

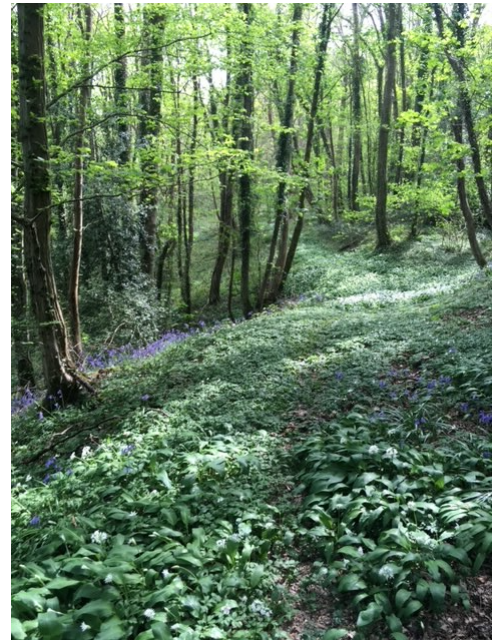


Community Objections

to the Concrete Crushing and Access Road Changes
proposed by Jones Brothers (Civil Engineering) Ltd subsidiary,
Seiont Ltd:
on the Seiont Quarry Site – Caernarfon :

*“Creation of new vehicular access and alteration to Waunfawr Road,
internal access road and use of land for storage purposes, recycling and
the export of finished material and products”*

Ref: C24/0297/19/LL



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APPENDIX 1 (Separate File) : *Community Objections to DNS - CAS-02628-Y1D2Z7 - Seiont Quarry Gas Peaking Plant*

1. Introduction

1.1. The Structure of this Objection Document

The following objection document is owned collectively by the community of residents and land owners closely affected by the proposals of Seiont Ltd (Jones Brothers) and by others more widely who are strongly opposed to them for a broad range of reasons.

The document comprises three parts:

2. **Detailed adverse analyses of elements in the proposals** – focusing principally on the most harmful impacts affecting the health and well-being of people and nature.
3. **Individual submissions and community concerns** – collected and collated from pre-application consultation responses, subsequent questions raised and expressions of concern.
4. **The Overall Objection** - which is concerned with the overall nature of the proposal and its heavy reliance on uncertain mitigation suggestions in defence of the application.

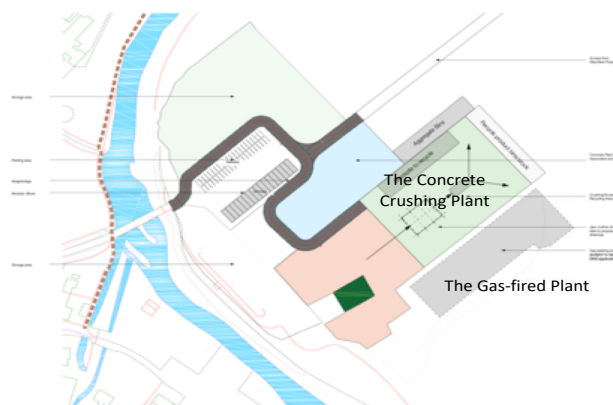
1.2. Application appraisal context in relation to Jones Brothers' *Gas-fired Peaking Proposal: DNS CAS-02628-Y1D2Z7*

Our objections to this set of proposals by Seiont Ltd (Jones Brothers) are compounded by the fact that it is **one of two proposed contiguous installations** on the same site.

We wish to stress that a vital consideration for the appraisal of this application (covering a concrete crushing plant and access road changes) must be its contextual connection with the other application: a DNS proposal, that has been submitted to PEDW, to install a **gas-fired peaking plant alongside the concrete crushing plant**.

Jones Brothers / Seiont Ltd representatives have insisted that their two applications, referenced above, in respect of the Seiont Quarry Site, are completely “independent” of each other; however, whereas they are being **submitted** “independently” and, from the prospective developers’ point of view, each development could proceed without the other, it is their declared intention to proceed with both developments if both applications are approved. **It is for that reason that the examination of each application should include a full appraisal of the implications of the other.**

Why these two polluting proposals should **not** be considered independently of each other



This is particularly important because the two proposals share many of the same polluting effects (*see sections 2.1.1 and 2.1.4 below*). If both were to proceed (which cannot be ruled out in advance of formal decisions, appeals and potentially judicial review of the decision on one or both of them), then **the combined, higher level pollution effects** would have to have been factored into the examination and final decision on each of them. For this reason, **although the two applications have been submitted independently of each other, they cannot and must not be appraised independently of each other**; the decision on each must factor in, and take full account of the potential impact of the other. We examine later, under *section 2.1*, the problem with ‘separating out’ the pollutants and failing to consider their compound effects.

For this reason, we are attaching to this document our Objection Document covering the DNS proposal (CAS-02628Y1D2Z7): ***Community Objections to the Gas-fired “Peaking Plant” proposals of Jones Brothers (Civil Engineering) Ltd on the Seiont Quarry Site – Caernarfon***. **The two sets of objections should be considered together** because our objections to the various polluting effects in each are the same and, **to avoid unnecessary repetition, we will refer throughout this document to the relevant arguments and evidence sources in the DNS Objection Document**.

1.3. **The Impact of the Concrete Crushing and Road Access Proposals in the context of the Well-being of Future Generations (Wales) Act 2015**

As with the appended DNS Objection Document we have structured these objections around the adverse impacts on the seven National Goals set out in the *Well-being of Future Generations (Wales) Act 2015*. Those Goals are enshrined in Law; they transcend the shifting political cycles and policy adjustments in Wales and the legislation requires all the public bodies named in the legislation (including Welsh Government itself and all of the Local Authorities) to:

“...act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs”

and to show their compliance in the application of the “five ways of working” set down in the Act:

- *Giving due consideration to the **long term effects** of their decisions;*
- *Acting to **prevent problems from occurring** (as opposed to adopting a “pollute first manage later” policy that underlies heavy reliance on “mitigation”);*
- *Considering how well **integrated** the goals and objectives that drive their decisions and action are with **Wales’ National Well-being Goals** (see below);*
- *Acting in **collaboration** with any other person (or different parts of their own organisation (e.g. public health and biodiversity colleagues);*
- ***Involving people** and ensuring that those people reflect the diversity of the area that they serve.*

Public servants and democratically elected representatives charged with decision-making in the case of the Seiont Ltd (Jones Brothers) submission, must do so in the interests of the health and well-being of their current and future citizens, and in the interests of the natural environment upon which all depend for their well-being. They must make their decisions in support of those interests, as opposed to the interests of the private profit of a single organisation.

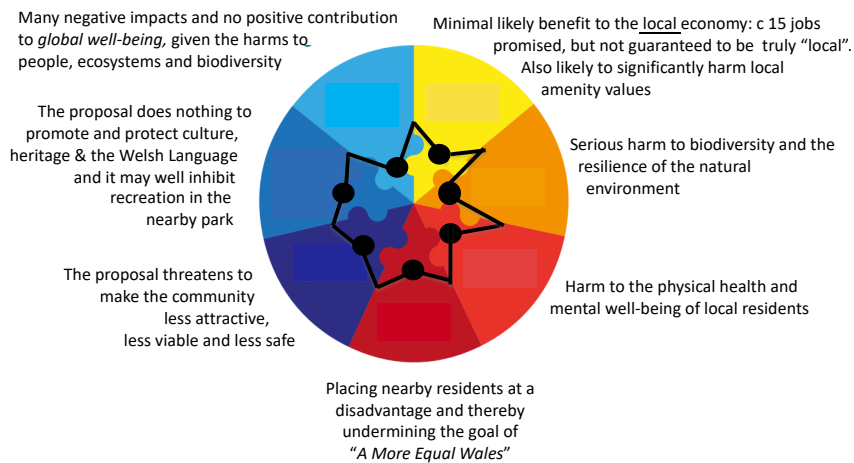
The place proposed by Jones Brothers for their two installations is in very close proximity to residential areas, a hospital and recreation facilities, as well as to natural ancient woodland and a river (both of very significant environmental importance).

The diagram in *fig. 2* illustrates, in a similar manner to that used in our objections to the Gas-fired peaking plant proposal, the adverse impacts that the proposed concrete crushing and access road proposals will have on the **seven Well-being Goals** laid down in the legislation (*fig.1*).

Fig. 1: The National Goals laid down in the Well-being of Future Generations (Wales) Act 2015

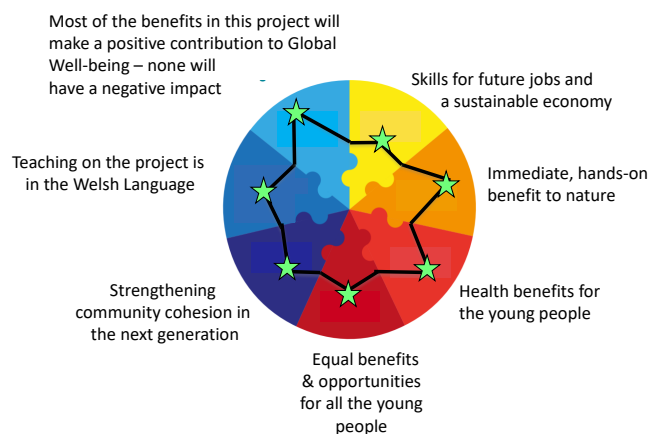


Fig. 2: Aspects of the Seiont Ltd proposal for Cyngor Gwynedd officers and Planning Committee members, bound by the well-being legislation, to pay careful attention to.....



And to make these adverse aspects of the Jones Brothers’ proposal clear, compare with a good project - e.g. proposing an ‘outdoor classroom’ for school children to do science field work, learn through conservation activity about protecting biodiversity and get fresh air and exercise; a project delivering varying strengths of positive impact on each of the seven National Goals.....

Fig 3: An example of a good project – contributing to the seven goals set in the Well-being of Future Generations (Wales) Act 2015.....



We, who are submitting these objections, are firmly convinced that the development proposed by Seiont Ltd (Jones Brothers) will have **many detrimental effects, both in the short and the long term**. We expect Cyngor Gwynedd Planning Committee and their officers, to abide by the legislation that binds them, to fully apply the five ways of working set down in the well-being legislation and to take “...***all reasonable steps (in exercising [their] functions) to meet.....objectives***” that **support achievement of the seven National Goals and do not adversely affect them**.

2. Detailed adverse analyses of elements in the proposals

This section details our objections to the Seiont Ltd. proposals in three areas of concern:

- **Concerns over multiple cumulative harms** resulting from proximity with the proposed Gas-fired Short Term Operating Reserve (STOR) ‘Peaking Plant’ installation (Ref DNS CAS-02628-Y1D2Z7)
- **Concerns relating to the concrete processing elements of the proposal:**
 - Air pollution by dust and particulates – *harms to people and ecosystems;*
 - Water and soil contamination from construction and concrete processing – *harms to ecosystems (and therefore ultimately to people);*
 - Noise and vibration - *harms to people and ecosystems.*
- **Concerns relating to the HGV transport and access road elements of the proposal**
 - Air pollution by particulates, dust and NOx - *harms to people and ecosystems*
 - Water and soil contamination from dust and “wheel washing” operations - *harms to ecosystems (and therefore ultimately to people);*
 - Noise and vibration - *harms to people and ecosystems.*

2.1. **Impact on People**

2.1.1. **Multiple cumulative effects from the two proposals for the site:**

This concern applies to all of those elements of pollution that are common to the two applications, in particular to the noise and to the air pollution, which is further compounded by the addition of “fugitive dust” from the concrete crushing proposal. Even if the most prominent pollutants were different in the two proposals (which, with the exception of the concrete dust, is not the case), the combined damage they cause to people and to nature will be greater overall. Two different irritants working simultaneously put more stress on living organisms and therefore, combined, have a more harmful effect than just one.¹ Jones Brothers and their consultants do not address this issue; they cover each of their pollutants separately and independently of each other.

As we have pointed out under 1.2 above, given the possibility of both of the two proposals being given approval to proceed, then the pollution levels from each must be fully assessed and factored into the appraisal of the other.

¹ Liess, M., Henz, S. & Shahid, N. Modelling the synergistic effects of toxicant mixtures. *Environ Sci Eur*32, 119 (2020). <https://doi.org/10.1186/s12302-020-00394->

Furthermore, **Welsh Government have clearly stated**, in section 4.1 of the recently published *Noise and Soundscape Plan for Wales*, the need to **consider noise and air pollution in terms of their combined effect**:

*“Concentrations of harmful substances and airborne sound waves are both attributes of our local air environment, indoor and outdoor, and local air quality and airborne noise problems and their solutions are often closely interlinked. **Road vehicle exhaust pipes and tyre/road interactions; aircraft in flight; diesel trains; extractor fans; construction; excavation; demolition; waste handling; industrial combustion sources; diesel generators; fireworks. All generate both forms of airborne pollution, and broadly speaking the air and noise pollution they generate affect the same human receptors, namely those who live their lives closest to the pollution sources. They can have a combined overall acute and chronic effect on those people’s health and well-being. Decision-making relating to one form of airborne pollution should therefore take account of the other whenever the two are linked, in order to maximise the well-being benefits of proposed interventions and avoid unintended consequences.”***

(our emphasis)

2.1.2. **Air Pollution** [For full evidence of the harmful effects of various air pollutants please refer to sections 1.1.1; 1.1.2; 1.3.2 and 1.3.3 in the main document: Community Objections to the Gas-fired ‘Peaking Plant’]

We are extremely concerned by what appears to be inadequate consideration of Air Quality and Dust Effects in the Scoping Opinion report of the North Wales Minerals and Waste Planning Service. The two and a half line opinion appears to have allowed Jones Brothers and their consultants to have **completely excluded air quality and dust considerations from their Environmental Statement.** That error on behalf of the Minerals Authority rests upon their acceptance of the position put forward by the prospective developers in their **EIA Scoping Report** (see section 2.1.3 below).

In our view, taking full account of the points raised in the following paragraphs along with the evidence supplied by local residents, this is completely unacceptable and should be the subject of much closer assessment by the Planning Committee and its Officers in their appraisal of the submission. We also note that no response to was given to the Scoping consultation by the Public Protection Service, which is concerning.

2.1.3. **Dust – and a plain lie about it on the part of Jones Brothers / Seiont Ltd**

In paragraph 3.1.2 of Seiont Ltd.’s *EIA Scoping Report*, **acceptance of which allowed air quality and dust to be scoped out of the Environmental Statement**, there is a **plain lie** (underlined in the extract below):

*“This site has operated under permission C17/00!!/19/MW throughout the bypass construction. **There have been no complaints of dust or particulates** and operations have satisfied all inspections by regulators including Gwynedd Council, NRW and internal company environmental audit procedures. There is no reason why this standard of operation would not continue”.*

It should be noted that the only comment that the North Wales Minerals and Waste Planning Officer made about this, in his very short *Scoping Opinion Report* entry, was that he generally agreed with the position “.....**albeit the need to consider the prolongment of the operations.**” Jones Brothers chose to ignore even that “need to consider” in their Environmental Statement and simply embraced the opportunity to scope Air Quality and dust right out of it. It is also worth noting the careless understanding of the nature of “particulates”, which, by virtue of their less than 2.5 micron size, are not likely to be the subject of complaint by ordinary, unsuspecting citizens.

We attach below a small selection of the extensive evidence we hold proving that the claim there had been “no complaints” about dust **is starkly untrue:**

Sent 20 April 2020 – Complainant ‘a’

Subject: re Bontnewydd Bye Pass

Dear Bryn

I have received an email from Rhodri Gibson who says it should be you that I should send this email to.

Since I have been in lockdown with the Coronavirus the lorries have been working the whole time on building the new road here. [...]

The doctors had to put me on very strong steroid medication which I have not had to go on before. The doctor also recommended I bought an Air Purifier. [...]

I would not have had to buy it, but for the dust coming from the road. Apparently these fans can be quite expensive to run and one's electricity bill can go up a lot.

It is bad enough putting up with all the noise and upheaval with the road, but for it to be affecting my health with all the dust, and making me buy extra things is way beyond what one should have to put up with. [...]

I have to have this fan on all night as I cannot open the windows because of the dust. Without the fan on, I start coughing again and my chest gets tighter and I cannot sleep. I am terrified of my asthma getting worse again like it was the other week. [...] I cannot go out to the garden either and if I do I have to wear a mask because of the dust.

These road works are really effecting my health and quality of life [.....]

Sent 25th April 2020 – Complainant ‘a’

Subject: Bontnewydd bye Pass

Dear Rhodri and Moira

It is Saturday morning and I thought great I can open the windows today as it is a weekend and go and work in the garden.

Instead of that, there are lorries working again today. They seem to be unsupervised and going much faster than usual.

They are creating so much dust with trails of dust behind and above the lorries. [.....]

You told me to contact Rhys Jones Brothers, but I have had no response from the texts or messages I have sent him for quite a while.

You are trampling over my rights to clean air and good health in this very difficult time of lockdown with no escape.

Please respond as soon as possible as I am getting so fed up with the lack of support we are getting as residents living near this road works.

Sent: 28 April 2021 20:38 Complainant 'b'

Dear Rhodri

Further to ongoing concerns regarding dust suppression management and impact, Erin visited [...] on Friday 23rd to monitor. I was invited to meet her and express my views as my property is immediately opposite the haul road [...] and exposed to clouds of generated by the heavy plant machinery and vehicles.

[...]

Also discussed was the vibration damage to my bedroom ceiling caused by the bypass operations and confirmed by Wayne Price of EWP Ltd [Evans Wolfenden Partnership Ltd structural engineers]

Erin returned on Monday 26th, accompanied by Bryn to further monitor when there was no activity on the haul road, no dust and the workforce was elsewhere, laying tarmac. When I explained it would be pointless to monitor Erin stated that the dust problem was not generated by the bypass operations but by Saharan dust clouds. Bryn added that the crack in my bedroom ceiling was caused by excessive heat and not construction vibration. This, the opinion of a man who has never set foot inside my property let alone examined the crack.

This kind of response is totally unacceptable.

Sent 7th February 2022 - Complainant 'c'

Subject: *'This Proposed Development' - Former Seiont Brickworks, Seiont Mill Road, Caernarfon, LL55 2YL*

Sioned,

I am a resident of Seiont Mill Road, [...]

During the construction of the Caernarfon bypass the company you represent has shown a complete lack of regard to the wellbeing, quality of life, and living conditions of the residents of Seiont Mill Road. I have suffered due to the constant large volume of heavy traffic speeding passed my property, prior to 7:00 and later than 18:00, ignoring the 18 mph road sign you have erected in sight of my kitchen and living room windows. The clouds of dust your vehicles produce when driving over your dirty road has limited the use I should be allowed to make of my back garden. The dust created makes us cough if outside in the back garden, it soils our clothes on the washing line, soils the garden furniture, soils the windows, and soils the property itself. The constant noise is an unwanted intrusion into my private space. You have made living at Seiont Mill road quite miserable. I am very disturbed with your latest proposals. The future looks bleak for the residents of Seiont Mill Road.

The blatant disregard shown by your menacing speedy employees to pedestrians on Seiont Mill Road has made walking the road an unpleasant and unsafe experience. The damage caused to the bridge and surrounding walls adjacent to the park has been an unwelcome effect of your use of Seiont Mill Road. [...]

Sent 20th February 2022 - Complainant 'd'

Signed

[...]

Jones Bros have completely disregarded, and haven't even attempted to alleviate, the misery caused to the residents of Seiont Mill by their presence at the former Seiont Brickworks. The estimated traffic statistics submitted with the original planning was a complete joke, to say the least, which resulted in Jones Bros totally disregarding residents' health, safety and well-being by allowing heavy plant, HGVs and vehicles to freely use Seiont Mill Road, without any monitoring.

Jones Bros have totally violated our homes and lives by limiting how we can actually live in our own homes! We haven't been able to freely open our windows to air the house without the dust coming into the house, enjoy sitting out in our gardens without having to breathe in the dust and be affected by the noise and vibration of passing vehicles, walk along Seiont Mill Road safely and not have to step into mud to make way to the streams of traffic passing, our cars remaining clean longer than a few hours after being washed.....this is just a handful of examples, the actual list is endless.

We also hold ample photographic evidence of the dust generated that Jones Brothers claimed no one complained about.....



Photos of dust inside a house on Seiont Mill Road taken during bypass operations

2.1.4. Cumulative effects of air pollutants from the two proposed developments

In the *Environmental Statement (non-technical summary)* provided in the Seiont Ltd pre-consultation documents, the issue of “cumulative effects” is ostensibly covered in *Section 13*; it claims that the potential for cumulative effects has been “**considered methodically**”. This claim indicates **a chosen approach that has allowed the need for a genuinely thorough and comprehensive examination to be glossed over...** Table 2 under 13.2.3, which lists the framework for the alleged “methodical consideration”, **shockingly, does not include any mention of air pollution from NOx, PM2.5 and other air pollutants from the two proposals**, except under item 8, “*Ecology and Nature Conservation*”, which claims that the STOR Application and the concrete transport and processing in the second application “generate different emissions to the air” – a very misleading assertion (*see our point and footnote above under section 2.1.*). In fact the generation of NOx and PM2.5 by the high daily volume of HGVs proposed will undoubtedly add to the emissions of NOx and other pollutants from the proposed gas-fired peaking plant. **It is also a stark omission that nowhere in this table, or elsewhere, is there any mention of the combined effect of air pollution (NOx, PM2.5 and fugitive dust) from the two proposals on people!** As highlighted in sections 2.1.1 and 2.1.2 above it has been possible for Jones Brothers to get away with this extremely serious omission on the back of a lie about there being no previous complaints, a lie that allowed the Minerals Authority officer to scope out air quality in his scoping report.

“Air Quality” is mentioned under “General Amenity” in the earlier *EIA Screening Opinion* provided by Cadnant Planning in the pre-consultation material. No specific mention is made in this section of the health impacts on people of NOx and PM2.5. The Screening Opinion is based on the UK’s *Design Manual for Roads and Bridges (DMRB) Guidance*. “LA105”, referred to in this section, aligns with an EU Directive amended in 2014. Whereas it may be perfunctorily viewed by decision-making authorities as acceptable for the applicant to have

based their assessment on the DMRB Guidance, the latest updates to that guidance do not take account of the latest research on the risks of PMs and their sources.... **Particulates are not only generated in exhaust emissions**, which are a passing focus in Jones Brothers' efforts to get air quality excluded from their Environmental Statement; **Non-Exhaust Emissions (NEE)**, now considered potentially more harmful, are not even acknowledged by Jones Brothers in their application documents.

2.1.5. Particulates pollution – PM2.5

Among the different types of air pollution, PM2.5 kills the most people worldwide. It consists of particles smaller than approximately 2.5 microns – so small that billions of them can fit inside a red blood cell. According to the UK Gov website² (*our emphasis*):

*“Due to the small size of many of the particles that form PM some of these toxins may enter the bloodstream and be transported around the body, lodging in the heart, brain and other organs. Therefore, **exposure to PM can result in serious impacts to health**, especially in vulnerable groups of people such as the young, elderly and those with respiratory problems.....”*

*“Both PM and precursor pollutants that can form it **can travel large distances in the atmosphere**.....*

*“around half of UK concentrations of PM come from anthropogenic sources in the UK” including “**tyre and brake wear from vehicles**”.*

*“**most PM emissions from road transport derive from non-exhaust emissions**, which alone contributed 15 per cent of total PM2.5 emissions and contributed 14 per cent of total PM10 emissions in 2022.”*

According to the report on a recent study in Illinois, USA, led by civil and environmental engineering professor [Vishal Verma](#)³ ,

*“...chemical reactivity, seasonality and distribution of airborne particulate matter are critical metrics when considering air pollution's impact on human health. **Current environmental regulations focus on the mass of pollutant particles, and researchers [...] are pushing to refocus regulatory efforts on more regional and health-relevant factors**”. [our emphasis]*

They found that:

*“**measuring the mass concentration of PM2.5 – particles that are 2.5 micrometers in diameter or smaller – does not correspond well with current methods for classifying particle toxicity**. [...] Additionally, the researchers found that **PM2.5 exposure may be just as hazardous in rural areas as in urban areas** – evidence*

² <https://www.gov.uk/government/statistics/emissions-of-air-pollutants/emissions-of-air-pollutants-in-the-uk-particulate-matter-pm10-and-pm25>

³ <https://news.illinois.edu/view/6367/13739985>

that challenges a common misconception that air pollution is more toxic in urban areas than in rural areas”

This research is starkly at odds with the current note in the UK’s DMRB (2.21.4):

“NOTE - There are very few areas in the UK outside of London that exceed the air quality thresholds for particulate matter (PM10 or PM2.5).”

We also believe that the DMRB Guidance does not take proper account of **Non-Exhaust Emissions (NEE) from Road Traffic** and we can find no evidence in the assessments and statements provided by Jones Brothers that they have factored in this extremely important source of PMs. **A Report for DEFRA on NEE⁴**, by the *Air Quality Expert Group (AQED)*, highlighted the importance of this source of PMs and, because of its relevance to the very **high and enduring volume of HGV transport involved in the Jones Brothers’ proposals**, we include extracts and references from it below. These speak for themselves in terms of the risks posed and the inadequacy of the current guidelines upon which the Applicant has chosen to rely. The authors of the DEFRA report, quoted below, present evidence that the NEE elements from tyre and break wear are particularly high from HGVs and that an *“important underlying factor that has a direct influence on NEE is vehicle mass “* They also note that:

*“On the basis of current emissions inventory estimates and toxicity evidence, **non-exhaust particles from the UK road traffic fleet should be considered as potentially having a greater public health impact than the exhaust particles”**.*

*“In contrast to vehicle exhaust emissions, **road-traffic non-exhaust emissions are currently subject to almost no type approvals and regulations”**.*

*“**Mitigation strategies for ambient particle concentrations derived from NEE include the following:***

- o **The most effective strategies to reduce NEE relate to traffic management: reduce the overall volume of traffic; lower the speed where traffic is free-flowing (such as trunk roads and motorways); and promote driving behaviour that reduces braking and high-speed cornering.***

[.....]

- o **Reduce the material that is tracked onto public road surfaces as a result of vehicle movements in and out of construction sites, waste-management sites, quarries, farms, and similar.***
- o **Wash and sweep streets and/or treat street surfaces for dust suppression; it is noted, however, that impacts on airborne PM from trials of these approaches have so far proven inconsistent and any benefits have been short-lived in nature.”***

⁴ https://uk-air.defra.gov.uk/assets/documents/reports/cat09/1907101151_20190709_Non_Exhaust_Emissions_typeset_Final.pdf

When the UK Government was consulting on targets for PM2.5 reduction, the *Royal College of Obstetricians and Gynaecologists* raised serious concerns that:

“UK Government must stop ignoring impact of air pollution in pregnancy and set air quality targets which protect the health of future generations.”

“Air pollution exposure during foetal development and early childhood can have long-term impacts on health in childhood and beyond. Air pollution exposure may also increase risks for maternal health, and has been linked to increased risk of pre-eclampsia, a serious cardiovascular condition of pregnancy”.

An earlier research Paper by UNICEF, *A Breath of Toxic Air: UK Children in Danger*⁵ notes that:

*“While significant progress has been made in the UK to tackle air pollution, this has tended to focus on lowering vehicle emissions **to reach legal limits rather than reducing the exposure of vulnerable populations**”.*

With these points in mind, in the context of Jones Brothers’ concrete processing and road access proposals, it should be noted that any health benefits to people that might be expected from the **cycle path**, seemingly offered to the Council as a “sweetener” by Jones Brothers, **will be seriously undermined and counteracted by the highly toxic NEE deposited by their continuously heavy HGV traffic**. The NEE and exhaust pollution caused by those lorries will present a serious risk to the health of adults and children using the cycle path as well as to local residents.

2.1.6. **“Pollute first and manage later” may prove to be a culpable decision.....**

Given the points above and evidence provided, we maintain that the Cyngor Gwynedd Planning Authority should **seek assurance over and above technical compliance with DMRB Guidance** (which should also be carefully checked) and should secure independent academic advice on the recent research findings that we have highlighted above and their relevance to the application in question. Failure to do so will be a failure to give due and proper consideration to an aspect of Jones Brothers’ Application that is of critical importance to the health and well-being of the local community and its environment.

Along with the Developers themselves, any decision makers who have been involved, in any way, in the decision to allow the “scoping out” of air quality from the assessment of this concrete processing and access road change application will be culpable if the proposals are given approval and the levels of pollution under local conditions are subsequently found to be harmfully impacting people and ecosystems in this place. Estimated marginal compliance with national guidelines that are undermined by recent evidence and proven in the field to be wrong when operations begin, will not be an excuse, **since we are making them aware of this issue and they will have chosen not to examine current evidence and take account of it.**

⁵ <https://www.unicef.org.uk/publications/child-health-breath-of-toxic-air/>

2.1.7. **NOx Emissions from the proposed high daily transit of HGVs**

According to a **DEFRA Air Quality Report**⁶:

“Whilst there has been considerable success in substantially reducing exhaust emissions of pollutants such as carbon monoxide (CO), hydrocarbons (HCs) and particulate matter (PM), exhaust emissions from ICE [diesel and petrol] vehicles remain a major source of nitrogen oxides (NOx)”

We have covered extensively in the main document sections 1.1.1; 1.1.2; 1.3.2 and 1.3.3 the harmful effects of NOx. Given the fact that, despite current day engine improvements, higher NOx emissions will undoubtedly result from the transit of c 120 HGVs per day on the approaches to the site and on the site itself, those emissions must be factored in to the total levels of air pollution to be generated by Jones Brothers’ (Seiont Ltd’s) proposals and by their proposals for a gas-fired peaking plant on the same site.

As indicated in sections 2.1.1 and 2.1.4 above, the combined and cumulative effect of all of the air pollutants will be an unacceptable source of harm to our community and their environment.

2.1.8. **Noise and vibration**

The harms caused by noise and vibration are serious concerns for both people and wildlife ecosystems. They are covered extensively in section 2.3.1 below and section 1.1.3 in main document.

2.1.9. **Issues with *ITP Energised’s* Noise Impact Assessment and the use made of it by Seiont Ltd:**

- i. **The soon-expected revisions to TAN11 Guidance are acknowledged but ignored by Seiont Ltd’s consultants, *ITP Energised*, who simply state that the current 1997 version of TAN 11 “remains the applicable guidance”.** New legislation: *The Environment (Air Quality and Soundscapes) (Wales) Act 2024*⁷ is now in place, a new *Noise and Soundscape Plan*⁸ has been published and **revisions to TAN11 are imminent**, following completion of the consultation on the 20th January 2024. We believe that Cyngor Gwynedd Planning Committee and its Officers would be falling well short of their duties to local citizens, if they allowed this Application to pass on such a finely timed technical compliance, without requiring the Application to be judged against newly invoked standards.
- ii. **There are just two references to the movement of lorries in Seiont Ltd’s commissioned Noise Assessment (3.2.4 and 3.2.6) and those appear to be focused on lorry movements on the site itself, i.e. not on the approach roads.** Traffic Noise on the approach roads should be factored into the cumulative noise impacts of the two developments planned for the site.

⁶https://www.pure.ed.ac.uk/ws/portalfiles/portal/321779417/2112201014_1272021_Exhaust_Emissions_From_Road_Transport.pdf

⁷<https://www.legislation.gov.uk/asc/2024/2/enacted#:~:text=An%20Act%20of%20Senedd%20Cymru,Wales%3B%20and%20for%20connected%20purposes.>

⁸ <https://www.gov.wales/sites/default/files/publications/2023-11/noise-and-soundscape-plan-for-wales-2023-2028.pdf>

- iii. **The World Health Organisation (WHO) guidelines** for community noise recommend less than 30 dB(A) for a sleep of good quality and less than 35 dB(A) in classrooms to allow good teaching and learning conditions. The WHO guidelines for night noise recommend less than 40 dB(A) of annual average (L_{night}) outside of bedrooms to prevent adverse health effects from night noise. **All of these levels are well below the level of cumulative noise impacts predicted in the Jones Brothers' own commissioned Noise Assessment Document⁹** (see section 2.3.1 - fig 4 below). **Furthermore, it should be noted that night shift workers, infants and toddlers, elderly people and patients sleep during the day; so fine distinctions between "acceptable" day-time and night-time noise are not appropriate.**
- iv. The *ITPEnergised* Assessment does not consider, or mention at all, the specific impacts of **vibration, as distinct from noise**. The types of machinery to be used for the various on-site operations, along with the transportation of high tonnage loads, will unquestionably cause **on-ground vibration across the surrounding area, with public health and ecosystem impacts as serious as the chronic noise levels already covered above.**

There is also a risk of **structural damage from vibration** to properties in the area. And careful note should be taken of the **evidence presented by 'Complainant b' in section 2.1.3 above, concerning vibration damage to her home** in addition to the dust generated during the Bypass operations. *ITPEnergised* do not cover at all in their report the need for **vibration measurement (Peak Particle Velocity - PPV) and impact assessment (Vibration Dose Value - VDV)** in relation to the Applicant's proposed equipment, processing plant and transportation vehicles. Vibration from heavy industrial processes and associated transport is not only a risk to ecosystems and biodiversity (*see section 2.3.1 below*), but also to the health and well-being of people. **According to BSI 6472-1-2008¹⁰**, "*...vibration in buildings can be detected by the occupants and can affect them in many ways; their quality of life can be reduced, as can their working efficiency.*"

Vibrations as they affect people can be classified usefully according to a combination of descriptions:

The time history of the vibration input to the subject can be:

- *continuous;*
- *intermittent; or*
- *occasional.*

And each of those categories of time history can have one of the following characteristics of vibration:

- *constant amplitude;*
- *variable amplitude; or*
- *impulsive.*

Because of the multiple sources of both noise and vibration in Jones Brothers two proposed developments, we have good reason to believe that combinations of all of the above vibration exposure variables will apply to the way people in proximity to the site will be affected.

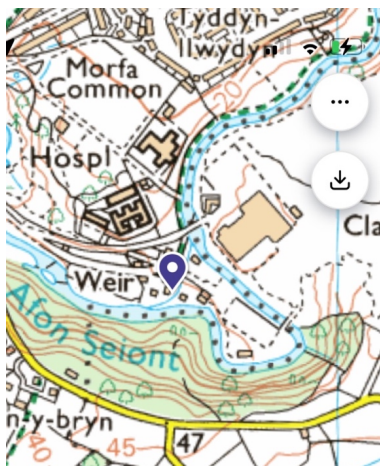
⁹ *ITPEnergised Noise Assessment p 4.3 - tables 8 and 9*

¹⁰ <https://knowledge.bsigroup.com/products/guide-to-evaluation-of-human-exposure-to-vibration-in-buildings-vibration-§>

v. **The ITP Energised Assessment also does not consider at all the effects of noise and vibration on wildlife ecosystems and biodiversity** (see section 2.3.1 in this document and sections 1.1.3 and 1.3.2 in the main document). *Eco-scope*, Jones Brothers' environmental consultants, refer briefly (in p 5.3.2 of their report) to the *ITP Energised* report; but that is only in relation to potential noise impacts on Bats. *Eco-scope* do not consider at all the impacts of noise and vibration on all of the other species to be found in and around the site. Given the points covered above and below (in this section and section 2.3.1), and the requirements in *Planning Policy Wales (PPW)* for net benefit to biodiversity (NBB) (see section 1.3.8 in the main document), **this is an unacceptable omission**. Had proper attention been paid to the issue, the owner of the woodland, *Allt Rhyddallt Bach*, would have expected a Noise Sensitive Receiver (NSR) point to be positioned across the river in her woodland, where diverse wildlife is currently abundant; furthermore, **very different tolerance parameters would apply to wildlife receptors**.

vi. **ITP Energised selected just three noise sensitive receptor (NSR) points for their assessment:**

NSR1 - "Residential property": This was in *Seiont Mill Road*, which will be subject to noise from HGV transits as well as from the plant installations proposed in the two applications for the site. Noise from access road transport has not been factored in to the *ITP Energised Assessment*



NSR2 - The Hospital: This NSR was not placed at the nearest point of the Hospital to the site of the installations; the nearest point is closer than NSR 3, where possible noise exceedance was plotted – see notes below on NSR3.....



NSR3 - “Residential property”: This NSR has been identified in the ITP Energised Report as a **point of possible exceedance** of acceptable noise criteria, when the Gas-fired STOR is also operating. This led to the assertion that the Applicant will commit to “mitigating” cumulative noise impact by means of a “Noise Management Plan”. We have highlighted the issues with unreliable “mitigation” in Section 3 of in the main document, and effective mitigation of Noise is particularly problematic..... It should also be noted, as highlighted above, that a more appropriately placed NSR for the Hospital would, almost certainly show an exposure to the same, if not worse exceedance as at NSR 3.



- vii. **There is reliance on an extremely fine margin of error highlighted in section 4.3 of the ITP Energised report**, where the comparisons between *Criterion* and *Predicted* Levels of noise set out in the concluding Table 9 (see fig 4 below), show **“compliance” is being claimed on a margin of just -1 dB** (negative and zero values in the *Comparison* column are said to indicate “compliance”). Given the nature of the assessment carried out and the issues with it that we have highlighted above, **this is not a margin of potential error that Cyngor Gwynedd officers and elected representatives should rely upon.**

Fig 4

Evaluation of Cumulative Noise Impacts of Proposed Plant and STOR

NSR ID	Criterion level, dBL _{A90} + 5 dB	Predicted level, dBL _{Aeq,T}	Comparison (predicted minus criterion), dB
NSR1	49	48	-1
NSR2	49	48	-1
NSR3	46	48	+2

- viii. **Referencing in the Conclusion section of the *ITPEnergised* report is misleadingly worded and has the effect of a serious apparent ‘sleight of hand’.....** *ITPEnergised* state in p 4.3 of their report (and reiterate in their *Conclusion*) that because the STOR Plant will not be operating continuously and the concrete processing plant will also “*not operate continuously*”, the cumulative exceedances found at NSR3 “*are expected to be rarely experienced*”. They substantiate that statement by reference to “discussion” in the previous section (4.2), which in fact is no more than reference to the Applicant’s own statement that “*crushing, screening and batching operations*” would “*not necessarily*” be “*simultaneous*”. Clearly this “discussion” in 4.2 is nowhere near as firm a reassurance that the cumulative exceedance at NSR3 (and no doubt many other unexamined NSRs) will be “*rarely experienced*”.
- ix. Given the shift, highlighted above, from “not necessarily” simultaneous impacts to “rarely experienced” ones, the **reliance placed on noise “Mitigation” is a serious weakness in the *ITPEnergised* conclusion.** The consultants state in p 4.3 of their report:

“to additionally mitigate these [rare] impacts, the Applicant will commit to produce a Noise Management Plan for operation of the batching plant and crusher/screen, indicating methods for deploying the best practicable means to control noise emissions.”

Of course the mere ‘production’ of a “noise management plan” that ‘indicates’ ways in which ‘practicable’ methods could be used to mitigate noise, is **very far indeed from actually committing to design and implement truly effective and acceptable noise control; given the flaws we have outlined above, we do not believe that is possible.**

We, the Community, have set out extensively in Section 3 of the main document, attached below, our position on the potential acceptance of ‘mitigation’ measures offered by the applicant as grounds for approval. We have exposed above, the frailness of the assurances in the *ITPEnergised* Assessment, notwithstanding which, where the health and well-being of the community and its environment is concerned, the acceptance of highly questionable ‘mitigation’ measures would be completely unacceptable.

2.1.10. Multiple noise sources:

Indicative noise emissions from typical on-site equipment are as follow:

- | | |
|---|--|
| i. Crusher Unit - Metso Lokotrack LT106 | 85dBA @ 25metres
65dBA @ 250metres
60dBA @ 400metres |
| ii. Scalping Screen - Lokotrack ST2.3. | 85dBA @ 25metres |
| iii. Dumper truck - 5t | 99dBA @ 5metres |
| iv. Dozer. | 104dBA @ 5metres |
| v. Excavator jcb. | 96dBA @ 5metres |
| vi. Articulated dump truck | 105dBA @ 5 metres |

Noise additional to the processing operations themselves

In addition to the types of equipment listed above, there will be near constant movement and manoeuvre of heavy vehicles loading and unloading bulk mineral loads of various sizes and textures leading to continuous high average and peak noise levels. The processing of the bulk materials, particularly the use of the crusher and scalper together, will exacerbate the general industrial cacophony.

Furthermore, there will be additional **noise from work carried out on various types of plant brought in from other sites for maintenance**, such activity, which is referred to in Jones Brothers *Design, Access and Planning Statement sections 1.1, 1.2 & 3.2* will not only generate additional noise from the extra heavy traffic flow, but will undoubtedly generate additional levels of machine noise such as drills, grinders etc.

In addition to all of the operational noise from the site, the on street noise levels at and around the site, extending deep into the residential areas, will be (as they have been during bypass operations) unacceptably high. A brisk Easterly wind will further increase the noise levels downwind, straight into the face of the Hospital 150 metres from the site.

This same breeze will ensure similar elevated noise levels from the site itself and will permeate the residential areas at some 200 metres away.

2.1.11. More transparent Assessment of Noise Impacts should be carried out...

Before considering approval of the Application, Cyngor Gwynedd Planning Committee and their officers should require the production of clear path loss figures between various locations on the site and the local residences. Such figures will give better transparency and prevent obfuscation on the part of the Applicant and its consultants through the use of selective parameters entered into the *CadnaA* modelling software.

A polar plot with the site as centre, path loss at a range of frequencies and radials at 20 degrees out to a distance of 1km is a reasonable requirement given the potential impact on this populated residential area.

On-site emitters at known levels can be placed at source and multi various locations can be chosen to directly measure the received sound level to give clarity.

Such path loss examination would provide a far more reliable picture of the true noise effects of the proposals than the inadequate three NSRs used in the *ITPEnergised Assessment*.

At the very least, *ITPEnergised* should be **required to make public the full modelling parameters applied in their assessment** and an independent check on their appropriateness should be commissioned by Cyngor Gwynedd.

Whereas the LPA's previous approvals for this site may have assumed that local residents could and would tolerate the 'temporary' noise and dust insult to their environs during the bypass construction, the permanent challenge, in this proposal, to their health, their properties and their environment should not and will not be tolerated.

2.1.12. Transportation issues and access to the site

There is widespread concern on the part of local residents and those living in surrounding communities, including the town itself, about the impact of significantly increased levels of highly polluting HGV and other traffic associated with the proposed development. In particular, people have no confidence in the claims that Jones Brothers have made about the likely routes that site traffic will take when travelling from different directions.

This issue is very well covered in a substantial item posted by a resident on the Cadnant portal during the pre-application consultation and *included below in Section 3 of this document*. The resident had the opportunity to question a Jones Brothers representative very closely on the matter at the ‘open engagement’ event that they hosted last November. Her questioning led to the admission that drivers coming from the Porthmadog / Pwllheli direction, and beyond, were indeed likely to choose access through Seiont Mill Road; although, said the representative, they would “be discouraged from doing so”; **that is far from being an acceptable level of assurance for residents or for Cyngor Gwynedd.**

The unsuitability of the road, which includes a Grade II listed Bridge, is well illustrated in section 2.3.4 below.

2.2. Impact on the Economy

2.2.1. Market Demand

There can be little doubt that the recycled concrete market is experiencing a rapid expansion. A recent 2024¹¹ analysis of the global market states:

“A surge in demand for sustainable alternatives underscores a seismic shift and consumer consciousness towards eco-conscious choices”

No doubt Jones Brothers Ltd had this rapid market expansion in mind when they decided to apply for permission to build an installation on the Seiont site; however they should perhaps have noted that, according to the same market analysis, the market in Europe is now challenged with “saturation”:

Global Recycled Concrete Market Regional Analysis

North America:

- Major Players: United States, Canada
- Strengths: Robust economy, technological advancements, strong consumer base with high purchasing power
- Opportunities: Innovation, market leadership, consumer demand
- Challenges: Competition, regulatory environment

Europe:

- Major Players: United Kingdom, Germany, France, Italy
- Strengths: Mature market, well-established infrastructure, consumer preferences
- Opportunities: Market stability, brand recognition, innovation
- Challenges: Saturation, regulatory compliance

Asia-Pacific:

- Major Players: China, Japan, India, South Korea
- Strengths: Rapidly growing market, large population, rising disposable income, urbanization
- Opportunities: Expansion, market penetration, diverse consumer base
- Challenges: Cultural differences, regulatory complexities

¹¹ https://www.marketresearchintellect.com/download-sample/?rid=458694&utm_source=Pulse&utm_medium=017

It is true of course, that the argument for production near local market demand is always a strong one where carbon footprint is concerned. However the **sustained** local demand for crushed concrete in our area **has not been sufficiently evidence by Jones Brothers** and it is worth noting that *Heidelberg Materials*, who acquired *Hanson Ltd* and are one of the major global competitors in this market do not supply recycled concrete through of their outlet in Gwalchmai on Ynys Môn.

Another factor that Jones Brothers do not appear to have considered when they chose their site is that, according to the market research quoted above, unsurprisingly the **consumers for these products are motivated by concerns about the Climate and Nature Emergency**; therefore the provenance and site of manufacture of the material they are seeking to buy, and the impact of that manufacture, will be of the utmost importance to them. As we have shown in this document, the harmful impacts of the proposed product manufacture, in the location chosen by Jones Brothers, will be highly unacceptable to the kind of buyers described in the market analysis.

Jones Brothers' claims about local market need should be carefully examined, given the points above, and given, also, the nature of recycled concrete and its limited range of uses (i.e. more for substrate than construction). Officers examining market demand claims should first seek to verify the claims and then weigh any truly verified demand very carefully against the adverse resource use and climate change impacts of the processing involved, as well as its local polluting effects, which must be a deciding factor.

Recycled aggregate concrete (RAC) has reduced mechanical properties and durability compared to conventional concrete¹². According to a Science Direct reference¹³

"...the inferior properties of recycled aggregate concrete are a big hurdle in replacing the natural aggregates with recycled aggregates. Currently, the structural applications of recycled aggregate concrete are quite limited."

To overcome this problem, cement is added in larger quantities, which ultimately adds to the environmental cost of production.

2.2.2. Employment claims and impact on local amenity values

It is claimed that around **15 jobs** will be created by the proposed concrete operations, but from questions put to Jones Brothers representatives at their last public session, **it is by no means certain that these will be truly additional and filled by local people. Many more local jobs could be created in the remediation of the site for better purposes.**

Also, with good reason given the issues raised in this document, **local residents are deeply concerned** about the impact of the proposed developments on **amenity values** in their area.

¹² Pavlů T, Pešta J, Vlach T, Fořtová K. *Environmental Impact of Concrete Slab Made of Recycled Aggregate Concrete Based on Limit States of Load-Bearing Capacity and Serviceability-LCA Case Study. Materials (Basel). 2023 Jan 9;16(2):616. doi: 10.3390/ma16020616. PMID: 36676352; PMCID: PMC9863802.*

¹³ [https://www.sciencedirect.com/topics/engineering/recycled-concrete-aggregate#:~:text=Recycled%20aggregate%20concrete%20\(RAC\)%20is%20an%20alternative%20to%20using%20natural,low%20-%20below%20few%20per%20cent.](https://www.sciencedirect.com/topics/engineering/recycled-concrete-aggregate#:~:text=Recycled%20aggregate%20concrete%20(RAC)%20is%20an%20alternative%20to%20using%20natural,low%20-%20below%20few%20per%20cent.)

2.3. Impact on the Environment

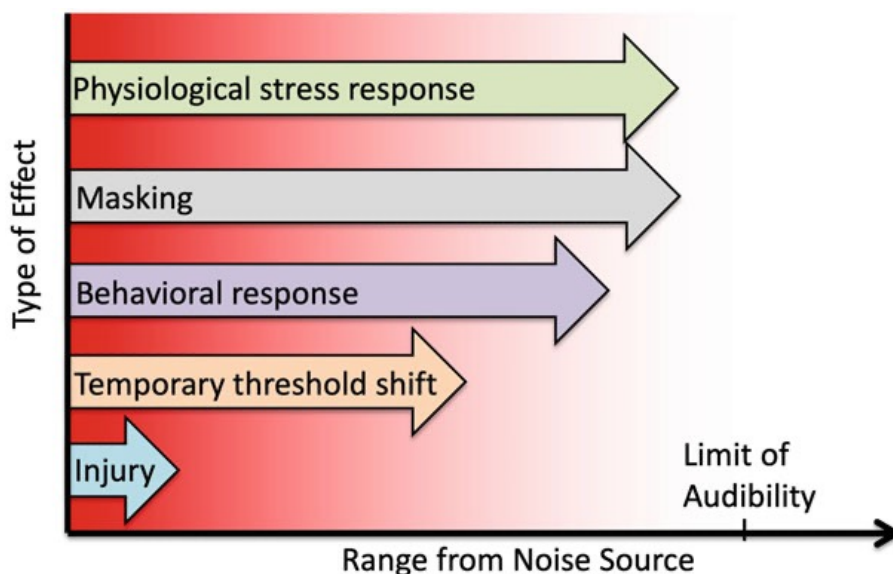
2.3.1. Impact of Chronic Noise and Vibration Pollution on Wildlife Ecosystems

The proposal by Jones Brothers, includes provision for attenuation of noise with trees and a structure built around the crusher, but these cannot prevent all sound and low frequency ground vibrations generated on the site from being transmitted to the surroundings. Furthermore, there will be considerable acoustic pollution in the approaches from the lorries' engines and brakes. Ground vibrations, as well as noise, have been shown to result in behavioural, physical and physiological changes in benthic invertebrates¹⁴ and affect rates of plant growth and flowering times¹⁵.

The Effects of Noise on Animals

Fig. 5

Sketch of generalised ranges from a noise source, at which different types of impact may occur ¹⁶



Even at very low volumes, noise can have far reaching, detrimental effects on a diverse range of animals, from invertebrates to birds and mammals¹⁷. This is particularly significant

¹⁴ Louise Roberts, Michael Elliott, *Good or bad vibrations? Impacts of anthropogenic vibration on the marine epibenthos*, *Science of The Total Environment*, Volume 595, 2017, Pages 255-268, ISSN 0048-9697, <https://doi.org/10.1016/j.scitotenv.2017.03.117>.

¹⁵ Estefania Velilla, Laura Bellato, Eleanor Collinson, Wouter Halfwerk (2021) *Effect of anthropogenic vibratory noise on plant development and herbivory*. *bioRxiv* 2021.04.28.441746; doi: <https://doi.org/10.1101/2021.04.28.441746>

¹⁶ 'Exploring Animal Behaviour Through Sound: Vol 1' – C. Erbe et al – Chp. 13 p 461 – Fig. 13.1

¹⁷ Erbe, C. et al. (2022). *The Effects of Noise on Animals*. In: Erbe, C., Thomas, J.A. (eds) *Exploring Animal Behavior Through Sound: Volume 1*. Springer, Cham. https://doi.org/10.1007/978-3-030-97540-1_13;
Tarlow EM, Blumstein DT (2007) *Evaluating methods to quantify anthropogenic stressors on wild animals*. *Appl Anim Behav Sci* 102(3):429–451. <https://doi.org/10.1016/j.applanim.2006.05.040>

in woodland birds that rely on vocalisation for establishing territories and pair bonding or sound in foraging behaviour¹⁸.

The cumulative harm done by chronic exposure to noise and vibration in humans and buildings is widely recognised¹⁹ and it is highly unlikely that ecosystems would be any less susceptible to prolonged exposure. The scale of construction proposed at the site, with a long access road, built to carry 30-tonne lorries, from the new Waunfawr Road entrance to the proposed plant at the bottom of the hill, indicates that it will be very heavily used for a very long period.

The Welsh government have made clear in section 6.1.4 of the recently published *Noise and Soundscape Plan for Wales* that the effects of noise on wildlife should be factored into planning decisions:

“Although the ISO definition of soundscape refers specifically to how sound is perceived and experienced by humans, the Welsh Government takes the view that consideration of how sounds are perceived and experienced by other air-breathing vertebrate species, whether wild or domesticated, should form an integral part of any decisions that may affect the airborne sound environment in Wales.”

2.3.2. Impact of Dust and Other Air Pollution on Wildlife Ecosystems

Even chemically inert dust can cause environmental harm by coating leaves or physically blocking stomata, leading to reduced photosynthesis and increased water stress. This adversely affects primary productivity in the ecosystem and the flow of energy and nutrients between organisms²⁰. Even minor, perturbation of the ecosystem can lead to knock on effects that may adversely affect a number of protected species that live in the area, including otters, kingfishers and peregrines.

Freshly crushed concrete has a pH upwards of 13²¹ and several inorganic and organic pollutants of potential concern have been identified in the material generated from concrete crushing. Alkaline dusts have detrimental effects on leaf surfaces, increasing the risk of damage by pests and pathogens²² and lead to changes in solubility of many ions, for example

¹⁸ Morelli, F., Tryjanowski, P., Ibáñez-Álamo, J.D. et al. *Effects of light and noise pollution on avian communities of European cities are correlated with the species' diet.* *Sci Rep* **13**, 4361 (2023). <https://doi.org/10.1038/s41598-023-31337-w>; Catherine P. Ortega. “Chapter 2: Effects of Noise Pollution on Birds: A Brief Review of Our Knowledge - Efectos de La Polución Sonora En Aves: Una Breve Revisión de Nuestro Conocimiento.” *Ornithological Monographs*, vol. 74, no. 1, 2012, pp. 6–22. JSTOR, <https://doi.org/10.1525/om.2012.74.1.6>. Accessed 15 Apr. 2024.

¹⁹ Resonate Consultants <https://resonate-consultants.com/environment/noise-environmental-impact/> Accessed 21/2/2024.

²⁰ Farmer, A.M. 1993 [The effects of dust on vegetation - a review](#) *Environmental Pollution* 79 63-75

²¹ Daiber, E (2023) *Recycled concrete aggregate leachate: A literature review.* Department of Ecology, State of Washington, Publication Number 22-03-003

²² UK Air Pollution Information Service <https://www.apis.ac.uk/node/1145>

calcium. This can have dramatic effects on the soil biota further threatening the future of the wildlife at the site.

There will also be a considerable amount of non-concrete particulate waste from the tyres, exhausts and brakes of the heavy vehicles whilst waiting and/or manoeuvring on the site. These particulates have been shown to cause harm through physical damage, ingestion, bioaccumulation and direct toxicity, especially in aquatic organisms²³. Both as airborne dust and as a leachate, dust generated on the site will lead to a long-term, accumulating threat to the wildlife at the site.

2.3.3. Water and Soil Pollution.

Fugitive Dust and PMs pollute soil and water as well as air²⁴

“Particles can be carried over long distances by wind and then settle on ground or water. Depending on their chemical composition, the effects of this settling can include:

- *making lakes and streams acidic*
- *changing the nutrient balance in coastal waters and large river basins*
- *depleting the nutrients in soil*
- *damaging sensitive forests and farm crops*
- *affecting the diversity of ecosystems*
- *contributing to acid rain effects”²⁵*

In the case of the areas surrounding the Jones Brothers site these effects will be made worse still by the NOx emissions from the proposed gas-fired peaking plant, the HGVs and site machinery and by the topography of the place, which will prevent dispersal of all of the pollutants. Whether the pH is ultimately lowered or raised by one or both sources of pollution, it will undoubtedly mean a **change** to the current pH levels in surrounding water and soil with serious knock on effects on ecosystems (*see section 2.3.4 below*). Given the scale of both operations this issue should be the subject of careful scrutiny.

²³ Tamilselvan Gokul, Kamatchi Ramesh Kumar, Paulpandian Prema, Alagarsamy Arun, Paulraj Balaji, Caterina Faggio, (2023) Particulate pollution and its toxicity to fish: An overview, *Comparative Biochemistry and Physiology Part C: Toxicology & Pharmacology*, Volume 270, 2023, 109646, ISSN 1532-0456, <https://doi.org/10.1016/j.cbpc.2023.109646>.

Trombulak, SC and Frissell, CA (2000) Review of Ecological Effects of Roads on Terrestrial and Aquatic Communities. *Conservation Biology* 14(1): 18-30

²⁴ US Environmental Protection Agency (UPA) - <https://www.epa.gov/pm-pollution/health-and-environmental-effects-particulate-matter-pm#:~:text=Particles%20can%20be%20carried%20over,waters%20and%20large%20river%20basins>

²⁵ UPA - <https://www.epa.gov/acidrain/effects-acid-rain>

Dust dampening / washing effluent will, according to Jones Brothers, be channelled into ‘settlement lagoons’ and ‘ponds’, some, but apparently not all, of which will be used for processing and “*recycling into concrete production*”. These are clearly operations vulnerable to accidental mishandling, spillage, overflow in heavy rainfall and leaching and there is good reason to mistrust their reliability. Several ‘lagoons’ / ‘ponds’ are mentioned for different purposes in Jones Brothers’ *Environmental Statement: sections 2.3.4; 2.4.1 and 8.2.8*. Given the scale of the proposed operations, the risks highlighted above are that much higher and the resultant ecological damage would be serious and probably irreversible. The issue is definitely one for which the precautionary principle should apply.

Site drainage and water quality

We include our comments below, alongside highlighted extracts from *sections 11 and 12* of Jones Brothers’ *Environmental Statement*:

11.2 Site drainage

11.2.1 *Surface water within the application site drains by infiltration and possibly by surface¹ or shallow sub- surface movement to the River Seiont. Rain falling on the remaining concrete slabs (dating from the former brickworks buildings²) is shed locally onto permeable surfaces. The proposed new building housing the recycling crusher will harvest rainwater for use in dust suppression³ and toilet flushing. The remaining drainage will continue to be via shallow infiltration through the aggregate surface, and lateral flow to the existing open ditch at the eastern edge of the former brickworks site. If necessary this ditch will be enlarged to provide additional storage capacity in extreme events. Any works would be carried out in accordance with a design approved by the Sustainable Drainage Systems Approval Body⁴ (Gwynedd Council).*

12.1.1 *The development lies entirely within the catchment of the River Seiont. The river is classified under the Water Framework Directive (Cycle 3) as having overall ‘Moderate’ status (a decline from ‘Good’ status under Cycle 2). Its Ecological Status is ‘Moderate’, and its Chemical Status is ‘High’.⁵ The 3ammonia (NH) status is also ‘High’ 3*

- 1 - Surface drainage will wash settled fugitive dust into the surrounding vegetation and into the river
- 2 - Reference to the “former” brickworks is designed to suggest no change from previous conditions; whereas clearly the conditions will be very different, with fugitive dust from the concrete crushing and other operations, continually settling on the slabs.
- 3 - Presumably mains water will also be needed for that purpose, given the quantities needed for the continuous operations planned. We have provided reference to a DEFRA paper including information on the unreliability of dust suppression with water spraying (see section 2.1.5 above).
- 4 - Sustainable drainage systems can only ever **mitigate as opposed to prevent** run off pollution affecting the surrounding environment. (see our arguments about mitigation in the main document p25)
- 5 - Measures are being taken nationally to reduce agricultural run-off pollution in our rivers. The operations proposed by Jones Brothers will significantly worsen the water quality and the argument that it is currently in a less than ‘Good’ state is no reason at all for claiming that more pollution will therefore be acceptable!

12.2 Potential effects from the development

12.2.1 The proposed **continuation**⁶ of operations at the site will not alter **the current pattern of drainage**⁷ nor the quality of surface run off. The concrete batching plant and crushing – screening plant used for recycling are mobile units which stand on the surface and do not require excavation for foundations. Simple foundations will be required for the proposed building to house the crusher. No other ground disturbance, other than shallow works to form the access point onto Waunfawr Road, is proposed and so there is no risk that **any unknown ground contamination**⁸ would be affected or mobilised to affect water quality.

12.2.2 No material with the potential to release silty or any contaminants would be stored within the area designated for B8 storage, **unless fully contained to prevent silt washout**⁹.

12.2.3 Operations will **continue** to be managed under **the existing Construction Environmental Management Plan**¹⁰, together with controls on the materials imported for recycling. These controls will be approved by NRW as part of the Environmental Permit for the site that will be required before importation of inert wastes can commence. **Monitoring** of site runoff and drainage, **and reporting**¹¹ to NRW, will be a requirement of the Environmental Permit. The temporary site offices and staff welfare accommodation established at the site for the bypass construction will remain in a reduced form. This accommodation **would** be connected to **mains drainage and services**¹², which will remain for the duration of the proposed continued use. There is no risk of discharges to the River Seiont.

6 - The proposed operations can in no way be described as a “continuation” of operations - this is an outrageous suggestion, given the scale of Jones Brothers two proposals!

7 - The pattern of drainage must certainly be altered by the construction of the concrete processing plant, its access road and the neighbouring ten engine gas-fired peaking plant.

8 - ‘Unknown ground contamination’ is probably the least of the concerns we should have about their proposals - their assurance on that point appears as a calculated distraction from the real areas of concern.

9 - How fully contained? And how will contaminant release be prevented when those materials are removed and moved from that “containment”....?

10 - This repeated claim of ‘continuation’ is clearly designed to downplay the significant impact of the developments. Any “existing Construction Environmental Management Plan” cannot possibly be fit for future purpose, given the very different operations proposed. Whatever was in place for the bypass construction would, at the very least, require serious review, overhaul and significant change.

11 - Monitoring and reporting do not prevent a pollution event from occurring - they flag up such events after they have occurred and a good deal of environmental harm can be caused before, if possible, the cause is remedied. In the case of the operations in question, such harms are not of the kind that can be undone. There is overconfidence here¹² concerning the award of a workable environmental permit from NRW.

12 - In several places, the application documents leave unclear whether these

12.2.5 **Maintenance of plant and equipment**¹³ within the designated area would be conducted to avoid pollution. Products and materials such as oils, lubricants and cleaning fluids would be stored in secure, bunded facilities in accordance with COSHH requirements. All works involving **lubricants, fuels and other liquids**¹³ would continue to be conducted under cover within the existing building, using drainage trays and equipment to capture any fluids for proper recycling or disposal.

12.2.6 The proposed new access from Waunfawr Road would be surfaced in bituminous material for at least 50m from the junction. Drainage from this impermeable surface would be discharged to a surface watercourse by connection to the existing Waunfawr Rd drainage system in agreement with the local highway authority. The remainder of the haul road would be constructed of **unbound aggregate**¹⁴ with cross-falls, so that rainfall would either infiltrate or shed to the adjacent **quarry lands**¹⁵.

the site or whether they would need installing, with interim use of other waste water and sewerage collection arrangements, carrying the associated risk of phosphorous leakage and eutrophication.

13 - The fact that Jones Brothers **intend to bring external plant in from other sites for maintenance and repair** at the proposed Seiont facility is kept very 'low key' in their application. It is clearly a potentially very lucrative side to their business and they are unclear as to whether it will be only their own plant brought in for maintenance and repair, or plant belonging to other businesses. Either way, such an operation will bring much extra traffic to the site along with the many other pollutants referred to here.

14 - Dust is a serious problem with unbound aggregates on haul roads - the harms caused by dust have been well covered elsewhere in this Objection Document.

15 - Once again, this terminology is used to create the impression that dust and NEE pollution of what is taken to be 'brown-field' land will be inconsequential.... This is not true - see our reference in *section 2.3.6 below* to the PPW section on *Previously Developed Land*.

Jones Brothers claim that site run-off of contaminated water can be "mitigated" by:

"...using silt barriers and other techniques during construction, and directing any surface water drainage through settlement lagoons or vegetated linear water bodies, to protect the Afon Seiont from silty run-off. Testing to ensure water of high pH is not discharged to the river."

The "or" (our highlight) in this statement betrays a disturbingly careless uncertainty of approach and neither option gives confidence in protection at a time of unusually high rainfall (increasingly probable of late). Furthermore, our overall objection to "mitigation" (see *section 3 in the main document*) and 'pollute first, manage later' (see *section 2.1.6 above*) most definitely apply here!

The latter approach certainly applies to Jones Brothers statement that “mitigation” can be achieved by:

“...planting specifically to create buffers for dust deposition into woodland and flowing watercourses.”

Clearly ‘planted buffers’ take time to grow and in any case **most recent, pending Welsh Government guidance (Draft Tan 11) explicitly warns against reliance on such measures**²⁶.

The presence of a diverse range of predatory species such as bats, sparrowhawks, kingfishers, herons and otters would indicate healthy aquatic and terrestrial ecosystems and at a time where the Welsh Government has recognised the importance of biodiversity, habitat restoration and protecting the environment for future generations, allowing these proposals to proceed would be contradictory.

2.3.4. Wider Impacts

The environmental assessment by Jones Brothers pays much attention to the quarry site itself but makes little or no mention of the surrounding river, park and ancient woodland habitats. Jones Brothers’ proposal includes a plan to use non-native, fast-growing, (probably evergreen trees) as a means to screen the sight and sound of their activity. One of the major challenges to the biodiversity of the Seiont area is the presence of invasive species including giant hogweed, cherry laurel, snowberry, etc. Introducing another group of species with the potential to outcompete the native species in neighbouring woodland, including in *Allt Rhyddallt Bach* (**listed on the Ancient Woodlands Inventory and subject to the Council’s own blanket tree preservation order**), is an illustration of how blinkered Jones Brothers are from any issues outside the quarry, the here and now, and the very concept of sustainability. There is no plan to record species diversity in the surrounding habitats before construction nor any apparent intention to monitor it during the facility’s operation - and even if there were, the *‘pollute first, monitor and manage later’* position is a completely unacceptable one.

Large pieces of new plastic drainage pipe, some 5 m in length, have been regularly seen floating down the river in recent months. Given their size and quality, there is good reason to suppose these to be associated with Jones Brothers operations, either currently onsite or during the closing stages of the bypass construction. That Jones Brothers have failed to prevent such large, presumably costly items entering the river, and have done nothing to retrieve them, is a mark of their lack of concern for the environment. The potential for harm of this kind to be done to the river and surrounding woodlands and park, as a result of their various operations, is considerable, particularly during periods of heavy rain. Changes in the habitat around the quarry site will have far-reaching consequences, both upstream and down to the estuary.

²⁶ See ‘TAN 11’ footnote under 2.3.5 below

With an estimated (by Jones Brothers) 120 lorries arriving (and departing) each day, there will be widespread effects of noise, brake and exhaust particulates and disturbance on habitats along the access routes. The quantity of dust generated by these vehicles and left to settle in the surroundings is evidenced in *section 2.1.3 above* and the harm done to roadside ecosystems (*see section 2.3.2 above*) will be significant. This will be a very serious issue on the Seiont Mill Road, as the arriving and departing lorries will almost certainly not consider the other potential routes as preferable alternatives. Unless lorries use the narrow bridge on the A4086 Llanberis Road, they will use the Bontnewydd exit. A Jones Brothers representative reluctantly acknowledged, at an open public engagement session in the early planning stages for the development, the likelihood that vehicles from the Pwllheli direction will use the Seiont Mill Road entrance once they have reached the same junction.

That route includes a narrow, sloping, single-lane Grade II listed bridge (*pictured right*), which passes alongside the park, with lake and trees, the riverbank and aquatic habitats and nearby ancient woodland. Lorries will be generating exhaust and non exhaust particulates in this section for a large part of every day, working at low engine speeds and accelerating up the slope. Other vehicles will inevitably end up queuing at either end of the slope. There will be further cause for a build-up of vehicles whenever residents, delivery vehicles or refuse collectors attempt to use the road.



2.3.5. Failure to Meet Prior Environmental Commitments

Planning authorities are required to follow a step-wise approach to biodiversity protection and enhancement and there should be a priority to ensure a Net Benefit to Biodiversity (NBB) (*see Section 1.3.8 in the main document*).

As part of a previous planning permission, C17/0011/19/MW (condition 8), Jones Brothers undertook to carry out restoration of the site and their Waste Recovery Plan (Permit Reference Number: PPN-00007, 3030/11/EP (<https://publicregister.naturalresources.wales/Search/Download?RecordId=7701>), showed extensive plans and intent to restore the site and plant trees and shrubs across large parts of the land. However, this latest application by Seiont Ltd (Jones Brothers) seeks to compound and extend the environmental harm done at the site, with the application suggesting, with a range of excuses, that remediation is currently impossible. The remediation was never going to be simple or quick, as trees take time to grow, ecological succession is not instantaneous and ecosystems don't spring out of a packet. However, choosing to walk away from environmental commitments is the exact opposite of the environmental responsibility that the Welsh Government recognises as being essential to the future.

The proposals for the site include an approximately 0.75km long access road apparently built to accommodate over 17,000 vehicles per annum, buildings to cover the crusher and accommodate staff. There will be sedimentation pools/lagoons which will, by definition,

contain high concentrations of toxic and/or harmful materials. If they think it's difficult to clean up the site now, these pools will make returning the site to its natural condition impossible in the future. The potential for accumulations of tyre and brake debris along the access routes, as well as the site itself, will add to the long-term, widespread harm that may develop, leaving no potential for recovery. Once in place, the access route will give more opportunities to bring ever more heavy industrial waste handling activities to the site, with the potential for other materials recovered from the concrete to be left unmonitored on site. This could include hazardous materials from heavy metals, plastics, polystyrene, or asbestos. At a time where the Welsh Government has recognised the importance of biodiversity, habitat restoration and protecting the environment for future generations, allowing these proposals to proceed would be utterly contradictory.

Despite Jones Brothers' protestations, starting restoration of the site is, in fact, easy. Remove any buildings, materials, etc. and plant some native trees, shrubs and wildflowers. Nature will start from there. Consider donation or peppercorn-renting to conservation and habitat restoration projects, perhaps in conjunction with the Council. These could benefit the company and the Council through good publicity, as well as carbon-credits through supporting tree planting and habitat restoration. The site could act as a hub for habitat restoration along the length of the river, including removal of invasive species, litter removal, tree and shrub planting. This, in turn, could act as an educational and training facility for schools, students and environmentalists, potentially increasing recreational use, tourism and employment opportunities. All of these positive and sustainable things could be done with Jones Brothers' name associated with them....!

2.3.6. Restoration required by condition 8 of planning permission C17/0011/19/MW

In submitting the current Application, Jones Brothers are clearly seeking to delay on compliance with the above condition; furthermore, the nature of the proposed activity, in favour of which they are seeking to delay that compliance, is such that the soil health on the site and the health of surrounding vegetation and ecosystems will be still further damaged and require even more remediation than might be required if Condition 8 was to be complied with immediately.

There are several points at which the prospective developers claim that restoration of the site cannot be achieved; for example they claim that it has been prevented by the fact that there was "*insufficient material from the construction of the bypass to enable the quarry void to be filled*". However it is obvious that infilling is not the only restoration option and the discussions that the applicants claimed to be having in March 2022 with the Mineral Planning Authority should have yielded a restoration scheme that can be implemented now, without a further five years of intensified activity damaging the site still further. Why not do what is achievable? Building the proposed installations on the site and carrying out the proposed operations on an on-going basis will seriously jeopardise the chances of nature recovery on the site and surrounding area.

Much reliance is also placed, in the Seiont Ltd submission, on arguments that the site in question is a "brownfield" site and that they will merely be "continuing its industrial use". That argument completely ignores the entirely different and much more polluting nature of the two proposed operations, as opposed to the historical quarrying and use of naturally occurring clay for brick manufacture.

In the section on **Previously Developed Land**, Planning Policy Wales (PPW) states:

“...not all previously developed land is suitable for development.... it may be appropriate to secure remediation for nature conservation, amenity value or to reduce risks to human health”

“Development should prevent problems from occurring or getting worse such as the generation of carbon emissions, poor air quality and waste and the depletion of our natural resources which will need to be managed for many years to come.”

It is impossible to see how Seiont Ltd / Jones Brothers’ proposals can meet these requirements.

PPW also states:

*“Early consideration is required to ascertain whether the location and design of proposed development is acceptable where air pollution or noise- generating development **is likely to affect a protected species.... or a tranquil urban green space** (including but not limited to formally designated ‘quiet areas’) valued for the restorative respite and contact with nature that they offer to residents of busy towns and cities”.*

Here it should be noted that, in addition to the nearby park, Ysbyty Eryri has recently established a garden for its patients’ benefit.....

It is essential that Cyngor Gwynedd Planning Officials and elected representatives pay full attention to Welsh Government’s recent consultation version of TAN 11²⁷. Because of its relevance to mitigation measures proposed by both Jones Brothers and their subsidiary, Seiont Ltd in the DNS proposals and the concrete processing and road access proposals respectively, we attach here an extremely important extract from that draft TAN:

“Green infrastructure should be considered as far as it relates to:

- [.....]
- *its limitations in addressing air and airborne noise pollution. **It should not be seen as a means of tolerating unacceptable emissions and increased exposure where these should be avoided.***

*At a regional or sub-regional scale, the totality of vegetation present makes an important contribution to the removal of air pollutants from the atmosphere, just as it does for greenhouse gases. However, this process is gradual, and **air pollution that is eventually absorbed by vegetation is not normally expected to be taken out of the air by the vegetation located closest to the emission source. Green infrastructure should not normally be relied on to provide protection to people close to a source of pollution. At short distances, controlling emissions is the only reliable way to minimise public exposure to air pollution.***

²⁷ <https://www.gov.wales/sites/default/files/consultations/2022-10/tan11-air-quality-noise-and-soundscape-draft.pdf>

[.....]

Decision-makers should never automatically assume that including trees, shrubs and hedgerows, even those positioned between source and receptor, will necessarily reduce air or noise pollution levels in a quantifiable way. The presence of green infrastructure should not be used as a defence for greater tolerance for emissions of, or exposure to, air and noise pollution.

3. Individual Submissions and Community Concerns:

Respondent a

We believe that these two applications although addressed to two separate authorities should be considered together as the impact on the local environment and community will be significant. The main concerns are that the location is not suitable because it is on the Seiont river bed, in a basin which has a bowl effect on the movement of air and noise.

The site has no easy access only through residential areas and narrow roads therefore the potential for noise and dust affecting air quality in this area is significant due to site works and vehicles movements to and from the site.

We, like many others, have submitted comments to Cadnant Planning as part of the consultation process but there is no guarantee that we will receive a response or if our comments will have any influence on the application.

I would like to draw your attention to the following:

1. Comparison with By-Pass traffic regarding noise and dust is not valid.

The comparison of the traffic movement and operation of this new development with the works during the by-pass construction is not valid because the two situations are very different.

*The amount of noise, traffic and dust was extremely unpleasant during the building of the by-pass especially during dry spells. This report states that there were no complaints during the building of the by-pass but as residents we know that is untrue. At the time, we understood that this was a temporary situation and the outcome of the by-pass would be positive and therefore we suffered the dust contamination, vibrations and noise for the duration of the building of the road. This application is different because it will mean suffering again. As nearby residents during the building of the by-pass, we had to buy air purifier equipment as no windows could be opened during that time. The cleaning of windows and outside vehicles/furniture was a daily routine. **The dust and noise from this new proposed development will again rise from the Seiont basin to pollute the immediate environment (people's gardens, local park and the ancient woodland) and affect the health of all local residents, hospital patients and staff.***

2. The Noise/vibrations

The hours of operation will be between 8:00 – 18:00 per day(10 hr day) over 5½ days per week. This development is far too ambitious for a site positioned within a basin surrounded by residential area and a hospital.

The Noise Assessment states that the applicant's intention of building a steel-framed structure to house the crusher in a single-skin cladding with no enhanced acoustic attenuation is in their opinion a 'conservative method'. This lazy attitude by Jones Brothers regarding the effect of their activities on the local residents and environment is typical and not acceptable.

3. Dust and fine particles controls

Although the report refers to several dust control measures such as damping activities with water and site sweeping there seems to be no commitment to comply. The attainment of strict dust levels should be a condition which the application would have to meet before it could even be considered. From past experience with the company, we were given several reasons during the building of the by-pass why regular damping was not undertaken as agreed, including the incomprehensible reason of “wear on lorry tyres”! Therefore there is no confidence in Jones Brothers willingness to comply with any health/environment regulations without strict monitoring by an independent auditor.

*The whole site sits in a basin and therefore the movement of dust will become a problem because it will not disperse into the atmosphere as in other elevated sites. Although the crusher is to be placed in a thin clad shed which might help dust reduction, other activities such as unloading/loading, lorry movement and recycling process, the dust will be significant. The report states that there will be some damp control measures but these, as we have experienced, prove to be ineffective in practice. This dust will only disperse above on to the surrounding ridge which is residential with the Eryri hospital neighbouring the site. **Clean air is so important to the well-being of people, children, animals and the environment and this development is detrimental to the health of all.***

4. Access to the site.

Although Jones Brothers propose to open a new site access on the Waunfawr Road, it is very unlikely that this route will prove convenient or efficient. As indicated in the Route finder printout below, in reality, most of the site works traffic will end up using the site entrance on Seiont Mill Road. Seiont Mill Road has an easy access to the Bontnewydd roundabout and then the by-pass. Seiont Ltd.'s own report already acknowledges that most HGV's travelling from the Porthmadog or Pwllheli area will use the Seiont Mill Road. They say that it is their intention to discourage other lorries from using this route. This is not convincing.

[See fig 6 below....]

Fig 6 - RAC Route planner readout: Possible Routes for Lorries to Seiont Quarry

Start and Finish point	Route Details	Preferred Route
Llandegai to Peblig, C'fon - LL55 2SE	Felinheli By pass Through Caernarfon Waunfawr Road Peblig	
Llandegai to Peblig, C'fon - LL55 2SE	Pentir Bethel Pont Rug Caeathro Peblig	
Llandegai to Seiont Mill Road	Felinheli By Pass Caernarfon By Pass Meifod Roundabout Caernarfon Road Seiont Mill Road	Easiest Route
Llanberis to Peblig, C'fon LL55 2SE	via Llanrug Pont Rug Caeathro Peblig	Easiest Route
Llanberis to Seiont Mill Road	Via Llanrug Rhosbodruall Meifod Roundabout Caernarfon Road Seiont Mill Road	
Porthmadog to Peblig, C'fon - LL55 2SE	Prenteg/Beddgelert Rhyd-Ddu Betws Garmon Waunfawr Caeathro Peblig	
Porthmadog to Peblig, C'fon LL55 2SE	Porthmadog to C'fon Road Meifod Roundabout Bontnewydd Roundabout Caeathro Peblig	
Porthmadog to Seiont Mill Road	Porthmadog to C'fon Road Meifod Roundabout Caernarfon Road Seiont Mill Road	Easiest Route
Continued.....		

Pwllheli to Peblig, C'fon - LL55 2SE	Pwllheli to Cfon Road Meifod Roundabout Bontnewydd Roundabout Caeathro Peblig	
Pwllheli to Seiont Mill Road	Pwllheli to Cfon Road Meifod Roundabout Cfon Road Seiont Mill Road	Easiest Route
Menai Bridge to Peblig, C'fon - LL55 2SE	Felinheli By Pass 1 st left Lon Ffynnon Mair Llanberis Road Pont Rug Caeathro Peblig	
Menai Bridge to Seiont Mill Rd.	Felinheli By Pass C'fon By Pass Meifod Roundabout C'fon Road Seiont Mill Road	Easiest Route

The access to the site along the river Seiont is not suitable for heavy lorries every 5 minutes from the Bontnewydd roundabout, pass Muriau onto Seiont Mill Road throughout the working day (10 hrs per day, 5 ½ days per week) close to the front doors of many houses.

Access and traffic:* The proposals will unquestionably lead to an increase in traffic, both during construction and during the proposed on-going operations in the area, especially along Seiont Mill Road (a substantially sized crane is referred to in the planning documents for the gas-fired peaking plant construction). Furthermore, the proposed concrete crushing plant will lead to heavy vehicles transporting the concrete to and from the crushing plant driving through Caeathro and Muriau Park/Seiont Mill Road every day. **The expected traffic movement is: 1 lorry every 5 minutes, 10 hours per day, 5.5 days per week.*

The high daily volume of HGV movements (120 per day) and the likely increase in light vehicle traffic, much of which will be using the by-pass route to Bontnewydd roundabout, down past Muriau and then along the Seiont Mill Road, between 8:00 and 18:00 every day except Sunday, will have an unacceptable effect on the health and well-being of residents. This development is far too ambitious for such a populated area.

If this application is even considered then an 'emergency services only' restriction should be placed on the Seiont Mill Road access to the site.

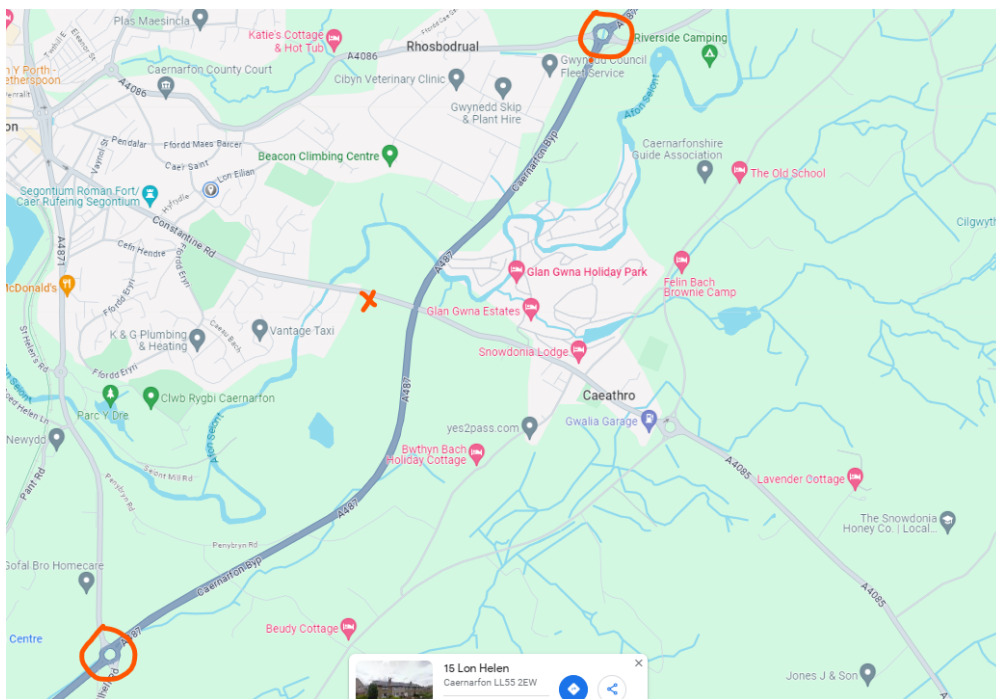
5. Pollution

Considering the levels of HGV, plant and other traffic movement there will be a significant release of both exhaust and non-exhaust emissions including NOx,

*particulates and other hazardous materials from concrete processing. All these will have harmful effects on our environment, particularly since the site and approach routes are so near to designated ancient woodland carrying a blanket tree preservation order, a town park rich in wild life and the Seiont river. Both the air and noise pollution will certainly damage the ecosystems and affect local biodiversity. **Once we lose them, these precious natural assets cannot be recovered.***

Respondent b

Jones Brothers make it sound as though there is quick, easy access to the road network. Here's a map:



When the heavy lorries arrive, they will need to get from one of the circles to the cross when there is no direct access from the bypass. That will mean large numbers of lorries (some very large) either passing through the town centre or via the narrow roads through surrounding villages. Also the bypass will be clogged with slow moving lorries! For any construction projects subsequent to the Peblig site, concrete will be transported through the same villages. With Britannia Bridge's propensity for delays, perhaps filling cement mixers on the other side of the Straits would be more sensible for the expected free-port construction boom.

Gwynedd & Anglesey Joint Local Development plan shows locations of suitable recycling sites and Seiont doesn't appear on it. Much mention is made of the site being close to major construction projects – now that the third Anglesey bridge has been cancelled, other than a single industrial estate (only 18 months construction), what are these projects? With the free-port being developed on the island, surely it would make more sense*

to position the site the other side of the bridge closer to any associated building and development that will come.

There's quite a lot of 'we've been doing stuff here for a while, so we might as well carry on' in the whole document. Compounding harm done in the past with further harm in the future isn't sustainable.

Jones Brothers state that part of the reasoning for using this site is that purchase and development of an alternative site would be too expensive. So their motivation is financial - not any consideration of local residents or environmental issues. They were given permission to use the site during the bypass construction on the understanding they would restore the site afterwards.

Just because they are finding it hard to meet the stipulation in the previous temporary planning, wherein they undertook to return the site to its former condition, is no reason to allow continued environmental harm.

The sedimentation pools proposed will, by definition, contain high concentrations of toxic and/or harmful materials. If they think it's difficult to clean up the site now, these pools will make returning the site to its natural condition impossible in the future. The potential for accumulations of tyre and brake debris along the access routes, as well as the site itself, will add to the long-term, widespread harm that may develop, leaving no potential for recovery.

Jones Brothers claim it is not possible to restore the site at present; it was never going to be simple or quick as trees take time to grow, ecological succession is not instantaneous, ecosystems don't spring out of a packet. However, allowing two large, long-term projects on the site, especially when they will never be easy to remove, is the exact opposite of the conditions agreed to in the previous planning permission.

4. The Overall Objection

- 4.1. In our overall objection to the gas-fired peaking plant adjacent to the proposed concrete crusher (*please refer, in detail, to the “Overall Objection” in the Main Objection Document covering the gas-fired peaking plant p.25*), we are principally concerned with the **over-confident reliance on inadequately evidenced and uncertain mitigation proposals** to address the many acknowledged harms from that development.
- 4.2. **Precisely the same objection**, concerning over-reliance on mitigation, **applies in the case of the proposals that are the subject of this document**. Furthermore, in the case of the concrete processing and road access changes proposed by Seiont Ltd, **there are many more unacknowledged harms, which the developer has not even attempted to address** – as shown in the table below:

	Pollutants, sources and harms to receptors.	Acknowledged / unacknowledged	“Mitigation” issues and unaddressed harms
i	Noise and vibration from on-site concrete processing operations - <i>harms to people and ecosystems.</i>	Noise is acknowledged, Vibration is not acknowledged	Mitigation measures proposed by Seiont Ltd are unreliable and are certain to be ineffective. In any case, our overall objection to mitigation on this site applies (<i>see the main document p 25</i>).
ii	Noise and vibration from HGV movements - <i>harms to people and ecosystems.</i>	Noise is acknowledged, Vibration is not acknowledged	Mitigation measures proposed by Seiont Ltd are unreliable and are certain to be ineffective. In any case, our overall objection to mitigation on this site applies (<i>see the main document p25</i>).
iii	Dust and particulates from on-site concrete processing operations – <i>harms to people incl. sensitive receptors.</i>	Unacknowledged – not covered in the environmental statement	This issue should not have been excluded from the Environmental Statement as concrete crushing per se did not occur, on the on-going industrial scale proposed, during by-pass operations; therefore the false “no past complaints” claim would not have been a valid reason to have excluded it from the scope of the Environmental Statement, even if it had been true!
iv	Dust and particulates from HGV operations on the approach to the site and off-site – <i>harms to people incl. sensitive receptors.</i>	Unacknowledged – not covered in the environmental statement	Irrefutable evidence of serious past dust problems from JB’s HGV movements in this locality – falsely claimed by the prospective developers to have elicited “no complaints”. The issue should have been addressed in the Environmental Statement.

v	Dust and particulates from on-site concrete processing operations – <i>harms to ecosystems and biodiversity</i>	Unacknowledged – not covered in the environmental statement	Evidence presented by us of harm to ecosystems and biodiversity from dust and particulates and Seiont Ltd.’s claim of “no past complaints” is an invalid reason not to address the issue.
vi	Dust and particulates from HGV operations on the approach to site and off-site – <i>harms to ecosystems and biodiversity.</i>	Unacknowledged – not covered in the environmental statement	Irrefutable evidence of serious past dust problems from JB’s HGV movements in this locality and evidence presented of harm to ecosystems and biodiversity
vii	Water and soil contamination from construction and processing – <i>harms to ecosystems (and therefore ultimately to people)</i>	Acknowledged	Serious questions over the reliability of mitigation measures proposed and, in any case, our overall objection to mitigation on this site applies (<i>see the main document p.25</i>).
viii	Water and soil contamination from dust and “wheel washing” operations - <i>harms to ecosystems (and therefore ultimately to people)</i>	Acknowledged	Serious questions over the reliability of mitigation measures proposed and, in any case, our overall objection to mitigation on this site applies (<i>see the main document p.25</i>).

The Council’s Planning Committee and its Officers must give full and careful consideration to the weight of diverse ‘sensitive receptors’:

- local residents, including sick and elderly people, pre-school children and night-shift workers living close to the proposed development;
- patients and staff in Eryri hospital;
- school children at Ysgol yr Hendre;
- exercising children and adults in Parc y Dre, the Rugby Club and the Football club;
- wildlife essential to biodiversity (including protected species) and
- the delicate natural infrastructure that supports that biodiversity (including designated ancient natural woodland).

Given its proximity to these sensitive ‘receptors’ and the risks we have highlighted in this document, the particular location, which has been opportunistically selected by Jones Brothers, is simply not appropriate for the damaging operations they propose to install.

On the ***Location of Commercial, Industrial and other Potentially Polluting Development, Planning Policy Wales*** states²⁸:

“For the purposes of this section, potentially polluting development includes commercial, industrial, energy and agricultural or transport infrastructure. Such development should be located in areas where there is low potential for public exposure, or where its impact can be min-

imised. Novel or new development types may potentially cause pollution and should be carefully considered, and where appropriate, decisions should be based on the precautionary principle.

Relevant considerations in making planning decisions for potentially polluting development are likely to include:

- *location, including the reasons for selecting the chosen site itself;*
- *impact on health and amenity;*
- *effect of pollution on the natural and built environment and the enjoyment of areas of landscape and historic and cultural value;*
- *impact on groundwater and surface water quality;*
- *effect on biodiversity and ecosystem resilience, including where there may be cumulative impacts on air or water quality which may have adverse consequences for biodiversity and ecosystem resilience;*
- *the risk and impact of potential pollution from the development, insofar as this might lead to the creation of, or worsen the situation in, an air quality management area, a noise action planning priority area or an area where there are sensitive receptors; and*
- *impact on the road and other transport networks, and in particular on traffic generation, particularly where the proposed development is not transport infrastructure itself.”*

In this Objection Document, we have highlighted serious issues relating to each of the above points. We therefore request and require our elected representatives and their appointed officers to fully examine the detail on each and every issue raised and, having done so, to come to the just, proper and compliant conclusion that the proposed ‘Seiont Ltd’ (Jones Brothers) application should be refused.

Finally.... we might also question whether the use of a “shell” company (Seiont Ltd.) could be designed to protect Jones Brothers Ltd from the distinct possibility of litigation at some point in the future.....