

Written Evidence: Impact on Amenity through Access to Green Spaces

Dr Sue Hewitt
Denbigh

Appeal Ref No: CAS-03423-V9Z8M3

Site: Denbigh Quarry, Plas Chambres Road, Denbigh LL16 5US

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

Appellant: Chris Burgess

Representing: Invited Party SOGS Dinbych, opposing the Quarry extension

Focus: Impact on Amenity through Access to Green Spaces

My Personal Background:

- Denbigh resident since 2014, living within 400m of the quarry
- PhD in Biomedical Sciences related to inflammation/joint disease
- Member of the Alpine Club, Denbigh Harriers and Eagle Ski Club
- Member of the Chartered Institute of Personnel and Development
- Active walker, climber and runner since student days

My involvement with the site

Soon after I moved to Denbigh residents were informed the quarry would be reopening, with very little notice. Since workings started in 2016, I have served on the Liaison Committee twice, contributing to the final Terms of Reference in 2024, securing a second community representative.

In addition, I lodged an objection to the Time Extension planning application (August 2019: Ref:01/2019/0757/PS) and spoke against it at the Planning Meeting (December 2019).

In 2021 joined with other community members to form Save Our Green Spaces Dinbych. Our initial remit is protecting Crest Mawr fields from development and in the future, we will work to safeguard the unique greenscape of our small town.

I regularly walk the Crest Mawr fields as they are a vital link not just to Ancient Woodland but also to a variety of circular routes. I regularly report Rights of Way access issues and voluntarily secure access by cutting back overgrown vegetation at stiles and gates.

Declaration

The evidence that I submit here is true and is given in accordance with the standards of my professional institution. I draw and report on my own experience and that of those around me.

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Scope of evidence

I am writing in support of Reason for Refusal 3: that the proposed lateral extension to the quarry would negatively impact amenity and wellbeing of local residents.

I will present evidence of the need for access to amenity green space and the detrimental effects of its absence on wellbeing, underlining the poor provision locally.

I will detail concerns connected with the data on footpath usage under-representing the footfall.

Place-making is an important aspect of planning, and I will connect this with the heritage value and amenity of ancient local routes and detail the legislation relating to amenity of new footpath provision.

The context of this green space

- 1.1 The proposed extension will intrude into fields on the northern border of Denbigh close to vulnerable human receptors. The fields are used year-round agriculturally for stock grazing and silage.
- 1.2 These gently sloping fields have magnificent views across the town to the South, to the Vale of Clwyd and Clwydian Hills Area of Outstanding Natural Beauty in the East and to the high ground of the Denbigh Moors in the West including Northern views to Moel Fodiar
- 1.3 Two footpaths pass across the fields, a very well used area for dog walkers, runners, walkers and teenage explorers. In the winter snow cover facilitates sledging, and I have also skied here. Crest Mawr Ancient Woodland, the primary destination for many visitors, allows completion of a circuit of the wood and return to the town within 1 hour.

Value of and access to green spaces

- 2.1 *Planning Policy Wales (Edition 12)* explicitly links green space and amenity. Chapters connect community health, wellbeing and amenity with sustainable places and emphasise that environmental features including access to open spaces influence health and wellbeing—and should be integral to planning.
- 2.2 Extensive evidence connects exposure to and use of green space with positive mental and physical health outcomes, including reducing stress, fatigue, anxiety and depression, and better subjective wellbeing, as well as improved physical health (*Making the most of people's green space: University of Exeter 2020*) see Figure 1.
- 2.3 Public Health Wales in *Green Space: Reduction of Health Inequities and Cost Effectiveness of Interventions* (2012) recommended that good spatial planning considers provision of green space, walkable environments and needs of disadvantaged groups. Planning for health with an equity focus, including health inequality impact assessments, should be the norm.



Figure 1: Making the most of people's green space: University of Exeter 2020

- 2.4 The Welsh Index of Multiple Deprivation (WIMD) is the Government's measure of relative deprivation. The index identifies areas with the highest concentrations of different types of deprivation (including income, health, education, see Figure 2). WIMD ranks areas from 1 (most deprived) to 1,909 (least deprived).
- 2.5 Those living in Denbigh Caledfryn ward, formerly Denbigh Upper/Henllan 1 are closest to the quarry.
- 2.6 In the 2019 WIMD this ward was within the 10% most deprived in Wales, ranking 171/1909. The green space around the quarry is a vital resource here to support mental and physical wellbeing. Planning for health would indicate that access to this green space should be preserved.
- 2.7 The proposal by the Appellant would remove irrevocably 50,000 m²(approximately 7.5 football pitches) of green space.
- 2.8 The access that remains would be detrimentally affected by noise, dust and industrial working, significantly reducing the amenity value and thereby accessible health benefits of this green space. Although the current footpath runs along the quarry boundary this area has not been worked for some time and is well screened from noise by a high mature hedge, and mature and ancient woodland. In addition, the new workings will be at the surface, much closer to the planned re-routed footpath and no adequate screening from sound and dust by vegetation will be apparent for up to 20 years.
- 2.9 Research from Natural England in 2016 (*Investigating the potential increase in health costs due to a decline in access to greenspace*) demonstrated the reduction in physical activity associated with green space loss could equate to around 374 deaths a year at an economic cost of £434m as well as an additional £23.6m cost to the NHS in life-limiting illness. Accessible green spaces therefore make a significant economic contribution.
- 2.10 The presence of trees plays a strong role in attracting people to use outdoor open spaces (*Benefits of green infrastructure: 2010*).
- 2.11 The proposed development would fell approximately 4000 trees at the site. This includes several veteran and ancient trees which are individually specifically listed in the Ancient Tree Inventory, and a tranche of woodland planted with support from Denbigh Civic Society. The Inspector should appraise these ancient trees on his visit.
- 2.12 Removal of this vast quantity of trees will further reduce the amenity value of this green space.
- 2.13 Planning Policy Wales is very clear on ancient trees that only very exceptional cases with significant public benefits may override the presumption against harm. The current application does not fulfil these criteria.

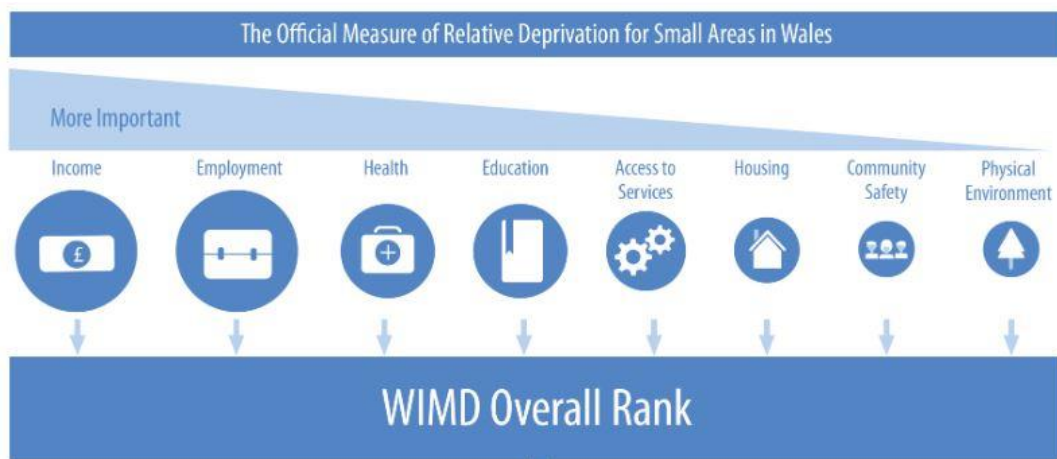


Figure 2: Welsh Index of Multiple Deprivation (<https://www.gov.wales/welsh-index-multiple-deprivation-index-guidance>)

Provision of green spaces

- 3.1 Denbighshire's Local Development Plan states in Objective 8: Public Open Space: *The LDP will seek to protect existing open space and ensure that new developments make an adequate contribution to public open space provision.*
Policy BSE 11: Recreation and Open Space: *Existing recreation, public open space, allotments and amenity greenspace will be protected and where possible enhanced. Development that would result in the loss of public or private land with recreational and/or amenity value will only be permitted where alternative outdoor provision of equivalent or greater community benefit is provided.*
- 3.2 The Green Space Index from Fields in Trust provides guidance on open space provision based on population. Their minimum recommendation is 2.4 hectares/1000 population. Wards achieving a Green Space Index (GSI) of 1 meet the recommendation.
- 3.3 The ward in the proposed quarry extension area is already well below the minimum of 1 with a GSI score of 0.28 – there is only 10m² of green space per person (see **Figure 3**)
- 3.4 The Denbighshire Open Space Assessment and Audit (2017) acknowledges clear county-wide deficiencies in provision of open space and a significant shortfall in accessible natural and semi-natural green space in Denbigh, particularly for children and young people.
- 3.5 The report reveals that over 70% of homes have limited access to these spaces, and nearly all lack proximity to larger, high-quality sites of 20 hectares or more, such as the Crest Mawr fields (approx. 40ha with public access). Additionally, over half of households have limited access to designated provision for children and young people.
- 3.6 The report highlights that informal, nature-based play is essential for young people's well-being but is constrained by the location, quality, and availability of suitable green space. These findings, supported by the Denbighshire Play Sufficiency Assessment, point to a clear need to improve functional and inclusive access to nature for younger generations in Denbigh.
- 3.7 As the current green space provision is so low it is imperative that the Inspector protects this amenity (Policy BSE 11) by preventing the removal of 50,000m² of green space.

Measuring usage

- 4.1 The Appellant's analysis of footpath use (*CD1.19 PS Appendix 6 - Footpath User survey*) is outdated by changed behaviour post pandemic. It is also likely their estimate may be a significant under-representation since it did not adjust for seasonality.
- 4.2 There are no details of the infra-red sensor used. Recent research indicates that some sensors can underestimate readings (by up to 4.65 counts/hour) when compared to manual counting (*Ryan and Benton 2023*). There can be no confidence in the data accuracy with no sensor details as it is not verified by manual counting (as is good practice in this sector).

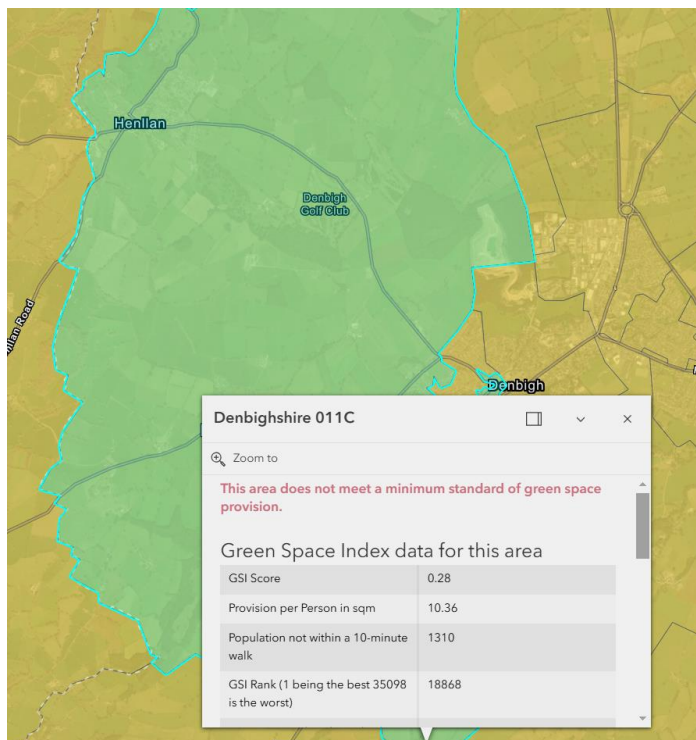


Figure 3: Data from Green Space Index: 2024

- 4.3 The data indicated up to 10,000 footpath users per year, extrapolated from readings in Sept/October 2019. The calculations do not apply any seasonality factors related to increased use of the outdoors during better weather.
- 4.4 The Met Office archival report for this period (*uk_monthly_climate_summary_201910*) indicates lower than average temperatures and sun, and higher than average rainfall. These factors mitigate against outdoor usage. Had the weather been average, footpath usage would have been higher.
- 4.5 Obtaining a true value for footpath usage requires monitoring across all four seasons for a minimum of 28 days per season. The scant data for a single 28 day period of poor weather cannot accurately represent the annual usage.
- 4.6 Figures from *Ryan and Benton* suggest a low annual estimate when autumn readings are extrapolated. My experience of the area is that from May to October there is a much higher usage beyond walking, including the running club, forest school and other leisure activities. This seasonal variation is backed up by *Sun, Liu and Song 2024*.
- 4.7 *Natural England's People and Nature Survey 2022* indicated nearly half of adults spend more time outdoors since the pandemic and, critically, 33% report visiting their

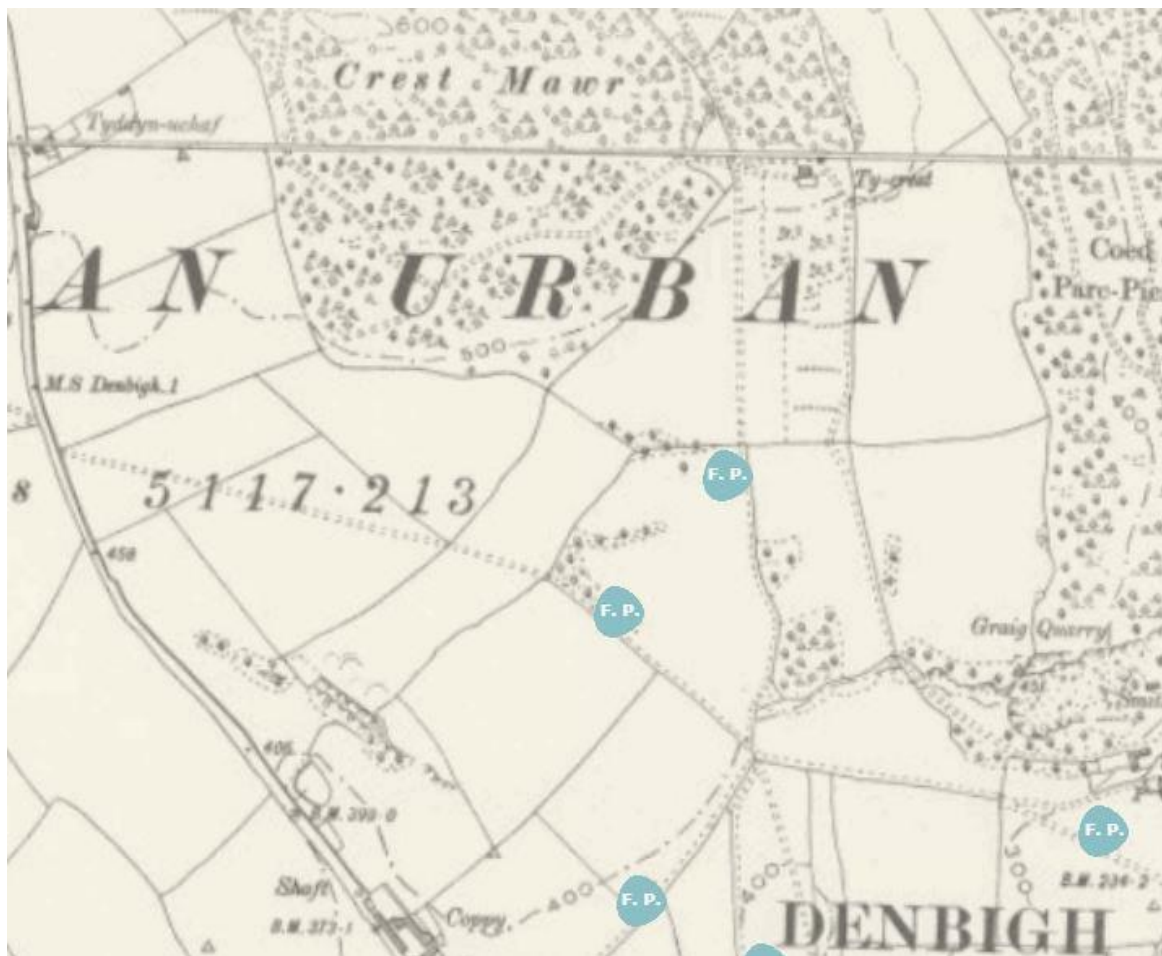
local green spaces more often. *Kiraz and Ward Thompson 2023* showed that the pandemic doubled use of local parkland.

- 4.8 Allowing for these changes, 10,000 estimated in 2019 is by now a significant underrepresentation of 2025 visits to this now critically at-risk amenity land. It is most likely to be double this estimate or more. Smoothing across the seasons could see 50 – 60 people per day using the path with numbers at weekends and in drier months much higher. That's around one person every 10 minutes.

Heritage and amenity value of ancient routes

- 5 The Appellant proposes severing a historic right of way leading from Denbigh towards Henllan (path 508/6). **Figure 4** shows a map from 1888. Footpath 508/6 in the centre of the map, a dotted track running North to South, FP designation, denoting a current right of way. Path 508/5 leading to Bryn Nefydd is on the left, running in a North Westerly direction from Denbigh, also with FP designation.
- 5.1 Both footpaths depart at the apex of Bryn Seion, a meeting point of 5 trackways on this old map, all persisting as rights of way today. The path to the East to Ty Crest (also a dotted track) is already lost to quarrying.

Figure 4: Ordnance Survey definitive mapping 1888 via ramblers.org.uk



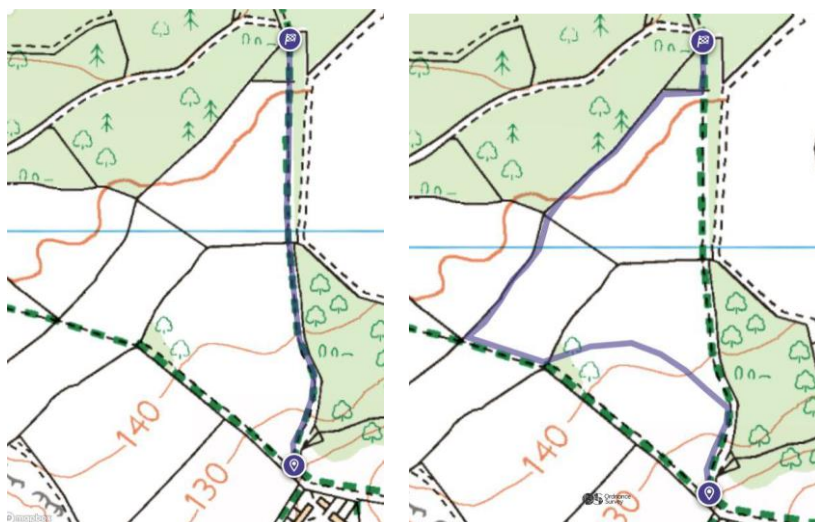
- 5.2 Footpath 508/6 continues along what is the current boundary of the Denbigh golf club and terminated at Chweffordd/Cae Drain. The path has since been diverted to Cae Drain Lane.

- 5.3 Chweffordd has been in continuous occupation since at least the early 1700s and for the Williams family who lived there from around 1704, this path would have been the quickest route to reach Denbigh. This route has heritage significance having been in continuous public usage for over 300 years.
- 5.4 Ancient footpaths are a material planning consideration especially where development would block, divert, or impact their setting or experience.
- 5.5 The route has amenity value of tranquillity, stunning views, providing a green transport route and being linked to a substantial local rights of way network.
- 5.6 Knowing and identifying with the heritage of our environment enables everyone to feel rooted in their communities and more likely to care for, protect and nurture the environment. Once the connection is broken by re-routing a footpath and digging up the land it once crossed, it cannot be repaired.

Health recommendations and achievements

- 6.0 Using path 508/6 it is possible, in around 15 minutes, to reach the restorative area of Crest Mawr Ancient Woodland from properties on the Bryn Seion Estate. This route requires no use of stiles, is suitable for those of limited flexibility and mobility. It is 570m long from the footpath junction north of Bryn Seion.
- 6.1 This is a reasonable route for a short walk at lunchtime, or a dog walk, and could be completed by most people. Current health recommendations are 150 minutes of walking every week. This equates to 30 minutes on 5 days which could be fulfilled by taking 508/6 to Crest Mawr wood and back.
- 6.2 The 'possible proposed' rerouting of this path (*M.18.155.D.007 Concept Restoration*) almost doubles the route to the wood to 980m (see **Figure 5**). The new route joins path 508/5 for a way before setting off in an Easterly direction again, sandwiched between a huge bund and the edge of Crest Mawr along a sunless canyon with no view at all. This utilises a stile as it joins 508/5 and it is uncertain how the subsequent field boundaries will be tackled. This therefore creates disamenity for the up to 20,000 users every year– rendering it impossible for a lunchtime walker to reach the satisfactory and refreshing terminus of the wood during their walk. It also makes it less likely that this walker will bother to engage with the health benefits of walking at all, since the satisfaction of reaching a destination will never be felt.

Figure 5: Left existing route, right proposed route



Footpath loss of amenity

- 7.0 The Appellant has indicated that an 'opportunity' will be provided to surface the revised footpath, suggested here will be a 'planning gain' by providing a surfaced path. The Appellant has also suggested that there will be a 'planning gain' by the 'new' footpath being afforded views of the castle.
- 7.2 The surfaced footpath is not clearly detailed and shown on the restoration diagrams and therefore cannot be guaranteed as a deliverable within the scheme. Thereby no planning gain is realised.
- 7.3 The 'surfacing' does not increase the amenity value of the footpath since it is unconnected to the routes used to access it. Walkers will still need to fight through the mud and stones of the Bryn Onnen access path and the muddy track connecting across the field eastwards to Barkers Well Lane and westwards to Henllan lane.
- 7.4 Surfacing all these paths would be inappropriate, bringing an urban feel to our rural fields. It would increase run-off and erosion of the surrounding land in wet weather and increase the possibility of flooding along Barkers Well Lane and Grove Road.
- 7.5 The surfacing will not increase access since there is no plan, agreement or suggestion to reduce the angle of the slope or remove stiles or provide wheelchair or buggy accessible gates. Therefore, wheelchair users and families with buggies will still be unable to access this green space. Currently the fields are also used by horses and there is no indication of how this will be accounted for in the design, as the surfaces would need to be durable under hooves. There is no planning gain from this surfaced path.
- 7.6 The claim of planning gain due to castle views is a specious argument. Footpath 508/5 already has views of the castle and the hills to the west of the town. And since many people walk up 508/5, across the field and down 508/6 the users of 508/6 already benefit from the castle view.
- 7.7 The amenity value of the combination of 508/6 and 508/5 will be significantly lower than the existing footpath layout and remove the current opportunity for several short circular routes within these fields which are widely used by walkers both with and without dogs. The satisfaction and value of circular walking is widely recognised and removing this possibility will be significantly detrimental to this green space amenity. Councils should be seeking to protect such routes.
- 7.8 According to *Section 119 of the Highways Act 1980*, before the County Council will consider an application to divert a public right of way it must be satisfied that:
 - *The diverted route must not be substantially less convenient to use than the existing route.*
 - *A diversion will not result in a negative effect on public enjoyment.*
- 7.9 The proposal to move the path will make it substantially less convenient for path users since it will take much longer to reach the objective of Crest Mawr woods or other land beyond it. This will discourage users wishing to take a short stroll.
- 7.10 The proposal to move the path will make it substantially less convenient for users since it will expunge all the existing available short circular loops around the fields. In fact no circular loops will be available since the land upon which they now stand will have been removed.
- 7.11 The proposal to move the path will make it substantially less convenient for regular path users. Denbigh Harriers regularly use this route for a 5km group run. This defined length of 5km on this route will no longer be available.
- 7.12 The revised route will have a massive negative effect on public enjoyment. There will be increased noise, dust and vibration for 25 years on this route until the quarrying is completed. Although the current footpath runs parallel to the quarry boundary no working has taken place on this aspect of the quarry for some time, there is a significant screening of trees, and the active site is well below the level of the footpath.

These factors serve to partially mitigate the noise nuisance on the current route. On the proposed new footpath none of this mitigation will be in place. This will be frightening and intimidating for footpath users and shred any semblance to a tranquil country walk. The inevitable clouds of dust will be injurious to the health of users, particularly those with pre-existing health conditions. Since the ward is amongst the most deprived in the country it is to be expected that there will be a higher percentage of local users who will have poor health already.

- 7.1 As footpath 508/6 exits the Crest Mawr wood in a southerly direction towards Denbigh the walker is afforded far-reaching stunning views across the northern and western part of the town and of the land and hills to the west and south-west of the town. In both winter and summer delightful sunsets can be enjoyed from this spot. This is one of the unique delights of this path so close to the town. This location should be visited by the inspector on his site visit.
- 7.2 If the proposed rerouting were to take place this view and sunset experience will be obliterated entirely, forever. Instead of enjoying an open vista, on exiting the woodland the walker will be confronted with a high bare earth bank initially and forced to walk down a narrow dark canyon experiencing significant noise nuisance from heavy machinery. Over the years that singular point of remembered vistas will become less and less attractive, hemmed in by the high earth bank, becoming more and more unstable and muddy underfoot due to the water pooling created by earth banks and the funnelling of all path users into the narrow corridor. In the wintertime it will become an unpleasant, extremely slippery quagmire which is a danger to all users. Any sense of enjoyment of this path that the public once derived will be entirely lost.

Conclusion

The Appellant's case to extend the quarry should be dismissed.

The local community is already deficient in green space. Further destruction of the natural green spaces close to one of Wales's most deprived communities will lead to even worse health outcomes and load costs onto an already struggling NHS. The suggested rerouting of the footpath creates disamenity for users, and the heritage value of the existing ancient route has not been acknowledged. Data collection to show footpath usage levels is flawed. There is no clear planning gain from the proposals. The irreplaceable habitat loss of ancient tress has not been properly assessed.

The above are material planning concerns and are supported by policy and published literature. Protection of green spaces, using planning to reduce health inequalities, enhancing heritage routes, preserving ancient trees and woodland and looking after the wellbeing of communities are all supported by planning policy and legislation.

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Denbighshire's Local Development Plan

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