

**Denbighshire County Council**  
**Town and Country Planning Act Section 78 Appeal**



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THE TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78

THE TOWN AND COUNTRY PLANNING ACT 1990, SECTION 79

THE TOWN AND COUNTRY PLANNING (DETERMINATION OF APPEALS BY APPOINTED  
PERSONS) (PRESCRIBED CLASSES) (WALES) REGULATIONS 2015

TOWN AND COUNTRY PLANNING (REFERRED APPLICATIONS AND  
APPEALS PROCEDURE) (WALES) REGULATIONS 2017

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT  
PROCEDURE) (WALES) ORDER 2012, AS AMENDED

**WITNESS STATEMENT**

**Sioned Sellers**

**DENBIGHSHIRE COUNTY COUNCIL**

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In relation to appeal by **Breedon Trading Ltd** against **Denbighshire County Council's** refusal,  
as local planning authority (minerals planning authority) of planning permission for:

*Consolidating application for the extension of winning and working of limestone, importation of  
inert waste and restoration to amenity land*

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

Planning application ref: 01/2022/0523

PEDW ref: CAS-03423-V9Z8M3

## **1. Qualifications / Experience**

- 1.1. My name is Sioned Sellers and I am a local resident who lives at 15 Accar y Forwyn, Denbigh LL16 3PW (location shown on Appendix 1).
- 1.2. I have lived at the above address since December 2020, my property is circa 600m south of the proposed extension area.
- 1.3. I previously worked as a teacher in the local secondary school, but decided to change my livelihood so I could have more flexibility to be with my children, and so started a financial advice business which I mainly run from home. Apart from face to face appointments with clients, I work from home every day as I am unable to work in public environments which have Wi-Fi services due to the regulations regarding confidentiality and data security. As such, I have been present at my property for many of the blasts that have taken place since I moved in.

## **2. The Planning Application**

- 2.1. Planning application ref: 01/2022/0523/MA was determined on 23 January 2024. The application was refused planning permission for the following reasons:
  1. It is the opinion of the Local Planning Authority that the proposed lateral extension to Graig Quarry would have an unacceptably negative impact on protected species and the special characteristics and features of the Crest Mawr and Graig Quarry Sites of Special Scientific Interest. The proposal is therefore considered to be contrary to Local Development Plan Policies VOE1 'Key Areas of Importance', VOE 5 'Conservation of Natural Resources', PSE 16 'Mineral Buffer Zones', PSE 17 'Future Mineral Extraction' and guidance contained within adopted Supplementary Planning Guidance Note 'Conservation and Enhancement of Biodiversity', Planning Policy Wales 11 (including updated Chapter 6), Minerals Technical Advice Note 1 'Aggregates', Technical Advice Note 5 Nature Conservation and Planning and Technical Advice Note 21 'Waste'.
  2. It is the opinion of the Local Planning Authority that the proposal contains insufficient justification for the development of an extension to the quarry and the restoration by importation of inert waste material, on an unallocated site in the open countryside. The proposal is therefore considered to be contrary to Local Development Plan Policy PSE 17 'Future Mineral Extraction', and advice contained in Minerals Technical Advice Note 1 'Aggregates', Technical Advice Note 21 'Waste' and Planning Policy Wales 11 (including updated Chapter 6).
  3. It is the opinion of the Local Planning Authority that the proposed lateral extension to the quarry would have a negative impact on the amenity and well-being of local residents. The Buffer Zones', PSE 17 'Future Mineral Extraction' and advice contained in Minerals Technical Advice Note 1 'Aggregates', Technical Advice Note 21 'Waste', the Development Management Manual and Planning Policy Wales 11 (Including updated Chapter 6).

- 2.2. The Local Planning Authority is no longer defending reasons for refusal 1 and 2 as set out above.
- 2.3. While I am not a planning expert, I am aware that the current planning permission for the Quarry would allow for quarrying until 31 August 2028. This application would extend operations to an end date of 31 December 2047 – an extension of nineteen years.

### **3. Scope of Evidence**

- 3.1. My evidence covers the lived experience associated with the proposal and the reasons for refusal. This proof of evidence will set out why I consider the development is not acceptable in relation to the harm upon amenity and well-being of local residents.

### **4. Evidence**

- 4.1. I have two areas of concern. The first relates to blasting and the second relates to the wider noise impacts that arise from non-blasting activity at the quarry.

#### *Blasting*

- 4.2. I first started receiving emails regarding the quarry's intention to blast on Friday 25<sup>th</sup> of August, 2023 (Appendix 2). Previous to this date, I wasn't notified in anyway. The notifications started following an email that I had sent to the quarry manager the previous month voicing my concern regarding the blasting that had taken place at 14:19 on the 25<sup>th</sup> July 2023, which had been particularly concerning (Appendix 3). I had also tried to lodge my concerns about the growing severity of the blasting via their website on 14/02/2023, but the webpage wouldn't submit the comments.
- 4.3. I receive an email, usually on the Friday before the blasting on the following Tuesday, and am given a time frame of 5 hours for the event to take place (examples provided in Appendices 2 and 4). Whilst I can understand that unforeseen variables may not allow for a definite time for blasting, giving such a long window for the event does result in heightened anxiety for a longer period of time.
- 4.4. The effect when explosives are used at the quarry are two-fold. Initially there are un-natural vibrations that can be felt throughout the house, the vibrations are of such severity that they also cause all my double glazing windows to produce a very loud rattling noise, which can be noticeably heard over any music that I have playing whilst I work. The vibrations that I can feel are made visible when I have a cup of liquid on my desk. This lasts for a couple of seconds.
- 4.5. The vibrations are followed by a very loud low frequency reverberating rumbling noise, which lasts for 3-4 seconds, and again can be heard above any music / television or ordinary household noise.

- 4.6. Once the effect of the blasting subsides, I immediately go around the house to inspect for any physical damage, and am left in a very concerned state for some time afterwards. Having experienced the effect of blasting many times by now, the concerns that I have for the potential effect on my property can sometimes be overwhelming. In my mind, exposing my property to such an unnatural event on a reasonably regular basis must have some affect to accelerate any damage that can occur naturally, and I worry greatly about being able to afford any repairs in the future. The first time my daughter was home to experience a blasting event, she ran into the living room in sheer panic as she had no idea what was happening, and it took some time to reassure her afterwards as it was such an unnatural and frightening experience for her.
- 4.7. The blasting effects my amenity because being home on the day of a blasting event is disruptive and worrying. The only way to avoid this is to not be home during the blasting window, but avoiding my own home for 5 hours is in my view an unacceptable resolution.
- 4.8. The blasting effects my well-being of the perceived accelerated destruction to my property and the financial implication which may arise. I am a single income household, and so potential costs of repairs is a more or less constant dark cloud.

#### *Noise from Quarry*

- 4.9. I spend a lot of my time in the fields surrounding the quarry, and walk my dog there most days. One of the reasons for choosing my property among others, is the close proximity and access to open countryside, and all the benefits of being in the outdoors. I do feel that my enjoyment of being in the area is severely affected by the presence of the quarry. Whilst presently there are no visible effects, the noise of machinery there on most days totally detract from the enjoyment, and the drilling prior to blasting is particularly disturbing. The noise is in such contrast to the natural beauty of the area, that it does have a detrimental effect on my amenity when walking there. There are many other areas to walk my dog in Denbigh, but none of them match the visual beauty of walking in this area.

## **5. Conclusion**

- 5.1. As I have stated, the effect of the blasting and workings at the quarry does affect my quality of life, and that of my children. The effect of the continued mining at the quarry affects my [REDACTED] on a near daily basis, and the thought of having to endure it for a further 19 years makes me feel desperate. I worry about the effect that longer term blasting will have on my property, and especially so accelerating any natural damage that occurs.
- 5.2. There is no doubt in my mind that experiencing the totally un-natural effect of blasting whilst in my own home, the continued production at the quarry has a negative impact on my quality of life and enjoyment of living at my property, and my amenity.

## **6. Appendices**

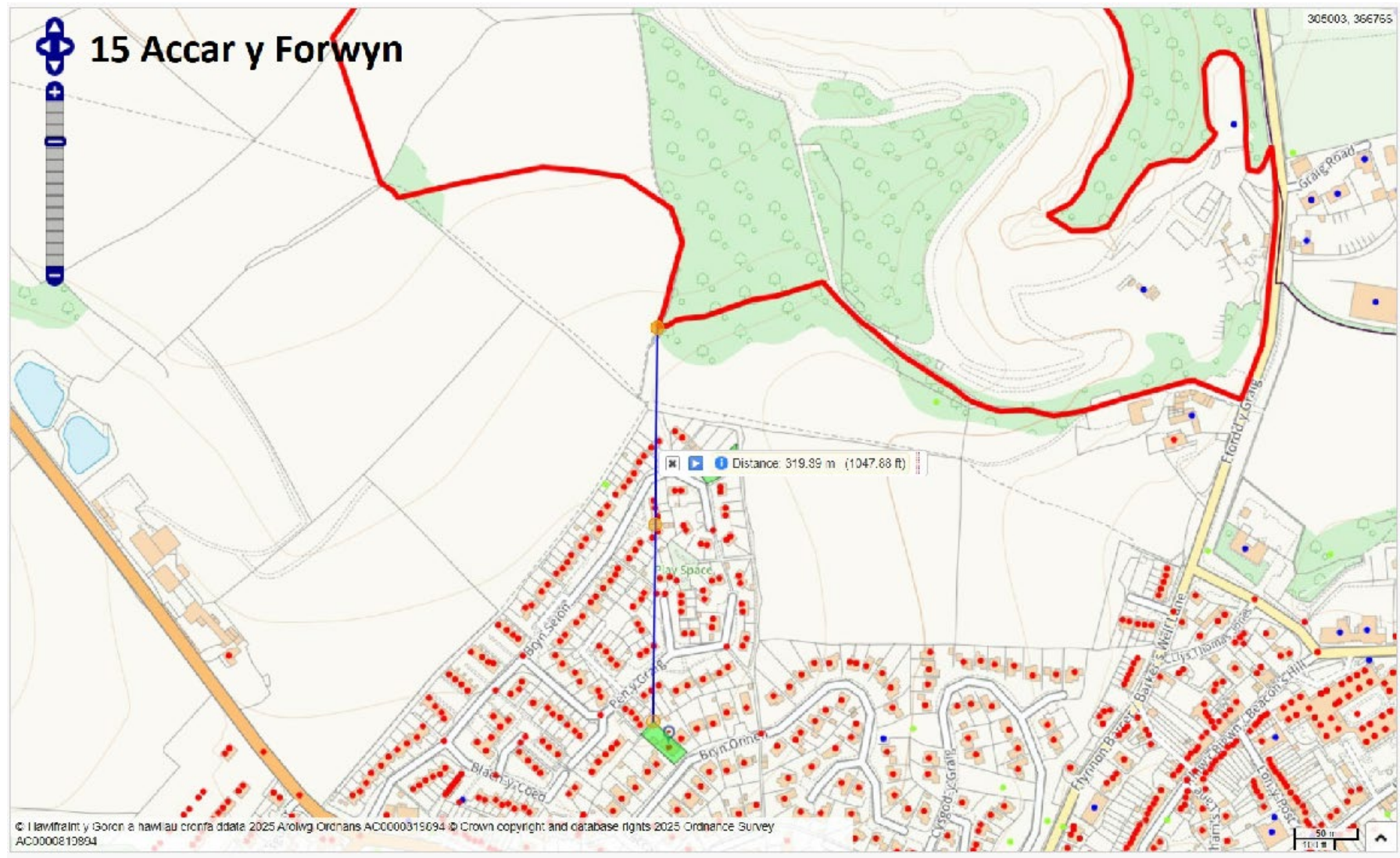
Appendix 1: Map showing address of witness related to the Quarry

Appendix 2: Example Notification email provided by Quarry dated 25/08/2023

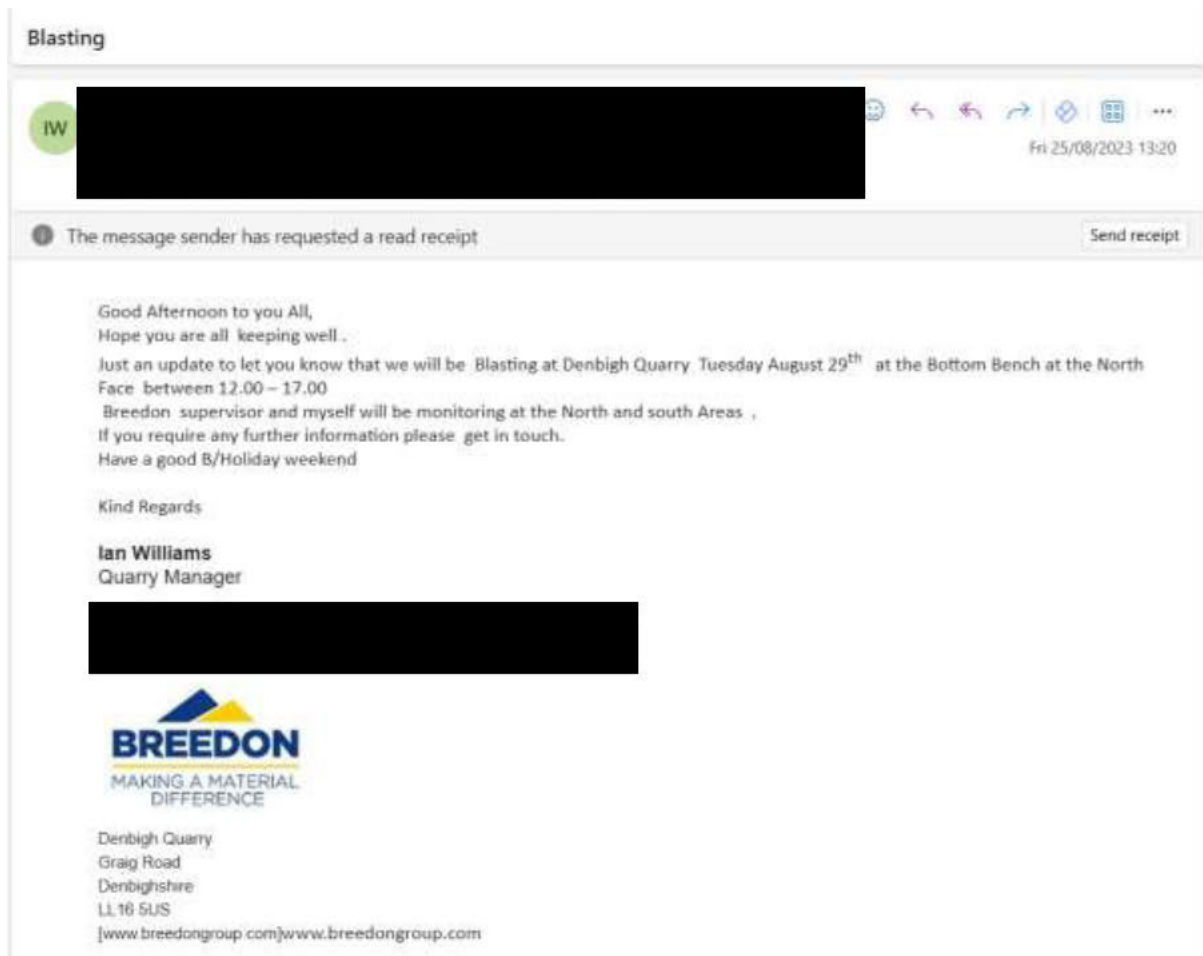
Appendix 3: Evidence of complaints made to the Quarry dated 25/07/2023

Appendix 4: Example Notification email provided by Quarry dated 05/05/2025

**Appendix 1:** Map showing address of witness related to the Quarry



## Appendix 2: Example Notification email provided by Quarry dated 25/08/2023



### Appendix 3: Evidence of complaints made to the Quarry dated 25/07/2023

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↩ Reply

↩ Reply all

➦ Forward

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Tue 25/07/2023 14:34

Good afternoon,

Unfortunately, I wasn't aware that there was **blasting** planned for today, and have just felt two massive shockwaves in Accar y Forwyn, at approx. 14.19 today. Are we able to get the readings from the vibration monitors, as my house was shaking with vibrations felt/heard from the windows and ceiling as well as a low thunder sound.

Such vibrations are very concerning regarding the soundness of my house and I would be interested to see if the disturbance is within the damage levels set out in the British standards (BS 7385-2:1993)

I will be in touch once I have consulted a friend who is an expert in environmental claims and is one of the UK's leading environmental lawyers.

Until then,



#### Appendix 4: Example Notification email provided by Quarry dated 05/05/2025

