occupier				47	Tan y Chwarel		Denbigh		LL16 3YL
Owner/Occupier				45	Tan y Chwarel		Denbigh		LL16 3YL
Owner/Occupier				43	Tan y Chwarel		Denbigh		LL16 3YL
Owner/Occupier				41	Tan y Chwarel		Denbigh		LL16 3YL
Owner/Occupier				39	Tan y Chwarel		Denbigh		LL16 3YL
Owner/Occupier				1	Tan y Chwarel		Denbigh		LL16 3YQ
Owner/Occupier				2	Tan y Chwarel		Denbigh		LL16 3YQ
Owner/Occupier				3	Tan y Chwarel		Denbigh		LL16 3YQ
Owner/Occupier				4	Tan y Chwarel		Denbigh		LL16 3YQ
Owner/Occupier				5	Tan y Chwarel		Denbigh		LL16 3YQ
Owner/Occupier				6	Cysgod Y Graig		Denbigh		LL16 3TD
Owner/Occupier				8	Cysgod Y Graig		Denbigh		LL16 3TD
Owner/Occupier				10	Cysgod Y Graig		Denbigh		LL16 3TD
Owner/Occupier				12	Cysgod Y Graig		Denbigh		LL16 3TD
Owner/Occupier				14	Cysgod Y Graig		Denbigh		LL16 3TD
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Owner/Occupier				18	Cysgod Y Graig		Denbigh		LL16 3TD
Owner/Occupier				20	Cysgod Y Graig		Denbigh		LL16 3TD
Owner/Occupier				22	Cysgod Y Graig		Denbigh		LL16 3TD
Owner/Occupier				24	Cysgod Y Graig		Denbigh		LL16 3TD
Owner/Occupier				26	Cysgod Y Graig		Denbigh		LL16 3TD
Owner/Occupier				23	Bryn Onnen		Denbigh		LL16 3PJ
Owner/Occupier				21	Bryn Onnen		Denbigh		LL16 3PJ
Owner/Occupier				19	Bryn Onnen		Denbigh		LL16 3PJ
Owner/Occupier				17	Bryn Onnen		Denbigh		LL16 3PJ
Owner/Occupier				15	Bryn Onnen		Denbigh		LL16 3PJ
Owner/Occupier				11	Bryn Onnen		Denbigh		LL16 3PJ
Owner/Occupier				9	Bryn Onnen		Denbigh		LL16 3PJ
Owner/Occupier				7	Bryn Onnen		Denbigh		LL16 3PJ
Owner/Occupier				5	Bryn Onnen		Denbigh		LL16 3PJ
Owner/Occupier				3	Bryn Onnen		Denbigh		LL16 3PJ
Owner/Occupier				1	Bryn Onnen		Denbigh		LL16 3PJ
Owner/Occupier				44	Pen y Graig		Denbigh		LL16 3YY
Owner/Occupier				46	Pen y Graig		Denbigh		LL16 3YY
Owner/Occupier				48	Pen y Graig		Denbigh		LL16 3YY
Owner/Occupier				50	Pen y Graig		Denbigh		LL16 3YY
Owner/Occupier				52	Pen y Graig		Denbigh		LL16 3YY
Owner/Occupier				54	Pen y Graig		Denbigh		LL16 3YY
Owner/Occupier				56	Pen y Graig		Denbigh		LL16 3YY
Owner/Occupier				58	Pen y Graig		Denbigh		LL16 3YY
Owner/Occupier				55	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				57	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				59	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				61	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				63	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				65	Bryn Seion		Denbigh		LL16 3YG
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Owner/Occupier				69	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				71	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				73	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				75	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				77	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				79	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				81	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				83	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				85	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				87	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				89	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				91	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				93	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				95	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				97	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				99	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				101	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				103	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				105	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				107	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				109	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				111	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				113	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				115	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				117	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				119	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				121	Bryn Seion		Denbigh		LL16 3YG
Owner/Occupier				123	Bryn Seion		Denbigh		LL16 3YG
Councillor	Gwyneth	Kensler		44	Vale Street		Denbigh		LL16 3BW
Councillor	Rhys	Thomas	Perth Y Rhos		Ffordd Ystrad		Denbigh		LL16 3HE
Councillor	Mark	Young		C/O 13	Vale Street		Denbigh		LL16 3AD
Councillor	Geraint	Lloyd-Williams		44	Love Lane		Denbigh		LL16 3LU
Councillor	Glenn	Swingler		27	Fron Terrace	Rhyl Road	Denbigh		LL16 3DT

Denbigh Central  
Denbigh Lower  
Denbigh Lower  
Denbigh Upper (Henllan)  
Denbigh Upper (Henllan)

Title	Firstname/Company	Surname	Property/ UI	Number	Address1	Address2	Town	Postcode
Head of Highways & Environ	Tony	Ward	Denbighshire County Cour	PO Box 62			Ruthin	LL15 3AZ
Public Rights of Way Officer			Denbighshire County Cour	PO Box 62			Ruthin	LL15 3AZ
Developer Services	Dwr Cymru Welsh Water		PO Box 3146		Linea	Fortran Road	Cardiff	CF30 0EH
Town Clerk and Finance Offi	Denbigh Town Council		Town Hall		Crown Lane	Denbigh	Denbighshire	LL16 3TB
Consultations Officer	Natural Resources Wales		Maes Y Ffynnon		Penrhosgarnedd	Bangor	Gwynedd	LL57 2DW
Consultations Officer	The Coal Authority	Walters			200 Lichfield Lane		Mansfield	NG18 4RG
CADW	Welsh Government		Ty'r Afon		Bedwas Road		Caerphilly	CF83 8WT
Clwyd-Powys Archaeological Mark			The Offices		Coed Y Dinas		Welshpool	SY21 8RP
National Quarries Inspector	Cath		Government Buildings		Ty Glas	Llanishen	Cardiff	CF14 5SH
Department of Agriculture	Welsh Government							



## APPENDIX C



...made on the ... considered  
... of the application ... any comments r  
... made available for i

Thank you for your assistance

Yours faithfully,

HAVE YOUR





Owner/Occupier

1 Tan y Chwarel

Denbigh  
LL16 3YQ

Annwyl Syr / Madam

Denbigh Quarry, Plas Chambres Road, Denbigh, Denbighshire, LL16 5US

Amgaeir hysbysiad ffurfiol yn unol â Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012 (fel y'i diwygiwyd) bod cais cynllunio yn cael ei gynnig yn y cyfeiriad uchod ar gyfer y datblygiad canlynol:

Yn unol â gofynion y Gorchymyn, mae'r ymgeisydd wedi sicrhau bod y cais cynllunio drafft ar gael ar-lein i'w archwilio ac ar gyfer sylwadau gan Ymgynghoreion Cymunedol.

Gallwch ddarganfod mwy am y cais hwn a gweld y dogfennau drafft ar wefan [www.haveyoursay.cymru](http://www.haveyoursay.cymru) neu drwy sganio'r cod QR ar waelod y llythyr hwn.

Os nad oes gennych fynediad i gyfrifiadur, mae mynediad i'r rhyngwrdd ar gael yn eich llyfrgell leol yn ystod oriau agor arferol.

**Rhaid derbyn yr holl sylwadau o fewn 28 diwrnod o dderbyn y llythyr hwn.**

Bydd yr holl sylwadau a wneir ar y cais drafft yn cael eu hystyried gan yr ymgeisydd cyn cyflwyno'r cais. Sylwer efallai fydd sylwadau ar y ffeil cyhoeddus ac ar gael i'w harchwilio.

Diolch am eich cymorth.

Yr eiddoch yn gywir,

*Have Your Say Ltd*



ATODLEN 1 Erthygl 4. (4)  
Hysbysiadau cyn ymgeisio  
ATODLEN 1B Erthyglau 2C a 2D  
CYHOEDDUSRWYDD AC YMGYNGHORI CYN GWNEUD CAIS CANIATÂD CYNLLUNIO  
Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012  
CYHOEDDUSRWYDD AC YMGYNGHORI CYN GWNEUD CAIS AM GANIATÂD  
CYNLLUNIO RHYBUDD DAN ERTHYGLAU 2C A 2D

(i'w gyflwyno i berchnogion a / neu ddeiliaid tir cyfagos ac ymgylgoreion cymunedol; a'u harddangos drwy rybudd ar y safle ar leoliad y datblygiad arfaethedig neu'n agos ato)

**Pwrpas yr hysbysiad hwn:** Mae'r hysbysiad hwn yn rhoi cyfle i roi sylwadau yn uniongyrchol i'r datblygwr ar ddatblygiad arfaethedig cyn cyflwyno cais cynllunio i'r awdurdod cynllunio lleol ("ACLI"). Bydd unrhyw gais cynllunio dilynol yn cael cyhoeddusrwydd gan yr ACLI perthnasol; ni fydd unrhyw sylwadau a ddarperir mewn ymateb i'r hysbysiad hwn yn amharu ar eich gallu i gyflwyno sylwadau i'r ACLI ar unrhyw gais cynllunio cysylltiedig. Nodir y gellir rhoi unrhyw sylwadau a gyflwynir ar ffeil gyhoeddus.

Datblygiad arfaethedig yn **Denbigh Quarry, Plas Chambres Road, Denbigh, Denbighshire, LL16 5US**

Rwy'n hysbysu bod **Breedon Southern Limited** yn bwriadu gwneud cais am ganiatâd cynllunio i Gyngor Sir Ddinbych ar gyfer:

Gallwch archwilio copïau o'r:

- cais arfaethedig;
- cynlluniau; a
- dogfennau ategol eraill

ar-lein yn (d) [www.haveyoursay.cymru](http://www.haveyoursay.cymru) ac mae cyfleusterau cyfrifiadur ar gael i weld y wybodaeth hon ar-lein yn (e) rhwng oriau 09.30-19.00 (Dydd Llun), 09:30 – 17:00 (Dydd Mawrth, Dydd Mercher, Dydd Gwener), 09:30 – 13.00 (Dydd Iau) a 09.30-12.30 (Dydd Sadwrn).

Rhaid i unrhyw un sy'n dymuno gwneud sylwadau am y datblygiad arfaethedig hwn ysgrifennu at yr asiant gan ddefnyddio (i) y ffurflen sylwadau ar y dudalen we neu drwy e-bost: [comments@haveyoursay.wales](mailto:comments@haveyoursay.wales); neu (g) drwy ysgrifennu at **Have Your Say Limited, Blwch Post 374, Pen-y-bont ar Ogwr, CF31 9PP** erbyn **Dydd Gwener, Rhagfyr 10, 2021** (Dyfynnwch gyfeiriad y safle mewn unrhyw ohebiaeth).

Llofnodwyd: HAVE YOUR SAY LTD

Dyddiad: **Dydd Gwener, Tachwedd 12 2021**

with Article 10 of the Human Rights Act 1998. Your contribution may be put out in the attached format.

@haveyoursay.wales

Comments made on the application will be considered as part of the submission of the application.

Thank you for your contribution.

Yours faithfully

**HAVE YOUR SAY LIMITED**

This letter is available in Welsh / Mae'r llythyr hwn ar gael yn y Gymraeg





holl sylwadau a wnaethoch chi rhoi i'r amlwg yn cael eu hystyngedig i'r  
ynho'r cais.

Diolch yn Fawr

Yr eiddoch yn

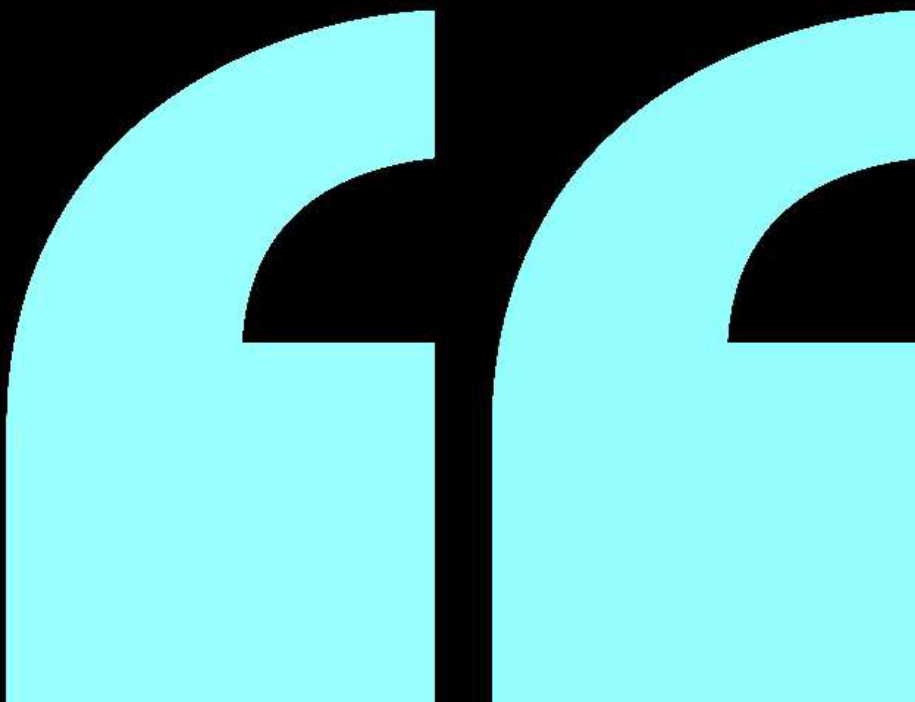
HAVE YOUR SAY LIMITED







## APPENDIX D





Thank you for visiting **Have Your Say.**

To find the development project that interests you, scroll through the list below or search using the box in the top right hand corner.

**Denbigh Quarry**  
**Denbighshire**

Extension of winning and working of limestone, importation of  
inert material and restoration to amenity

MORE >





## Denbigh Quarry, Denbighshire

Consolidating application for the proposed extension of winning and working of limestone, importation of inert material and restoration to amenity.



© OpenStreetMap contributors.

1. Read about the proposal

2. View the draft application

3. Have your say

**Breedon Southern Limited intend to apply for the extension of winning and working of limestone, importation of inert material and restoration to amenity at Denbigh Quarry, Denbighshire.**

Denbigh Quarry is an active limestone quarry located to the north of the town of Denbigh. The consented reserves in the existing quarry have a finite life and the applicant is now seeking a westward extension.

Please click on the documents below to view the draft application submission.

- Planning Statement -Denbigh Quarry

Download

⬇
- Draft Application Forms - Denbigh Quarry

Download

⬇
- Site Location Plan-Denbigh Quarry

Download

⬇
- Environmental Statement - Denbigh Quarry

Download

⬇
- Appendix B to Environmental Statement - Geophysical Survey - Denbigh Quarry

Download

⬇
- Appendix 2 to Environmental Statement - Scoping Opinion - Denbigh Quarry

Download

⬇
- Appendix 3 to Environmental Statement - Heritage Statement - Denbigh Quarry

Download

⬇
- Appendix 4 to Environmental Statement - LVIA - Denbigh Quarry

Download

⬇
- Appendix 7 to Environmental Statement - Hydrological & Hydrogeological Report - Denbigh Quarry 9.1 to 9.2

Download

⬇



## Denbigh Quarry, Denbighshire

**Surname** *(Required)*

**Postcode** *(Required)*

**Comments**

**Agreement** *(Required)*

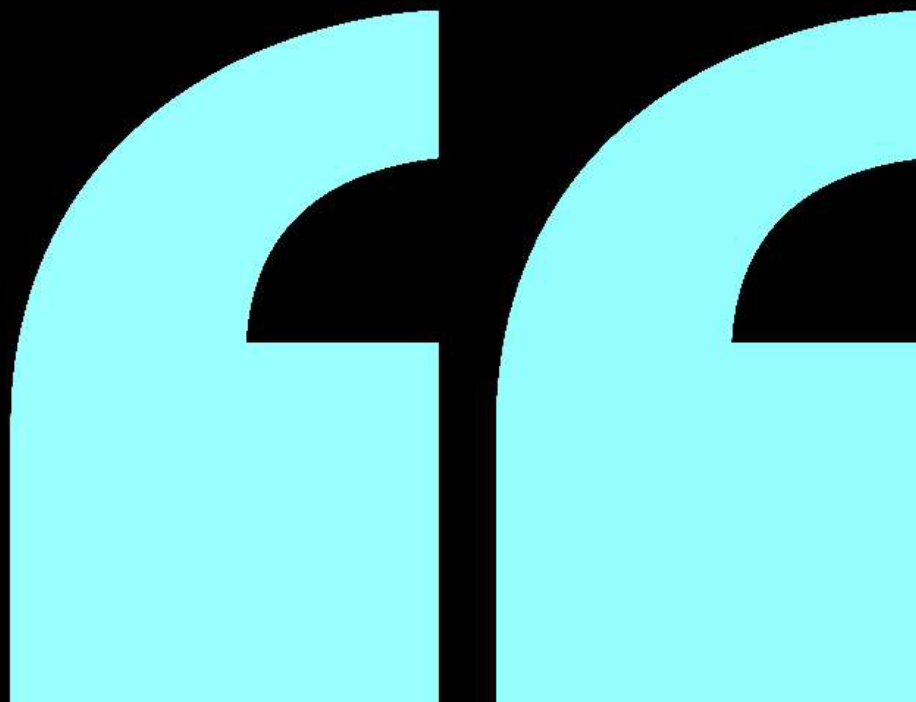
☐ I am 16 years of age or older and agree to my data being used in this way

This information is requested by Have Your Say Limited to meet the statutory requirement for public consultation set out in Section 61Z of The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016. Your comments will be reviewed by Have Your Say and summarised anonymously in the Pre Application Consultation report that will be submitted with any application. Your surname and postcode are required only to allow responses to be distinguished and to identify your proximity to the application site and will not be shared with anyone. If you require a response to your comments please include an email address or phone number in the comments box. Otherwise please do not include personal data in your comments. By submitting comments you are confirming that you are aged 16 or over. All data provided is held electronically by Have Your Say Limited and secured in accordance with our data protection policy and the requirements of the GDPR 2018. All data will be destroyed on determination of the planning application.

SUBMIT



## APPENDIX E





Good evening Sabine,

The below details were discussed at tonight's full council meeting.

Denbigh Town Councillors have decided to wait for the actual planning application to be submitted before making any comments.

Kind regards Jenny

Jenny Barlow  
Clerc y Dref a Swyddog Cyllid / Town Clerk and Finance Officer  
Cyngor Tref Dinbych / Denbigh Town Council  
Neuadd y Dref, Lon Crown, DINBYCH, Sir Ddinbych  
Town Hall, Crown Lane, DENBIGH, Denbighshire  
LL16 3TB  
Tel: [REDACTED]  
e-mail: [REDACTED]  
[www.denbightowncouncil.gov.uk](http://www.denbightowncouncil.gov.uk).

Mae'r wybodaeth a gynhwysir yn yr e-bost hwn ac unrhyw ffeiliau a drosglwyddir gydag o wedi eu bwriadu yn unig ar gyfer pwy bynnag y cyfeirir ef ato neu atynt. Os ydych wedi derbyn yr e-bost hwn drwy gamgymeriad, hysbyswch yr anfonwr ar unwaith os gwelwch yn dda.

Mae cynnwys yr e-bost yn cynrychioli barn yr unigolyn(ion) a enwir uchod ac nid yw o angenrheidrwydd yn cynrychioli barn Cyngor Tref Dinbych. Serch hynny, fel Corff Cyhoeddus, efallai y bydd angen i Gyngor Tref Dinbych ddatgelu'r e-bost hwn [neu unrhyw ymateb iddo] dan ddarpariaethau deddfwriaethol.

The information contained in this e-mail message and any files transmitted with it is intended solely for the use of the individual or entity to whom they are addressed. If you have received this e-mail in error please notify the sender immediately.

The contents of this e-mail represents the views of the individual(s) named above and do not necessarily represent the views of Denbigh Town Council. However, as a Public Body, Denbigh Town Council may be required to disclose this e-mail [or any response to it] under legislative provisions.

**From:** Sabine Bayliss [[mailto:\[REDACTED\]](mailto:[REDACTED])]  
**Sent:** 11 November 2021 17:23  
**To:** [REDACTED]  
**Subject:** Pre-Application Consultation - Denbigh Quarry

Good Afternoon,

**Denbigh Quarry, Plas Chambres Road, Denbigh, LL16 5US**

Please find attached formal notice that a planning application is proposed to be submitted by Breedon Southern Limited for development at the above address.

Kindly acknowledge receipt of this e-mail.

Kind Regards,

Sabine Bayliss  
[REDACTED]

Tel : [REDACTED]  
DDi : [REDACTED]





Llywodraeth Cymru  
Welsh Government

Sabine Bayliss  
Have your Say

Sent by email

Eich cyfeirnod  
Your reference

Ein cyfeirnod  
Our reference

Dyddiad  
Date

2 December 2021

Llinell uniongyrchol  
Direct line

Ebost  
Email:

Dear Sir / Madam

**Stat Pre-App - Extension of winning and working of limestone, Denbigh Quarry,  
Plas Chambres Road, Denbigh, LL16 5US**

Thank you for your letter of 11 November 2021 inviting our comments on the pre-planning application consultation for the proposed development described above.

Advice

The following comments are based on information made available to us as part of the pre-application consultation and we will review our comments when we are consulted on the final planning application.

Having carefully considered the information provided, we have no objection to the proposed development in regards to the designated historic assets listed in our assessment of the application below.

The national policy and Cadw's role in the planning process is set out in Annex A.

Assessment

Scheduled Monuments

DE002 Denbigh Town Wall  
DE005 St Hilary's Chapel Tower  
DE019 Llys Gwenllïan Mound & Bailey  
DE023 Denbigh Friary  
DE028 Civil War Earthworks  
DE044 Leicester's Church  
DE049 Plas Heaton Round Barrow  
DE050 Coed Plas Round Barrow

Mae Gwasanaeth Amgylchedd Hanesyddol Llywodraeth Cymru (Cadw) yn hyrwyddo gwaith cadwraeth ar gyfer amgylchedd hanesyddol Cymru a gwerthfawrogiad ohono.

The Welsh Government Historic Environment Service (Cadw) promotes the conservation and appreciation of Wales's historic environment.

Rydym yn croesawu gohebiae h yn Gymraeg ac yn Saesneg.  
We welcome correspondence in both English and Welsh.



BUDDSODDWR MEWN POBL  
INVESTOR IN PEOPLE



DE051 Plas-Meifod Round Barrow  
DE052 Old Foxhall Round Barrow  
DE053 Old Foxhall Earth Circle  
DE054 New Foxhall House  
DE055 New Foxhall Dovecot  
DE156 Denbigh Castle and Medieval Town  
DE200 Pysgodlan Moated Site  
DE225 Denbigh Medieval Town (North - Eastern Corner)  
DE234 Coed Clattwn Moated Site

Registered Parks and Gardens:

PGW(C)28(DEN) Plas Heaton (grade II)  
PGW(C)32(DEN) Foxhall Newydd (grade II)  
PGW(C)58(DEN) Gwaynynog (grade II)  
PGW(C)66(DEN) Denbigh: Pierce Memorial Garden (grade II)

Registered Historic Landscape:

HLW (C) 1 Vale of Clwyd

The application will be accompanied by a heritage statement prepared by Andrew Josephs Associates which has considered the impact of the proposed development on the above designated historic assets, following the guidance given in the Welsh Government documents "The Setting of Historic Assets in Wales" and "Guide to Good Practice on using the Register of Landscapes of Historic Interest in Wales in the Planning and Development Process".

This work has concluded that initially the proposed development will have a very slightly but not significant impact on the settings of scheduled monuments DE005 St Hilary's Chapel Tower and DE156 Denbigh Castle and Medieval Town, but once mitigation measures, the construction of an earthen bund and the planting of trees, are in place, this will become neutral. However, the proposed development will have a moderate impact on the registered historic landscape but this will not be a significant effect. We concur with these conclusions.

Yours sincerely,

Nichola Davies  
Casework Manager

## Annex A

### Our role

Our statutory role in the planning process is to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled monuments, registered historic parks and gardens, registered historic landscapes where an Environmental Impact Assessment is required and development likely to have an impact on the outstanding universal value of a World Heritage Site. We do not provide an assessment of the likely impact of the development on listed buildings or conservation areas, as these are matters for the local authority.

It is for the local planning authority to weigh our assessment against all the other material considerations in determining whether to approve planning permission.

### National Policy

Applications for planning permission are considered in light of the Welsh Government's land use planning policy and guidance contained in Planning Policy Wales (PPW), Technical Advice Notes and related guidance.

PPW [planning-policy-wales-edition-11.pdf](#) explains that it is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way.

The conservation of archaeological remains and their settings is a material consideration in determining a planning application, whether those remains are a scheduled monument or not. Where nationally important archaeological remains are likely to be affected by proposed development, there should be a presumption in favour of their physical protection in situ. It will only be in exceptional circumstances that planning permission will be granted if development would result in a direct adverse impact on a scheduled monument (or an archaeological site shown to be of national importance)

[Technical Advice Note 24: The Historic Environment](#) elaborates by explaining that when considering development proposals that affect scheduled monuments or other nationally important archaeological remains, there should be a presumption in favour of their physical preservation in situ, i.e. a presumption against proposals which would involve significant alteration or cause damage, or would have a significant adverse impact causing harm within the setting of the remains.

### Historic Parks and Gardens

PPW also explains that local authorities should value, protect, conserve and enhance the special interests of parks and gardens and their settings included on the register of historic parks and gardens in Wales and that the effect of a proposed development on a registered park or garden or its setting should be a material consideration in the determination of a planning application.



Resolving the **impacts** of mining

200 Lichfield Lane  
Mansfield  
Nottinghamshire  
NG18 4RG

T: [REDACTED]

E: [REDACTED]

[www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)

Have Your Say Limited

**[By email: [comments@haveyoursay.wales](mailto:comments@haveyoursay.wales)]**

19 November 2021

Dear Sir / Madam

## **Schedule 1C Article 2D - Consultation before applying for planning permission**

### **Town and Country Planning (Development Management Procedure) (Wales) Order 2012**

#### **Extension of winning and working of limestone, importation of inert waste and restoration of amenity at Denbigh Quarry, Plas Chambres Road, Denbigh**

Thank you for your notification of 11 November 2021 seeking the pre-application views of the Coal Authority on the above.

I have checked the site location plan against the information held by the Coal Authority and can confirm that the proposed development site is located outside of the defined coalfield.

Accordingly, there is no requirement for the applicant to consider coal mining legacy as part of any formal planning application for this site, or for the Local Planning Authority to consult the Coal Authority.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours faithfully

D Roberts

**Deb Roberts** *M.Sc. MRTPI*

**Planning & Development Manager**

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.

Dear Sir or Madam

Thank you for the pre-application consultation on this development proposal.

We have been involved at the pre-application stage in the development of this project and provided advice on the necessary archaeological surveys (DBA and Geophysics) to be completed in advance.

We are in agreement with the findings of the Andrew Josephs Assoc. Heritage Statement (Oct 2021) and a condition for an archaeological scheme of investigation comprising a strip/map/excavate methodology for the new extraction area would be recommended on any future application. The archaeological fieldwork would need to be completed before any extraction can commence, but can be done in stages to allow early winning of minerals from areas which are deemed clear of archaeology.

Cadw will comment on the indirect impacts to the Vale of Clwyd Registered Historic Landscape.

The condition in this case would be:

Suggested planning condition to facilitate a scheme of archaeological investigation using a strip/map/excavate methodology as a condition of consent

*No development shall take place within the application area until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority.*

*The archaeological programme of work will be undertaken and completed in accordance with the relevant Standards and Guidance laid down by the Chartered Institute for Archaeologists. A copy of the resulting report should be submitted to the Local Planning Authority and the Development Control Archaeologist, (Clwyd-Powys Archaeological Trust, The Offices, Coed y Dinas, Welshpool, SY21 8RP Email: [REDACTED] Tel: [REDACTED]*

*[REDACTED] After approval by the Local Planning Authority, a copy of the report and resulting archive should also be sent to the Historic Environment Record Officer, Clwyd-Powys Archaeological Trust for inclusion in the regional Historic Environment Record and the National Monuments Record, RCAHMW*

Reason: To secure preservation by record of all archaeological remains which will be impacted by the development

Kind regards

Mark Walters

-----  
Mark Walters

Development Control Archaeologist / Swyddog Rheoli Datblygiad

Ffôn / Tel:

Mobile:

E-bost / E-mail:

Ymddiriedolaeth Archaeolegol Clwyd-Powys, Y Swyddfeydd, Coed y Dinas, Welshpool, SY21 8RP,  
Swyddfa Gofrestredig fel yr uchod. Rhif Cwmni 1212455, Rhif Elusen 508301, Sefydliad Cofrestredig  
CIfA.

Clwyd-Powys Archaeological Trust, The Offices, Coed y Dinas, Welshpool, SY21 8RP.  
Registered Office as above. Company No 1212455, Charity No 508301. Chartered Institute for  
Archaeologists Registered Organisation No 6.

**Please note that I do not work Fridays**

Maes Y Ffynnon,  
Penrhosgarnedd,  
Bangor,  
Gwynedd  
LL572DW

ebost/email:  
[REDACTED]

16/12/2021

Annwyl Syr/Madam / Dear Sir/Madam,

**STATUTORY PRE-APPLICATION CONSULTATION - TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012 AS AMENDED.**

**BWRIAD / PROPOSAL: EXTENSION OF WINNING AND WORKING OF LIMESTONE, IMPORTATION OF INERT WASTE AND RESTORATION OF AMENITY**

**LLEOLIAD / LOCATION: DENBIGH QUARRY, PLAS CHAMBRES ROAD, DENBIGH, LL16 5US (PRE-APP STAT**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 12/11/2021.

**We have concerns with the application as proposed because inadequate information has been provided. To overcome these concerns, you should provide further information in your planning application regarding Protected Sites, Great Crested Newts, Hydrology and Hydrogeology. If this information is not provided, we may object to the planning application when formally consulted by the planning authority. Further details are provided below.**

**Protected Sites**

Sites of Special Scientific Interest (SSSI)

We have concerns that insufficient information has been submitted to demonstrate how likely damage to the following SSSI's will be avoided:

- Crest Mawr Wood
- Graig Quarry

Planning permission should only be granted if information is provided which demonstrates that the proposed development will not unacceptably damage the features by reason of which the SSSI is of special interest.

Paragraph 6.4.14 of *Planning Policy Wales* states that proposals must be carefully assessed to ensure that effects on those nature conservation interests which the designation is



intended to protect are clearly understood; development should be refused where there are adverse impacts on the features for which a site has been designated.

We consider that the proposed development is likely to damage the features by reason of which the sites listed above are of special interest.

However, insufficient information has been submitted to demonstrate how the proposed development will avoid damaging the special interest features of the SSSI.

The report (Environmental Statement, Vol 2. Pleydell Smithyman Limited, Undated) references a 30m standoff from Crest Mawr SSSI. This zone seems reasonable and would take any works outside the tree rootzone. However, it is not clear from the plans if the 30m standoff includes the perimeter bund. Creation of the bund within the tree rootzone could impact the trees from deepening soils / smothering root zone. This should be clarified when this application is submitted to the Local Authority Planning department.

The report has identified a need for good practice site design and dust control measures during operation, tree planting and creation of bunds along the site boundary to provide screening. We concur with this assessment and wish to emphasise that measures should be in place to prevent dust soiling within the SSSI boundaries.

The report has concluded that due to the fact the sites are located upwind (to the prevailing wind direction), there is negligible likelihood of a significant impact, assuming that the mitigation measures are implemented.

Neither of the two SSSI's listed above holds groundwater dependant features, therefore we agree with the conclusion of the report that it is unlikely for the site to be impacted by hydrological pathways.

## **Hydrology and Hydrogeology**

The Hydrogeological and Hydrogeological Impact Assessment (HIA) (BCL Consultant Hydrogeologist Limited, January 2020 – Chapter 9) has detailed the site setting with respect to controlled water sensitive receptors. We note that dewatering is currently not undertaken as groundwater levels are below the current worked quarry base. However, there is no mention of the current quarry base depth. We ask that this is to be clarified.

From the phasing of the quarry workings, we understand that it is unlikely that dewatering will commence until Phase 3 and only for 50% of the time. We would expect a timescale of when phase 3 will commence, and clarification of whether the 50% of the time will be over the winter months or not.

The report submitted is dated January 2020 and the installation of five new boreholes was done in 2019, therefore only a short record of water levels was presented within the HIA. At any full application stage, the data presented should be up to date with the longest record possible presented and the HIA revised to include this data. Given this limited data from the new boreholes and the delay to dewatering, we would request a condition at full planning

application requesting that 12 months prior to dewatering commencing that an updated HIA is submitted for review to ensure that full extent of dewatering impacts are known and assessed.

Providing cross sections of the site will aid visualising the site workings and support the conceptual site model of the quarry – including geology, water level and its variation during the seasons, working depth etc.

The new boreholes are located around the site and extension area, and it is not clear if any of these boreholes will be lost during extraction of minerals. We would expect detail referring to the contingency actions that will be initiated if any are lost, and any plans for them to be replaced. Preferably, the boreholes should be replaced before being lost to allow continuity of the water level record.

The HIA mentions undertaking surface water monitoring on the Henllan Brook downstream of the site. We recommend upgradient monitoring to supplement this data and secondly to commence this monitoring a minimum of 12 month before dewatering starts.

We note that Abstraction L has the potential to be affected by the dewatering due to its proximity. We recommend a monitoring plan is put in place prior to dewatering commencing and any mitigation measures if derogation is observed are defined and agreed with the abstraction owner prior to dewatering.

Furthermore, a Water management plan and method statement for pollution prevention was requested as part of the scoping opinion consultation. We would expect this to be submitted to the Local Planning Authority when the application is submitted for planning consent.

#### - Permit requirements

In addition to the planning permission, the winning and restoration of mineral workings requires a number of licences and permits from NRW and these should be in place before any new activity starts. The list below is not exhaustive, and legislation may change as the quarry activity progresses over the next 20 plus years.

- Water Resources Abstraction Licence (transfer or full) for dewatering and abstraction from the lagoons for any dust suppression.
- Environmental Permit for discharge of water to watercourse or ground.
- Environmental Permit for any restoration that requires placement of material.

We advise that you contact our Permitting Team on 0300 065 3000 at the earliest opportunity, to try to ensure that there is no conflict between any planning permission granted and the permit requirements.

### **European Protected Species (EPS)**

#### Bats

We note the submission of a Bat Roost Survey Report (Pleydell Smithyman, Ref M18.155.R.010. December 2019) has noted that no evidence of roosting bats was recorded on site. We concur with the conclusions of the report with regards to proposed avoidance measures and mitigation for bats. It should be noted that the quoted licence number is not a NRW licence number. This contrasts with GCN surveys were carried out under an NRW licence. We would advise that this should be addressed before submitting this application to the Local Planning Authority.

### Great Crested Newts (GCN)

We also note the submission a GCN Survey Report (Pleydell Smithyman, Ref M18.155.R.009. December 2019). No consideration has been given in respect of GCN at Colomendy. We would also advise that the landscape design is amended to include additional pond creation. A post restoration plan should be submitted that evidence implementation of after-use proposals.

### Hazel Dormouse

A Dormouse Survey Report (Pleydell Smithyman, Ref M18.155.R.014. December 2019) has been submitted to support the application. We concur with the conclusions of the report with regards to possible impact on Hazel Dormice and raise no concerns.

### **Landscape**

Denbigh Quarry lies along the western edge of the Vale of Clwyd, adjacent to the town and some 5km to the west of the boundary of the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB).

Given the distance from the designated landscape, we would not expect the proposed quarry workings to visually harm views from the AONB.

We note that the LVIA (Pleydell Smithyman Ltd January 2021) has assessed one AONB view VP16 from Offa's Dyke path at Penycloddiau. We concur with the assessment set out in the table at section 8.40 – very low to no magnitude of visual change, resulting in a minor adverse effect during the operational phase, becoming neutral by year 15 (the point at which mitigation planting is expected to have matured and fulfil its intended purpose).

### **Other Matters**

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

Please note the view expressed in this letter is a response to a pre-planning enquiry only. We trust these comments will prove helpful, but they should not set a precedent for any future Natural Resources Wales' response to any formal application for planning permission

or other legal consent. Such applications shall be assessed on the information submitted and regulations of relevance at that time. The details contained in this letter are based on the information available to date.

As part of our discretionary advice service we can provide further advice relating to land contamination, groundwater and flood risk prior to your planning application being submitted. There is a charge for this service. Further details are available on our website.

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

**Garmon Lewis**

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning  
Cyfoeth Naturiol Cymru / Natural Resources Wales

Mr C Burgess  
Breedon Southern Ltd  
Pinnacle House  
Main Street  
Breedon on the Hill  
Derbyshire  
DE73 8AP

**Date: 01/12/2021**  
**Our Ref: PPA0006254**

Dear Mr Burgess

**Grid Ref: 304973 367027**

**Site Address: Denbigh Quarry, Plas Chambres Road, Denbigh**

**Development: ARTICLE 2D - Extension of winning and working of limestone, importation of inert waste and restoration of amenity.**

I refer to the Schedule 1C - Article 2D notice received and your formal request for a pre-application consultation response before applying for planning permission from Dwr Cymru Welsh Water as a 'Specialist Consultee' as defined by Paragraph (y) of Schedule 4 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016. It is acknowledged that the consultation request relates to a major development site and thus seeks a substantive response within 28 days from the date of the notice, as per the requirements of Article 2E. This request includes our views on the capacity of our network of assets and infrastructure to accommodate your proposed development.

Having reviewed the details submitted I offer the following standing advice which should be taken into account within any future planning application for the development:

### **ASSET PROTECTION**

The proposed development is also in close proximity to public watermain with their approximate position being marked on the attached plan. In accordance with the Water Industry Act 1991, Dwr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. No operational development will be permitted within the easement of the public watermain measured 3 metres either side of the centreline. We would also request assurances that our assets mentioned above, will not be detrimentally affected as a result of any proposed vibration and blasting.

## **SEWERAGE**

Having reviewed the proposal, it appears that no foul or surface water connections with the public sewerage network are proposed as part of the proposed development. In light of this, Dwr Cymru Welsh Water have no comments to make on the application. However, should circumstances change and a connection to the public sewerage system/public sewerage treatment works is preferred we must be re-consulted on this application.

## **Advisory Notes**

You are also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

## **SURFACE WATER**

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Denbighshire County Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

In addition, please note that no surface water, highway or land drainage run-off will be permitted to discharge directly or indirectly into the public sewerage system.

## **WATER SUPPLY**

Should any new water supply be required as part of the proposed development we would advise the proposed development is in an area where there are water supply problems for which there are no improvements planned within our current Capital Investment Programme AMP7 (years 2020 to 2025). In order to establish what would be required to serve the site with an adequate water supply, it will be necessary for the developer to fund the undertaking of a hydraulic modelling assessment on the water supply network. For the developer to obtain a quotation for the hydraulic modelling assessment, we will require a fee of £250 + VAT.

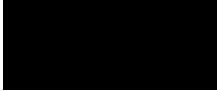
I trust the above information is helpful and will assist you in forming water and drainage strategies that should accompany any future planning application. I also attach copies of our water and sewer extract plans for the area, and a copy of our Planning Guidance Note which provides further information on our approach to the planning process, making connections to our systems and ensuring any existing public assets or infrastructure located within new development sites are protected.



Please note that our response is based on the information provided in your enquiry and should the information change we reserve the right to make a new representation. Should you have any queries or wish to discuss any aspect of our response please do not hesitate to contact our dedicated team of planning officers, either on [REDACTED] or via email at [REDACTED]

Please quote our reference number in all communications and correspondence.

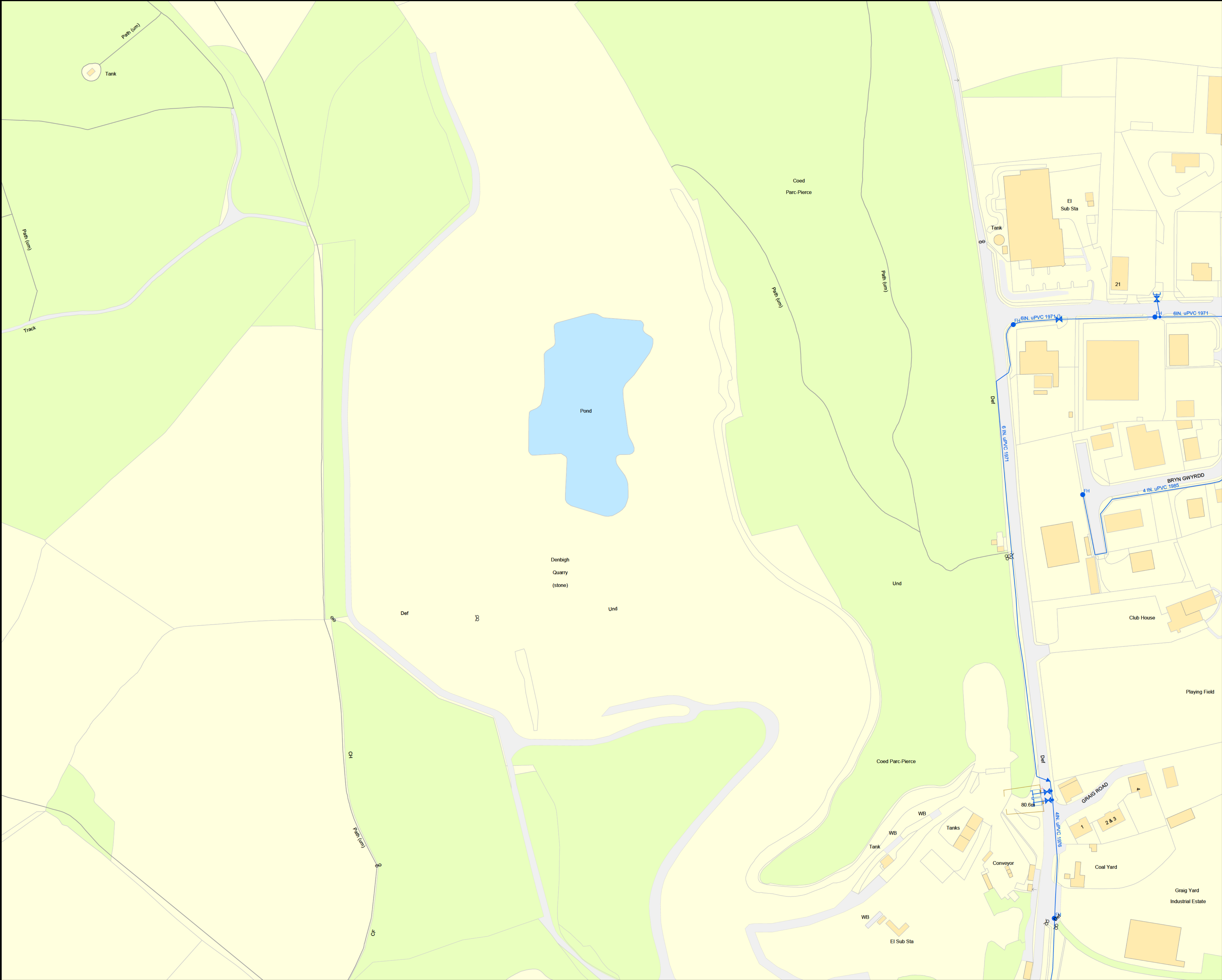
Yours faithfully,



**Owain George**  
**Planning Liaison Manager**  
**Developer Services**

***Please Note that demands upon the water and sewerage systems change continually; consequently the information given above should be regarded as reliable for a maximum period of 12 months from the date of this letter.***





PPA0006254

**LEGEND**

Clean network:

	Sluice valve		Stop tap
	Pressure reducing valve		Water Treatment Works
	Meter		Water Pumping Station
	Bulk meter		Existing main
	Hydrant		Non-operational main
	Cap end		Raw Water
	Air valve	NB: Water main symbol colour indicates the type.	
		LIGHT BLUE	- Trunk
		DARK BLUE	- Distribution
		YELLOW	- Raw Water

**Notes:**

Whilst every reasonable effort has been taken to correctly record the pipe material of DCWW assets, there is a possibility that in some cases pipe material (other than Asbestos Cement or Pitch Fibre) may be found to be asbestos cement (AC) or Pitch Fibre (PF). It is therefore advisable that the possible presence of AC or PF pipes be anticipated and considered as part of any risk assessment prior to excavation

Dŵr Cymru Cyllyngedig (the Company) gives this information as to the position of its underground apparatus by way of general guidance only and on the strict understanding that it is based on the best information available and no warranty as to its correctness is relied upon in the event of excavations or other works made in the vicinity of the company's apparatus. The onset of locating apparatus before carrying out any excavations rests entirely on you. The information which is supplied by the Company is done so in accordance with statutory requirements of sections 168 and 169 of the Water Industry Act 1991 which is based upon the best information available and, in particular, but without prejudice to the generality of the foregoing, it should be noted that the records that are available to the Company may not disclose the existence of a water main, service pipe, sewer, lateral drain or disposal main and any associated apparatus laid before 1 September 1985, or, if they do, the particulars thereof including their position underground may not be accurate. It must be understood that the furnishing of this information is entirely without prejudice to the provisions of the New Roads and Street Works Act 1991 and the Company's right to be compensated for any damage to its apparatus.

Service pipes are not generally shown but their presence should be anticipated.

EXACT LOCATIONS OF ALL APPARATUS TO BE DETERMINED ON SITE.

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Map Ref: 305035,367079

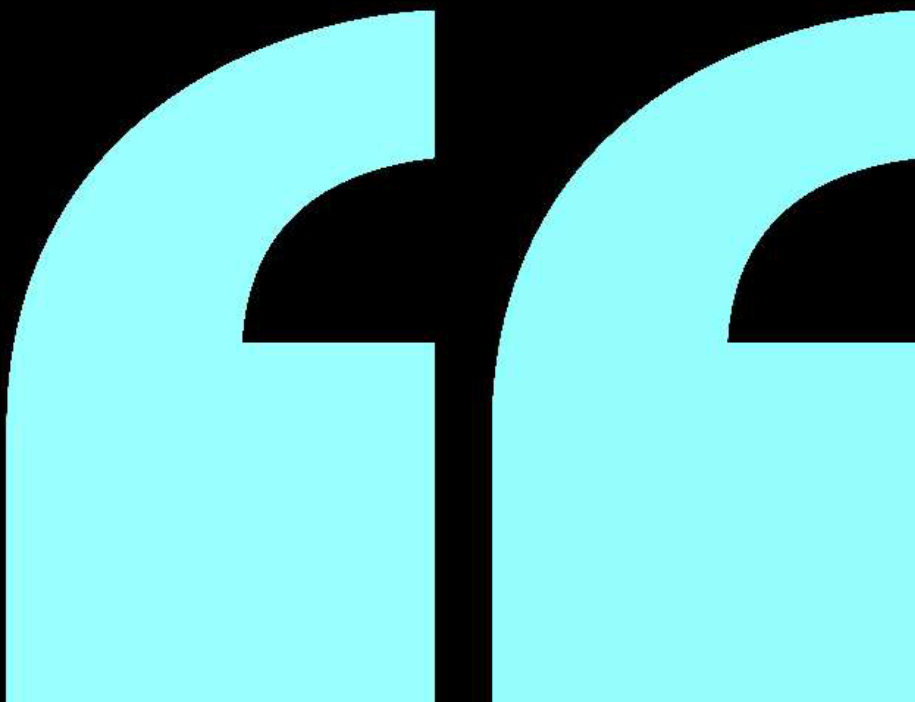
Map scale: 1:1250

Printed by: Lester Barrow

Printed on: 02 Dec 2021



## APPENDIX F



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# Annex 1: Compliance checklist

The compliance checklist can be used to help ensure that the developer has complied with each of the following:

- Section 61Z of the Town and Country Planning Act 1990 which introduces the requirement to carry out pre-application consultation; and
- DMPWO Part 1A 'Requirement to carry out pre-application consultation 2B'.

All the tasks on the checklist must be completed in order to meet the requirements. For ease of use the checklist is broken down into simple sections.



Tasks		22
<b>Identifying the statutory consultees</b>		
Owners and occupiers	The developer must send a copy of the site notice in writing to any owner or occupier of any land adjoining the land to which the proposed application relates and address the letter to 'the owner and/or occupier'.	Have all of the owners and occupiers been identified and consulted with? <input checked="" type="checkbox"/>
	Developers may wish to consider the benefits of maximising publicity at pre-application stage.	Was the letter containing the site notice addressed to 'the owner and/or occupier'? <input checked="" type="checkbox"/>
Community consultees	Developers are required to inform: <ul style="list-style-type: none"> <li>Each community council (this includes both town and community councils) in whose area the proposed development would be situated, and/or</li> <li>Each councillor (local member) representing an electoral ward in which proposed development would be situated.</li> </ul>	
	If the proposed development is located in an area where more than one town or community council operates, both should be notified.	Have all of the community consultees been identified and consulted with? <input checked="" type="checkbox"/>
	If the proposed development straddles a number of electoral wards, all local councillors within those wards will need to be notified.	
	The community consultees will be notified via letter containing the same information as provided in the site notice (see below for details on the site notice). Developers are required to inform specialist consultees of the development proposals.	
Specialist consultees	Details of the specialist consultees and when they should be consulted are set out in Schedule 4 to the DMPWO – see Annex 2 of this note.	Have all of the specialist consultees been identified and consulted with? <input checked="" type="checkbox"/>
	The specialist consultees will be notified via letter containing the information provided in Schedule 1C (see below for details on the site notice and Schedule 1C).	
Raising awareness of the statutory consultation		23
<b>Site notice – Schedule 1B</b>		
<b>Information required in the site notice</b>		<b>Information required in the site notice</b>
The site notice must contain the information set out in 'Schedule 1B: Publicity and Consultation before Applying for Planning Permission Notice under Articles 2C and 2D' - DMPWO.		The site notice has been created containing the information from Schedule 1B. <input checked="" type="checkbox"/>
An English and Welsh language version of the site notice must be provided.		An English and Welsh language version has been provided. <input checked="" type="checkbox"/>
Displaying the site notice		Displaying the site notice
The site notice must be displayed in at least one place on or near the land to which the proposed application is.		The site notice was displayed in one or more locations near the site. <input checked="" type="checkbox"/>
The site notice must be easily visible and legible by members of the public.		The site notice is easily visible and legible by members of the public. <input checked="" type="checkbox"/>
The site notice must be displayed for no less than 28 days.		The site notice was displayed for no less than 28 days. <input checked="" type="checkbox"/>
Providing developers have taken reasonable steps to protect the site notice and, if needs be, replace it if it is removed, obscured or defaced before the end of the 28 day publicity period, then the developer will be considered to have complied with their statutory duties.		The site notice did <u>not</u> require replacing. <input checked="" type="checkbox"/>
Schedule 1C		
The developer must give the relevant specialist consultees notice in writing of the proposed application. The letter must contain the information set out in the notice Schedule 1C under Article 2D - Consultation Before Applying for Planning Permission - DMPWO.		The specialist consultees have been provided notice in writing of the proposed application. <input checked="" type="checkbox"/>
The developer must enclose each of the draft application documents (see details below) with the notification or provide a link to a website on which those documents can be found.		The letter/notice contained the information set out in the notice in Schedule 1C. <input checked="" type="checkbox"/>
N.B. The developer is encouraged to provide specialist consultees with this information electronically (i.e. an email) and in cases when information is posted to statutory consultees, developers should consider using recorded delivery.		The specialist consultees have been provided with a link to / hard copy of the draft application documents. <input checked="" type="checkbox"/>
Consultation period	The developer must consult for a minimum of 28 days.	The consultation period ran for a minimum of 28 days. <input checked="" type="checkbox"/>

Tasks	
<b>Consultation materials</b> <b>Application documents</b> <p>Developers must make the following information available for inspection at a location in the vicinity of the site or online for no less than 28 days (beginning when the site notices are erected):</p> <ul style="list-style-type: none"> <li>• All information that would be required to be submitted as part of a formal planning application. This includes all the information on the relevant planning application form, except the ownership certificates.</li> <li>• Scaled plans, with north arrow, to identify the land to which the application relates.</li> <li>• Design and Access Statement.</li> <li>• Any information that would be needed in order to comply with any local validation requirements of the relevant local planning authority.</li> </ul> <p>The site notice is required to specify a location where the draft application documents can be viewed. Documents can be made available in hard copy or online.</p> <p>In cases where the developer has made the relevant information available on a website, the location for public viewing can be a library or other public building where computer facilities are made available to the general public.</p> <p>If the developer has not made the relevant information available on a website then a hard copy needs to be made available. Public buildings such as libraries, community centres and leisure centres would be appropriate.</p> <p>The developer has flexibility on the choice of venue but it should, as a minimum, allow the public access during normal working hours for the full 28 day notification period.</p>	<input checked="" type="checkbox"/>
<b>Viewing consultation materials</b> <p>All draft planning application documents were provided as described.</p>	<input checked="" type="checkbox"/>
<b>Making representations</b> <b>Contact details</b> <p>The developer must set out how they can be contacted by persons wishing to comment on the proposed development i.e. a postal address or a email address.</p>	<input checked="" type="checkbox"/>

Tasks	
<b>Reporting</b> <b>Pre-Application Consultation Report</b> <p>The developer must submit a Pre-Application Consultation Report (PAC Report) in order for the planning application to be validated.</p> <p>The developer has flexibility to determine the most effective way to present the pre-application community consultation report providing it contains:</p> <ul style="list-style-type: none"> <li>• A copy of the site notice.</li> <li>• A declaration that the site notice was displayed in accordance with the statutory requirements, i.e. in at least one place on or near the development site for no less than 28 days.</li> <li>• A copy of the notice given to owners and occupiers of adjoining land, and a list of those persons.</li> <li>• Copies of all notices provided to councillors, town and community councils, and specialist consultees.</li> <li>• A summary of all issues raised in response to the statutory publicity and confirm whether the issues raised have been addressed and, if so, how they have been addressed.</li> <li>• Copies of all responses received from specialist consultees with an explanation of how each response has been addressed by the developer.</li> <li>• Under relevant data protection legislation the addresses and other contact information of private individuals must be redacted in the PAC Report before it is submitted.</li> <li>• If developers undertake publicity or consultation that exceeds the minimum statutory requirements, they are encouraged to report the outcome of this pre-application engagement in the PAC report.</li> </ul>	<input checked="" type="checkbox"/>
<p>A PAC Report has been submitted as part of the application.</p> <p>The PAC Report contains:</p> <ul style="list-style-type: none"> <li>• A copy of the site notice.</li> <li>• A declaration that the site notice was displayed in accordance with the statutory requirements.</li> <li>• A copy of the notices given to owners and occupiers, councillors, town and community councils, and specialist consultees.</li> <li>• A summary of all issues raised and how they have been addressed.</li> <li>• Copies of all responses received from specialist consultees with an explanation they have been addressed.</li> <li>• Redacted contact information.</li> <li>• Non-statutory consultation.</li> </ul>	<input checked="" type="checkbox"/>