

GWRHYD QUARRY, PONTARDAWE

PLANNING STATEMENT

Planning Application Reference P2010/0026 - s73 Planning Application to Amend Conditions



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Photos (Front Cover)

- Swansea Arena
- A465 Heads of the Valleys Dualling – Section 3 Brynmawr to Tredegar

Courtesy of Artisan Stone Supplies Limited (Gwrhyd Specialist Stone Quarry)

Proposed Development Overview

Site:	Gwrhyd Quarry, Gwrhyd Road, Pontardawe, SA9 2SB
Proposed Development:	<i>Proposed restoration, quarry lateral extension and erection of new saw shed without compliance with Conditions 3, 4, 5, 7, 8, 12, 13, 14, 15, 16, 20, 34, 37, 38, 39, 41, 46, 47, 52 and 57 of planning permission ref. P2010/0026 dated 18 August 2011 to allow for an extension to the time period for the development, revisions to the phased Working and Restoration Programme, an updated Drainage and Surface Water Management Plan, a wider product range for sale and export and greater flexibility in the Heavy Goods Vehicles serving the site.</i>
Applicant:	Marshalls Mono Limited (Marshalls)

1.0 INTRODUCTION

- 1.0 This application is made under section 73 of The Town and Country Planning Act 1990 ('s73') on behalf of Marshalls Mono Limited (Marshalls) for submission to Neath Port Talbot County Borough Council (NPT) as mineral planning authority (mpa).
- 1.1 This submission relates to Gwrhyd Quarry, Pontardawe, near Swansea, SA9 2SB. The Application Site is shown on Drawing No. A 1.2 (Revised) October 2023 and is included as Appendix 2.0 to this planning application.
- 1.2 This Planning Statement has been prepared to support the s73 submission. It describes the proposed changes to planning application reference (PA ref.) P2010/0026, the need and rationale for them and how they accord with national and local development planning policies.
- 1.3 The Proposed Development is for:

Proposed restoration, quarry lateral extension and erection of new saw shed without compliance with Conditions 3, 4, 5, 7, 8, 12, 13, 14, 15, 16, 20, 34, 37, 38, 39, 41, 46, 47, 52 and 57 of planning permission ref. P2010/0026 dated 18 August 2011 to allow for an extension to the time period for the development, revisions to the Working and Restoration Programme, an updated Drainage and Surface Water Management Plan, a wider product range for sale and export and greater flexibility in the Heavy Goods Vehicles serving the Site.

2.0 THE APPLICANT

- 2.0 Marshalls Mono Limited (the Applicant) was formed in 1904 and is the UK's leading hard landscaping, building and roofing products supplier. With manufacturing plants, quarries and distribution sites across the UK, due to its vast operations, 97% of their customers are within a two-hour drive of one of its UK sites. The Applicant manufactures products for commercial and domestic markets, operating within three main divisions:
- Marshalls Landscape Products, including paving, kerb, edgings, walling and protective street furniture;
 - Marshalls Building Products, featuring drainage and water management solutions, concrete bricks, masonry, mortar, screeds and aggregates; and
 - Marley Roofing Products, a specialist in pitched roof systems who joined the Marshalls Group in 2022.
- 2.1 In more recent years, the Applicant has expanded by acquiring businesses such as Stonemarket, Edenhall, CPM and most recently Marley.
- 2.2 Across every period the Applicant has remained true to the original principles of its' founder, working tirelessly to operate in the most ethical and sustainable way and recognise that they can create better spaces by putting people, communities and the environment first.
- 2.3 Marshalls is the freehold owner of Gwrhyd Quarry, having acquired the site in 2008.
- 2.4 Since 2014, Gwrhyd Quarry has been operated by Gwrhyd Specialist Stone Quarry, the trading name of Artisan Stone Supplies Limited (Artisan) under a lease agreement from Marshalls.

- 2.5 Artisan has a workforce of around 18 staff based in South Wales, with administration split between Gwrhyd Quarry and their Northamptonshire office. Founded in 2006, their mission is to:

Provide the highest quality, Welsh Blue Pennant Natural Stone to the Building and Landscape Industries, throughout Britain, whilst ensuring the safety and wellbeing of our staff.

3.0 STATUTORY BACKGROUND

Pre-Application Advice

- 3.1 This s73 planning application is the culmination of a 'route map' of planning submissions which was agreed with NPT in April 2022, further to constructive engagement over many months between the Applicant and NPT Planning and Highway Officers, to agree the most appropriate way to ensure that current operations and future proposals are appropriately covered in the planning consents for the quarry.
- 3.2 These planning submissions have also provided the opportunity to address some historic inconsistencies and irregularities within the existing consents to avoid any future ambiguity, to the benefit of the Applicant, NPT and those who may be indirectly affected by the quarry.

Environmental Impact Assessment

- 3.3 The Applicant requested an Environmental Impact Assessment (EIA) Screening Opinion for the s73 proposals under Regulation 6 of The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017.
- 3.4 NPT's EIA Screening Opinion, dated 13 October 2023, confirmed that the proposals would not constitute EIA development.

4.0 THE SITE

- 4.1 The Gwrhyd Quarry Application Site occupies an area of approximately 9.2 hectares (ha) and is approximately centred on National Grid Reference SN737089. The Gwrhyd Quarry landholding extends to approximately 29.3ha and includes agricultural land around the periphery of the quarry.
- 4.2 The extent of the quarry (Site) and adjacent land in control of the Applicant and landowner, Marshalls, is shown on Drawing No. A1.2 (Rev), October 2023.
- 4.3 The Site is within a rural area comprising agricultural land and common land for grazing.
- 4.4 Dedicated access is via a gravel surfaced track from the Gwrhyd Road, some 4 miles north of Pontardawe and approximately 3.6km to the south-west of the village of Cwmllynfell. The largest local population centre is Swansea which is situated some 17.5km to the south-west via the A4067.
- 4.5 The Site originally formed part of a hill farm run by Mr and Mrs W H Davies who established the quarry in early 2000 before it was acquired by Marshalls in August 2008 and operated by Gwrhyd Specialist Stone Quarry under lease since 2014.
- 4.6 Today it comprises an active building and dimension stone quarry with associated mineral waste tips, stockpile areas, processing areas for the cutting and dressing of the stone, together with restored

areas that sit within peripheral agricultural land.

- 4.7 The quarry contains reserves of Blue Pennant Sandstone, a subgreywacke or lithic sandstone with high quartz grain content.
- 4.8 Blue Pennant Sandstone remains among the best slip resistant paving available, with the stone materials produced at the quarry retaining its “non-slip” properties as they wear. The Applicant states that the stone has been independently tested and is completely frost resistant and has extremely low abrasion values making it one of the most durable materials available. Elsewhere, in non-masonry markets, Blue Pennant Sandstone is extracted as “high PSV” (polished stone value) aggregate for its use in high specification road surfacing due to its skid resistance and hard-wearing properties.
- 4.9 At Gwrhyd Quarry, the Blue Pennant Sandstone is extracted from beds which occur naturally at the quarry face. It is available in a riven format and is completely unique in colour which will vary from rust and ochre browns through to the coolest blues and greys. Variations in colour and texture are a natural feature of the stone.
- 4.10 The high quality of the Pennant Sandstone extracted from Gwrhyd Quarry has resulted in a sustained demand for its use as paving, walling and masonry products such as windowsills, hearths, mantels, and all types of Flagstones. The stone is also sold for dry stone walling products. Stone from the quarry has been used in many high-profile building projects, including at the main entrance of Swansea’s National Waterfront Museum.

5.0 PLANNING HISTORY

- 5.1 Mineral extraction operations at Gwrhyd Quarry were established in January 2000 following the grant of planning permission, on appeal in October 1999, for the extraction of Pennant Sandstone.
- 5.2 Gwrhyd Quarry has the benefit of several planning permissions relating to the winning and working of the mineral reserve.
- 5.3 Key permissions are set out in Table 1 below:

Table 1: Planning History

Permission Reference	Decision Issue Date	Description
APP/76930/A/99/513 254/T/P3	12/10/1999	The extraction of Pennant Sandstone, trimming and dressing stone to provide quality paving, stone slates, cladding, and walling stone.
P/2002/0256	07/05/2002	An extension to the area of the quarrying operation to accommodate a temporary waste mound.
P/2002/0318	07/05/2002	Section 73 application to amend the phasing of the scheme and to provide for a temporary waste mound.
P2005/1308	15/12/2005	Section 73 application to amend condition M of planning permission reference (PP ref:) APP/76930/A/99/513254/T/P3 (Related to lorry movements).
P2006/1445	12/12/2006	Increase of HGV movements to seven on any working day under Condition 1 of PP ref: P2005/1308.
P2010/0026	18/08/2011	Proposed restoration, quarry lateral extension and erection of new saw shed.

Permission Reference	Decision Issue Date	Description
P2011/0861	22/09/2011	Submission of details pursuant to Condition 59 of Planning Permission P2010/0026 (Approved on the 18/8/11) in respect of a scheme for artificial bird boxes.
P2012/0270	17/07/2012	Proposed schemes under condition 33 and 34 of PP ref: P2010/0026 - Pollution prevention measures and surface water arrangements.
P2013/0592	08/08/2013	Details relating to conditions 55 (site liaison committee) and 56 (technical working party) of PP ref: P2010/0026 granted on 18 August 2011.
P2017/0036	06/02/2018 25/06/2019 (Revision 1) to incorporate approvals under PP ref: P2018/0580	Variation of Condition 15 of PP ref: P2010/0026 to allow for: a) An output of 750 tonnes of dimensional blockstone and/or masonry products per working week for the duration of the planning permission (a maximum of 2x24 tonne carrying capacity vehicles and 5x20 tonne carrying capacity vehicles per day) b) The removal of 700 tonnes per working week of aggregate produced from the waste stone resulting from the dimensional stone and masonry production process for a limited period of 2.5 years (a maximum of 7x20 tonne carrying capacity vehicles per day).
P2018/0580	25/06/2019	Application for the discharge of conditions 4 (Operational phasing), 9 (Daily records), 16 (vehicle control signage), 17 (control of deleterious material on the highway), 31 (landscaping plan), 34 (stocking area plan), 38 (soil storage volumes plan) and condition 44 (restoration strategy) attached to PP ref: P2017/0036.
P/2020/0709	Withdrawn 8/10/2021	Variation of condition 7 (to extend the time limit for the exportation of aggregate and waste materials) & condition 8 (removal of parts 8d and 8e, relating to HGV tonnages) attached to planning permission P2017/0036.
P/2022/0791	12/12/2022	The re-siting and use of a general storage unit and the siting and use of a masonry saw, employee welfare facilities, units for general storage and sheds for housing masonry saws (retrospective).
(P/2022/0790)	12/12/2022	Prior approval for the construction of a new saw shed building.

6.0 PROPOSED DEVELOPMENT

Description of Proposed Development

- 6.1 The proposed description of development is for the continuation of

Proposed restoration, quarry lateral extension and erection of new saw shed without compliance with Conditions 3, 4, 5, 7, 8, 12, 13, 14, 15, 16, 20, 34, 37, 38, 39, 41, 46, 47, 52 and 57 of planning permission ref. P2010/0026 dated 18 August 2011 to allow for an extension to the time period for the development, revisions to the Working and Restoration Programme, an updated Drainage and Surface Water Management Plan, a wider product range for sale and export and greater flexibility in the Heavy Goods Vehicles serving the Site.

Context and Overview of Proposed Development

- 6.2 Planning application reference (PA ref.) P2017/0036 (2018 consent) is the most recent planning permission relating to the extraction and restoration of the quarry. Fundamentally, this consent granted a *temporary* change to the transport related Condition 7 attached to PA ref. 2010/0026 which allowed for an increase in outputs from the Site for the purposes of removing aggregates from the mineral waste tip material within the quarry. Aligned to this, the consent allowed for the waste re-processing and the export of crushed products for a limited 30-month period.
- 6.3 In June 2019, NPT approved the details required by Conditions 4, 31, 38 and 44 attached to the 2018 consent (PA ref. P2018/0580).
- 6.4 These 'details pursuant' included a requirement for the Applicant to submit revised working programme and phasing plans to accurately reflect working progress at that time, relative to the 'original' scheme PA ref.2010/0026 (2011 consent). At the time of the 2018 consent there was a significant variation between expected stone recovery and quarry generated waste which in turn resulted in significant operational constraints. The operations had not reached the maximum permitted extraction depth and consequently it was necessary to surcharge quarry waste material. This and the acute lack of operating space within the quarry was being addressed by re-working the tips and recovering stone which had not been considered useable by the previous operator.
- 6.5 Since June 2019, Artisan has removed a large proportion of the historical mineral waste tip located along the eastern half of the quarry. The tip material was extracted and screened to recover aggregate material which, where possible, was removed off-site in accordance with Condition 7 b) of the 2018 consent. Soil bearing material was retained on site for future restoration purposes.
- 6.6 The tip needed to be removed as it was constraining access to the underlying approved mineral reserve as well as limiting the operational space within the quarry. If the tip had not been removed the lack of operational space to move the material in a phased manner could have resulted in sterilisation of reserves.
- 6.7 Whilst they were unable to remove the tip in its entirety during the 30-month period approved under condition 7b) Artisan were successful in removing a large volume from the southern end of the tip. This has significantly cleared the working area within the approved extraction limit, improving access to the underlying approved mineral reserves, which in turn has increased Artisan's knowledge of the underlying geology of the quarry. This increased knowledge of the nature of the bedrock and the product types that it can produce now informs the future working programme at the quarry.
- 6.8 There is more waste tip material to be removed to clear the quarry floor and enable the reserves to be

accessed to their maximum permitted depths. This s73 submission updates the plans to reflect the progress with the partial removal of the tip which has enabled the Operator to have a better understanding of the way the phased working and restoration will progress and the associated material balance. This information, together with an updated topographic survey is the basis for these revisions now submitted.

- 6.9 Within the waste tip there remains a significant amount of high PSV aggregate material that can be separated from the waste material to provide a quality saleable product. Consequently, the Applicant is now seeking a consent for a wider product range for sale and export and the associated flexibility to transport the products.
- 6.10 To achieve the above will necessitate an extension to the period during which the working and restoration of the quarry will be completed.
- 6.11 The description of development for the 2018 consent relates solely to the time limited variations to the transport related condition, part of which has now lapsed. Furthermore, the juxtaposition of the drawings required under the 2018 consent alongside the originally approved drawings (Conditions 2 and 4 respectively of the 2018 consent) has highlighted discrepancies between them and given rise to some ambiguity as to which is the relevant working and restoration scheme.
- 6.12 Given the above it is unclear how PA ref. P2017/0036 could be taken forward and used as the basis for proposing changes to the relevant planning conditions. Therefore, it is proposed to vary the 'original' consent PP ref. P2010/0026, approved August 2011 (2011 consent) for the *Proposed restoration, quarry lateral extension and erection of new saw shed* to secure the changes to the transport and timescale related conditions attached to it.
- 6.13 This s73 application takes account of and will be informed by the most recent permissions, notably P2017/0036 (2018 consent). It is important to note that revised plans/documents submitted do not show any fundamental changes to the previously approved documents; it is some of the detail that has changed to reflect up to date survey information and to take account of the remaining tip material which is to be moved as it is partially constraining access to the reserves. For example, the extent of working, the number of phases, extraction direction from south to north, and the final restoration concept all remain the same in principle, albeit that the revisions would enable a more sympathetic restoration profile to be achieved on completion of extraction.
- 6.14 The proposed development would not alter the permitted tonnage output from the quarry, operational hours, maximum pay load or HGV routeing. There is sufficient headroom within the weekly maximum output of 750 tonnes (t) to accommodate the aggregate products as well as the primary blockstone and masonry products.
- 6.15 Extraction has already occurred up to the lateral limit of the consented working area and now the focus is on achieving the approved depths, so confining any impacts within the quarry void. The regulation and monitoring of any impacts from the day-to-day operations would continue to be controlled by planning conditions and approved schemes. The site continues to operate in compliance with these.

Section 106 Agreement

- 6.16 The 2011 consent is subject to a section 106 legal agreement which required the developer to make a financial contribution to the Highway Authority towards maintenance of a stretch of the local highway network and repair of part of a wall.
- 6.17 The Highway Authority has confirmed that similar future contributions would be sought for essential

maintenance of the road surface and associated structures to sustain the continued use over the extended life of the quarry. The Terms will be discussed and agreed with NPT.

Proposed Changes to Planning Conditions

- 6.18 Table 2 below describes the proposed changes to the planning conditions attached to the 2011 consent. A brief explanation for the amendment is included alongside the proposed changes to the condition wording, with further details provided in Appendices 4.0 and 5.0 with respect to the revised Working and Restoration Programme and the updated Drainage and Surface Water Management Plan. Where minimal changes are proposed to the existing condition, the deleted text is ~~struck through~~ and new text is underlined.
- 6.19 For completeness, the conditions attached to the 2011 consent which have already been discharged are listed in Table 3 and 'day-to-day' operational conditions in Table 4. Either these have been implemented and/or the site is operating in compliance with the conditions or schemes approved under those conditions. Therefore, it is considered unnecessary to formally apply for any changes. Notwithstanding this, NPT may consider it appropriate to update the wording of isolated conditions where, for example, best practice has evolved since the conditions were originally drafted, or where the names of third parties referred to in a condition have changed, for example, in Condition 40 the remit of *Environment Agency Wales* now sits with *Natural Resources Wales*.

Conditions 3, 5, 7 & 41 – Timeframes for Working and Restoration/Life of Development

- 6.20 It is proposed to combine several current conditions relating to the timeframes for extraction and restoration of the quarry and subsequent aftercare into a single updated condition to reflect the proposed extension of time for working and restoration of the Site.
- 6.21 The proposed extension of time for extraction (until 30th September 2042) and restoration (until 30th September 2043) is based on up-to-date topographical survey of the quarry and a more accurate understanding of the availability of the mineral reserves. This extended period would enable the reserves to be fully accessed and worked and the high PSV aggregate from a significant proportion of the mineral waste material to be realised. It would also mean that products would be available in the longer term to meet specific building stone requirements in heritage applications and to maintain local character.
- 6.22 In the event of an unanticipated cessation of extraction at the quarry, 12 months would be a reasonable and pragmatic timeframe for the implementation following the approval of a revised restoration scheme. A 12-month period would be consistent with Condition 43 of the 2018 consent and with other similar minerals planning permissions.
- 6.23 Crucially the Applicant is not seeking to increase the currently permitted level of output (i.e. 750t per week) as there is sufficient capacity to meet the existing demand for dimension/masonry stone products and the proposed aggregate products within the approved level of output.
- 6.24 The estimated remaining reserve based on the July 2023 survey was in the order of 221,451m³ equivalent to 620,062t at a bulk density of 2.8t/m³. Allowing for extraction since July 2023 and assuming 25% of this material will not meet the relevant specification for any products, the "in-situ" reserve as of August 2023 is estimated to be in the order of 465,047t.
- 6.25 Based on a weekly output of 750t at 52 weeks per annum this equates to 39,000t per annum. Therefore, at maximum permitted output the estimated maximum remaining mineral reserve is in the order of 12 years.

- 6.26 There is also an estimated 75,578 m³ of material remaining in the waste tip, of which there could be up to 50% recoverable mineral which would provide for a further estimated 80,000 to 100,000t depending on density. This material could add 2 years at the maximum permitted output rate for the waste tip material to be removed.
- 6.27 Historically the quarry has rarely reached its max annual output. It is unlikely that the maximum permitted output will be realised in every year as the site will be closed for holidays and maintenance, etc. therefore, it is estimated that an additional 5-years be reflected in the permitted life of the quarry to allow for falls in annual output of up to 25% over the reserve life to provide for a remaining maximum reserve life of 19 years.

Table 2 – Proposed Changes to Planning Conditions

Table 2A - Conditions 3, 5, 7 & 41		
2011 Consent Planning Condition		Proposed Wording
3	<i>The development hereby permitted is for a temporary period only and with the exception of restoration and aftercare requirements shall cease not later than 30th September 2025</i>	The extraction of minerals shall cease no later than 30th September 2042 and restoration shall be completed in accordance with the approved restoration scheme by 30th September 2043.
5	<i>Unless otherwise approved in writing by the Local Planning Authority the site shall be fully restored within 12 months of the cessation of quarrying operations at the site or by 30th September 2026, whichever is the sooner.</i>	For a period of 5 years from the date of completion of restoration the site shall be managed in accordance with the approved aftercare scheme. The planning permission shall expire following the complete restoration and aftercare of the site in accordance with the approved restoration and aftercare schemes.
41	<i>The site shall be subject to aftercare for a period of 5 years in accordance with the provisions of an aftercare scheme as approved by the Local Planning Authority</i>	
7	<i>In the event of sandstone extraction ceasing at the site, the Local Planning Authority shall be notified of the date of cessation in writing within one month of the date of cessation. In the event of sandstone extraction ceasing for a period of 12 months, a revised scheme for the restoration of the site shall be submitted to the Local Planning Authority within 14 months of the cessation of sandstone extraction for written approval. The revised scheme shall be implemented within 6 months of its approval, or as may</i>	In the event of sandstone extraction ceasing at the site, the Local Planning Authority shall be notified of the date of cessation in writing within one month of the date of cessation. In the event of sandstone extraction ceasing for a period of 12 months, a revised scheme for the restoration of the site shall be submitted to the Local Planning Authority within 14 months of the cessation of sandstone extraction for written approval. The revised scheme shall be implemented within 6 months of its approval, or as may be

	<i>be otherwise approved in writing by the Local Planning Authority.</i>	otherwise approved in writing by the Local Planning Authority.
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Condition 4 – Approved Plans and Drawings

- 6.28 The changes to Condition 4 reflect the proposed revisions to the phased working and restoration of the quarry based on July 2023 topographical survey and a more accurate understanding of the availability of the mineral reserves and the high PSV aggregate to be gained from a significant proportion of the mineral waste material which would otherwise be sterilised.
- 6.29 Minor updates have been made to the approved Drawing No. A.1.2 (rev), *Planning Application Area* to include the locations of buildings which have been permitted¹ within the existing quarry complex of buildings and plant since the 2011 consent. Clearer labels show the 'TRACK' and the location of the cattle grid ('B') to comply with Condition 53 of the 2011 consent. A new label has been added to show where access has been stopped-up and the track reinstated to grassland in the south-east of the quarry. No other changes have been made to the April 2010 version of the Plan.
- 6.30 Fundamentally, the phasing and restoration would be the same apart from minor changes to take account of the remaining tip material (which is to be moved as it is partially constraining access to the reserves) and the opportunity to achieve a more sympathetic restoration profile on completion of quarry operations.
- 6.31 It is considered appropriate to exclude Drg. No. CA10180/03, *Planting Plan*, dated September 2009 from the list of approved plans as this relates to the currently approved *Restoration Concept* which it is proposed to revise as part of this s73 application. At this stage the Site is required to operate in accordance with restoration principles and for the detailed scheme to be submitted for approval by NPT closer to the timescale for completion of the restoration (Conditions 37 and 30 of the 2011 consent). It would be appropriate to review the associated detailed planting at the stage when it can be fully aligned with the detailed restoration scheme.
- 6.32 Details of the proposed changes to the phased working and restoration plans are described in Appendix 4.0 to this planning application.
- 6.33 Subject to the grant of permission for this s73 application it is proposed that the plans and drawings approved under the new consent be listed under Condition 1.

Plans for Information

- 6.34 The following plans are included as Appendix 3.0 to this planning application 'for information'; they provide context to the s73 application and the proposed revisions to the approved plans.
- Topographical Survey, 4th July 2023.
 - Dwg. No. J0054597-22-05a – Building Layout Plan, dated July 2022.

¹ PA ref. P2022/0791

Table 2B - Condition 4	
2011 Consent Planning Condition	Proposed Wording
<i>Unless otherwise approved in writing by the Local Planning Authority, the development hereby permitted shall be carried out in accordance with the following documents and plans or as otherwise modified by any revisions or by other conditions, schemes or approvals by the Local Planning Authority:</i> <i>Planning Application dated 17th December 2009</i> <i>Environmental Statement (December 2009) (as amended) Supplementary Information (May 2010)</i> <i>Drg. No. A1.2 (Revised) April 2010 Planning Application Area</i> <i>Drg. No. A3.1 April 2010 Topographical Plan</i> <i>Drg. No. A2.4 (Revised) May 2010 Proposed Quarry Development Phase 1</i> <i>Drg. No. A2.5 (Revised) May 2010 Proposed Quarry Development Phase 2</i> <i>Drg. No. A2.6 (Revised) April 2010 Proposed Quarry Development Phase 3</i> <i>Drg. No. 2.7 (Revised) April 2010 Proposed Restoration Context</i> <i>Drg. No. 2.8A (April 2010) Cross Section through Quarry Phases</i> <i>Drg. No. CA10180/03 September 2009 Planting Plan</i> <i>Drg. No. 2.7A (May 2010) Schematic Sections through Restored Quarry Face</i> <i>Drg. No. A16067 - Layout of Proposed Saw Shed</i> <i>Drg. No. A16068 - Planning Drawing Showing Proposed Saw Shed</i>	The development hereby permitted shall be carried out in accordance with the following approved plans and drawings. • <u>A1.2 (Revised) Planning Application Area, October 2023</u> • <u>170-01-1a: Phase 1a Current Extraction, October 2023</u> • <u>170-01-1b: Phase 1b Extraction, October 2023</u> • <u>170-01-2: Phase 2 Extraction, October 2023</u> • <u>170-01-3: Phase 3 Extraction, October 2023</u> • <u>170-01-Rest: Proposed Restoration Concept Plan, October 2023</u> • <u>Development Cross Sections, August 2023</u> • A16067: Layout of Proposed Saw Shed • A16068: Planning Drawing Showing Proposed Saw Shed Drg. No. CA10180/03 September 2009 Planting Plan

Condition 8 – Limit of Extraction

- 6.35 This planning application does not seek to alter the permitted lateral of working depth limit of mineral extraction within the quarry. However, the wording of the condition would need to be updated to incorporate the proposed revised phased working and restoration drawings (as described under Condition 4 above and in Appendix 4.0).

Table 2C - Condition 8	
2011 Consent Planning Condition	Proposed Wording
<i>The limit of extraction as identified in yellow on Drg. No. 2.6 Revised and the depth of workings indicated on Drg. 2.8A shall not be exceeded. The phasing of the development shall accord with the general principles set out in the phasing plans A 2.4 (Revised), A 2.5 (Revised) and A 2.6 (Revised).</i>	The limit of extraction as identified in yellow on Drg. No 2.6 Revised and the depth of workings indicated on Drg 2.8A shall not be exceeded. and the phasing of the development shall accord with the general principles set out in <u>illustrated on the phasing plans A 2.4 (Revised), A 2.5 (Revised) and A 2.6 (Revised).</u> <u>approved phased working and restoration plans.</u>

Condition 12 – Vehicle Routing

- 6.36 The proposed planning condition wording would not fundamentally change in that the permitted lorry routing requirements would remain the same. However, it is proposed to update the Condition to confirm that the Site will continue to operate in accordance with the Heavy Goods Vehicle Delivery Plan which was approved² in accordance with Condition 16 of the 2018 consent.

Cumulative Impacts

- 6.37 Planning permission was granted for an extension of time for activities at Cwm Nant Lleici Quarry on 2nd August 2023 under PA ref. P/2022/1040, to allow the previously permitted reserves to be worked at the historically approved rates.
- 6.38 However, as Condition 32 confirms, the traffic associated with the quarry must follow prescribed routes, which do not include the Gwrhyd Road / Coedffaldau / Bryn Road corridor used by Gwrhyd Quarry traffic. Notwithstanding this, both the proposed variations to conditions at Gwrhyd Quarry and approved variations at Cwm Nant Lleici Quarry both effectively maintain the historically permitted activities and traffic levels. Therefore, the cumulative impact of the two quarries on the road network has been historically approved and accommodated. Given the continuation of the activities at the same levels previously approved the impact would be negligible.

Table 2D - Condition 12	
2011 Consent Planning Condition	Proposed Wording
<i>All vehicles that depart from the quarry access transporting quarried stone products shall turn right as they exit the access point with the public highway.</i>	All vehicles that depart from the quarry access transporting quarried stone products shall turn right as they exit the access point with the public highway <u>and the site will be operated in accordance with the approved Heavy Goods Delivery Plan, dated 4th July 2018.</u>

² PA ref. P2018/0580.

Condition 13 – Departure Times for Loaded Vehicles

- 6.39 It is proposed to retain the Monday to Saturday starting and finishing hours as per the 2011 consent, but during school holidays to retain the additional flexibility within the working day as per the 2018 consent. Whilst there are very few vehicle movements on a Saturday, it is important to retain the flexibility to allow for them when needed.

Table 2E - Condition 13	
2011 Consent Planning Condition	Proposed Wording
<i>Unless otherwise agreed in writing by the Local Planning Authority all vehicles carrying quarried products or any other bulk materials shall only leave the site during the following hours:</i> • 07.30 and 7.50 hours Mondays to Fridays • 09.15 and 14.45 hours Mondays to Fridays • 16.15 and 18.00 hours Mondays to Fridays • 08.00 and 13.00 hours on Saturdays <i>No such movements shall occur on Sundays and Public Holidays</i>	During published school term times, all vehicles carrying quarried products or any other bulk materials shall only leave the site during the following hours: • 07:30 and 7:50 hours Mondays to Fridays • 09:15 and 14:45 hours Mondays to Fridays • 16:15 and 18:00 hours Mondays to Fridays • 08:00 and 13:00 hours on Saturdays No such movements shall occur on Sundays and Public Holidays. During published school holidays all vehicles carrying quarried products or any other bulk materials shall only leave the site during the following hours: • 07:30 and 18:00 hours Monday to Friday • 08:00 and 13:00 hours on Saturdays No such movements shall occur on Sundays and Public Holidays.

Condition 14 – Vehicle Cleanliness

- 6.40 The Condition wording does not fundamentally differ from the 2011 wording in that it would continue to secure the ongoing requirement to ensure that deleterious material is not carried onto the public highway.
- 6.41 It is proposed to update the Condition to confirm that measures are in place to achieve this, notably that signage has been erected at the point of egress from the quarry instructing drivers, before they leave the site, to:
- Ensure that all loose material being carried is adequately sheeted; and
 - Ensure that all vehicles are checked for un-secure loads.
- 6.42 The signage was approved by NPT in July 2018 under PA ref: P2018/0580 in the 'Approval of Reserved Details' report, dated June 2018.

Table 2F - Condition 14	
2011 Consent Planning Condition	Proposed Wording
<i>Before entering onto the public highway, the wheels, undersides and bodies of all vehicles travelling from the site shall be in a clean condition or shall be cleaned before departing the site to a condition that will avoid the deposit of slurry, mud, rock or other material on the public highway. All stone products shall also be secured within or on the vehicle.</i>	Before entering onto the public highway all vehicles carrying loose material shall be sheeted, and all measures to ensure deleterious material is not carried onto the public highway shall be undertaken in accordance with the approved scheme, dated June 2018.

Condition 15 – Product Output and Vehicle Types

- 6.43 The overall product output of 750t per week would not change.
- 6.44 However, greater flexibility is being sought in the type of HGVs permitted to transport quarried products on any given day. The 2011 and 2018 consents permitted between 7 and 14 HGVs in any day and up to between 59 and 82 loads per week; although in practice, the site rarely operates on Saturdays, resulting in an upper figure of 70 loads per week.
- 6.45 Owing to the proposed extension to the currently permitted end date for extraction from 30th September 2025 to 30th September 2042, the minerals would be extracted and transported for an extended period to allow all the reserves to be worked.
- 6.46 In conjunction with the extension of time, permission is also sought for greater flexibility in terms of the type of materials and HGVs serving the site with a cap of 10 HGVs with payloads between 3t and 24t leaving the site in any day and therefore up to 60 of such loads per week. Again, based on the site rarely working on Saturdays it would typically result in up to 50 HGVs carrying loads of between 3t and 24t exporting quarried products from the site in normal circumstances.
- 6.47 At present, the creation of the dimensional block and masonry stone results in material which, in terms of these products, is classed as waste and deposited within voids within the quarry. However, notwithstanding this categorisation, in the context of the current range of products, the stone remains a valuable and high PSV resource which could be used sustainably to produce aggregates that are suitable for road maintenance etc.
- 6.48 Aggregates were historically produced at Gwrhyd Quarry for a temporary period of 30 months under the 2018 consent. During this temporary period, in addition to the output and traffic associated with the ongoing production of dimension block and masonry stone products, the planning permission allowed an extra 700t of aggregate per week to be exported in up to 7 HGVs per day, which were included in the range of daily and weekly movements referenced above.
- 6.49 The local road network has, therefore, historically been deemed capable of accommodating the cumulative output of 1450t of stone per week in up to 14 HGVs per day and 82 HGVs per week of varying type and size.
- 6.50 The current proposal would cap the weekly output at the current permitted limit of 750t per week and allow up to 10 HGVs carrying loads of between 3t and 24t each to leave the site per day, to allow greater flexibility within the weekly profile of activity, together with the ability to also transport

'aggregate' in addition to the dimension stone and masonry products within the specified limits to vehicle movements and output. The proposed variations would not introduce any different type of HGV to the road network or quarry but simply allow greater flexibility within the daily mix of overall loads leaving the site.

- 6.51 In practical terms, the proposed development would not have any material impact on the network as, within the range of permitted vehicle types and operating hours of Gwrhyd Quarry, any type of vehicle could be encountered on the road network at any time. As a result, the proposed variations to the existing planning conditions would be negligible in the context of the highway conditions currently experienced by other road users and receptors adjacent to it on a day-to-day basis.
- 6.52 A review of Crashmap data reveals that there have been no recorded personal injury accidents involving goods vehicles along the approved haul route between Gwrhyd Quarry and the A4068 / Bryn Road junction to the north, via Gwrhyd Road/Coedffaldau/Bryn Road over the full 23-year period (1999 – 2021 inclusive) covered by the database.
- 6.53 This excellent safety record demonstrates that the access and local road network are of sufficient standard to safely accommodate the types of HGVs associated with the quarry, using the evidence-based approach advocated in current guidance contained in *Manual for Streets 2*.
- 6.54 Given the negligible impact of the proposed variations when compared with the existing highway conditions which have demonstrably safely accommodated the traffic activity associated with the quarry, it is concluded that the highway impact of the proposals would be acceptable.
- 6.55 A pre-application meeting was held with the Highway Authority where they confirmed that, based on the historic and permitted activities, the proposed variations are acceptable in principle.

Table 2G - Condition 15	
2011 Consent Planning Condition	Proposed Wording
<i>Vehicles utilised for the haulage of quarried products from the site shall not exceed the following combination of carrying capacities and number of vehicular movements:-</i> <i>a. No more than 7 heavy goods vehicles with a carrying capacity not exceeding 15 tonnes shall depart from the site in any working day.</i> <i>b. No more than 2 heavy goods vehicles with a carrying capacity not exceeding 21 tonnes shall depart from the site in any 7-day period.</i> <i>c. No more than 5 vehicles with a carrying capacity not exceeding 3 tonnes and carrying quarry products shall depart from the site in any one day and up to a maximum of 15 in any 7 day period.</i>	The total amount of quarried products leaving the site shall not exceed a total of 750 tonnes per week. Heavy Goods Vehicles utilised for the haulage of quarried products from the site shall not exceed the following combination of payloads:- a. No Heavy Goods Vehicles with a payload exceeding 24 tonnes shall depart from the site for the removal of quarried products. b. No more than 10 Heavy Goods Vehicles with a payload between 3 tonnes and 24 tonnes shall depart from the site in any working day for the removal of quarried products.

Condition 16 – Vehicular Access

- 6.56 This minor change reflects the revised wording in Condition 15 of the 2018 consent. It is relevant to be taken forward, as Drawing No. A 1.2 (Revised), April 2010 which shows the location of the TRACK, remains essentially unchanged (see under Condition 4 above).

Table 2H - Condition 16	
200 Consent Planning Condition	Proposed Wording
<i>The planning permission hereby granted relates to the use of the access road shown in orange on Drg. No A 1.2 (Revised) and vehicles gaining access to or from the site shall utilise no other access points other than those marked in X on the same plan.</i>	The planning permission hereby granted relates to the use of the access road marked as 'TRACK' on Drg. No A 1.2 (Revised) and vehicles gaining access to or from the site shall utilise no other access points other than those marked in X on the same plan.

Condition 47 – External Colour of Saw Shed

- 6.57 As proposed, the wording of the Condition would carry forward the existing requirements relating to the external appearance of the approved saw shed.
- 6.58 This proposed deletion of the second part of the Condition would ensure that it relates to the consent to which it is attached and does not pre-empt potential future proposals which would be subject of separate planning applications or prior approval under *The Town and Country Planning General Permitted Development) Order*, the details for which would be determined at that time.
- 6.59 The proposed wording is consistent with that used in Condition 48 of the 2018 consent.

Table 2I - Condition 47	
2011 Consent Planning Condition	Proposed Wording
<i>Unless otherwise approved in writing by the Local Planning Authority, the external walls and roof of the new saw shed and ancillary structures shall be dark green in colour. The colour of the building shall thereafter be maintained until the building and structures are removed from the site. Any other new buildings and structures that may be erected and approved by the Local Planning Authority shall be dark green in colour and maintained as such until removed from the site.</i>	The external walls and roof of the new saw shed and ancillary structures shall be dark green in colour. The colour of the building shall thereafter be maintained until the building and structures are removed from the site. Any other new buildings and structures that may be erected and approved by the Local Planning Authority shall be dark green in colour and maintained as such until removed from the site.

Condition 20 – Turf, Topsoil and Subsoil Handling and Storage

- 6.60 All parts of the site have been stripped of topsoil.
- 6.61 The up-to-date volumes have been calculated based on the July 2023 topographical survey of the

quarry and the updated phased working and restoration plans listed under Condition 4 above and detailed in Appendix 4.0 to this planning application. **These take account of the** partial removal of the eastern quarry waste tip which has enabled the Applicant to establish a better and more accurate understanding of the mineral reserve and the volume of material which will be available for restoration of the quarry. As not all of the eastern quarry waste tip has been removed as originally envisaged, approximately 50% of this material remains available as restoration material.

- 6.62 The proposed wording reflects Condition 38 of the 2018 consent.

Table 2J - Condition 20	
2011 Consent Planning Condition	Proposed Wording
<i>All turf and topsoil, subsoil and soil forming material shall remain on site for use in the restoration of the site and when stripped shall be stored in separate mounds which do not overlap. Within three months of the formation of such soil mounds the Local Planning Authority shall be advised in writing of the exact position and dimensions of the soil storage mounds and the quantities of soil in each and the soil mounds shall be seeded to grass in the first planting season following their construction. The soil mounds shall be maintained and kept weed free for the duration of the operation</i>	All turf and topsoil, subsoil and soil forming material shall remain on site for use in the restoration of the site and when stripped shall be stored in separate mounds which do not overlap. <u>The position and dimensions of the soil mounds are shown on the approved phased working and restoration plans.</u>

Condition 34 – Water Management

- 6.63 The updated Drainage and Surface Water Management Plan, October 2023, is included as Appendix 5.0 to this planning application. The Plan revisions are minor and relate to the installation of a rainwater harvesting and process water collection system and surface water management which reflects the up-to-date buildings layout, approved post the 2011 consent.
- 6.64 The proposed Water Catchments Plan (Dwg No. J0054597-22-08c), Water Management (J0054597-22-09b) and Water Management Plan – Detail (J0054597-22-10b) which are appended to the Drainage and Surface Water Management Plan show the approved building layout and the process water collection infrastructure at the Site on a recent survey base (May 2022).
- 6.65 The pollution and prevention measures approved in July 2012, under the 2011 consent, remain relevant.

Table 2K - Condition 34	
2011 Consent Planning Condition	Proposed Wording
<i>Prior to the commencement of the development hereby permitted a comprehensive water management scheme shall be submitted to and approved in writing by Local Planning Authority. The scheme shall include details with schematic</i>	The Site shall operate in accordance with the <i>Drainage and Surface Water Management Plan</i>, dated October 2023.

<i>drawings for:</i> <i>a) the surface water drainage arrangements to be installed to intercept and treat contaminated surface water run-off</i> <i>b) the proposed water recycling unit and water reduction measures (re-use of clean roof water etc.)</i> <i>c) dust suppression / damping down</i> <i>d) foul water disposal</i> <i>The scheme shall be supported, where necessary, by detailed calculations and a maintenance programme.</i> <i>The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied with the scheme, or any details as may subsequently be approved, in writing, with the Local Planning Authority.</i>	
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Condition 37 – Restoration Strategy

- 6.66 The proposed change to Condition 37 is to reflect the extraction levels and depths during each phase based on the improved geological knowledge of the quarry since the partial removal of the waste tip.
- 6.67 The Restoration Concept Plan has been updated to reflect ongoing, phased mineral extraction from the southern end of the quarry, progressing in a northerly direction (Plan ref. 170-01-REST, included in Appendix 2.0). The phased development will allow for the extracted voidspace to continue to be progressively restored through the backfill of quarry waste. A greater volume of available restoration material will enable a more sympathetic restoration profile with graded slopes to be achieved. It is anticipated that the two lower areas will remain either wet or seasonally waterlogged and the proposed ephemeral seasonal wetland would cater for that. The woodland/scrub planting would provide bank stability along the slopes around the two lower areas, as well as additional biodiversity value and local landscape character benefits in keeping with the pockets of woodland and treed hedgerows to the south and east of the site. The woodland pockets are shown on the northern slopes to avoid shading the lower ephemeral grasslands.
- 6.68 At this stage the restoration is conceptual as only as extraction progresses will the geology/quality of bedrock be known. Therefore, the ratio of winnable mineral to waste is subject to change and, in turn, this will impact on material balance and restoration profile/levels. A detailed Restoration Plan would be provided in accordance with the requirements of Condition 37 (below) at which stage the Planting Plan would also be reviewed and amended as appropriate.
- 6.69 Due to the geometric form of the quarry and the operational space restrictions, the opportunity to undertake any significant early-stage final restoration is limited. The main restoration works would take place towards the end of Phase 3 and upon completion of stone extraction. However, some early restoration could be achieved through the removal and re-processing of the quarry waste material tip on the eastern side of the quarry to the level of the original valley side which would present an

opportunity to re-soil and grass seed for sheep grazing.

- 6.70 Further details are provided in the Revised Working and Restoration Programme (Appendix 4.0 to this planning application).

Table 2L - Condition 37	
2011 Consent Planning Condition	Proposed Wording
<i>Unless otherwise approved in writing by the Local Planning Authority or as modified by conditions and schemes under this permission, the reclamation of the site shall be carried out in accordance with the principles set out in the restoration proposals within the application, the Environmental Statement, as amended within Section 7 of the Supplementary Information dated May 2010 and the Proposed Restoration Context Drg. No. 2.7 (Revised)</i>	The restoration of the site shall be carried out in accordance with the principles set out in the restoration proposals as shown on the approved Restoration Concept Plan.

Condition 38 – Detailed Restoration Scheme

- 6.71 Both the 2011 and the 2018 consents required the submission of a detailed restoration scheme within the five years of the restoration end date of those permissions. Therefore, it is considered appropriate to apply the same time frame for submission of the aftercare scheme in connection with this s73 planning application. In every other respect the content of the current Condition would be carried forward. Furthermore, the 5-year aftercare period would remain unchanged (see under Conditions 3, 5 and 41).
- 6.72 Further details are included in the Revised Working and Restoration Programme (Appendix 4.0 to this planning application).

Table 2M - Condition 38	
2011 Consent Planning Condition	Proposed Wording
<i>Within 10 years of the date of this permission, or in the event of the cessation of winning and working of sandstone which in the opinion of the Local Planning Authority constitutes a permanent cessation within the terms of Schedule 9 of the Town and Country Planning Act 1990, a detailed restoration scheme (in the form of written statements and plans) for the whole of the site shall be submitted to the Local Planning Authority for its approval.</i> <i>The scheme shall include, inter alia, details of the following unless modified by other conditions of this consent.</i> <i>(a) the nature or intended after use of the</i>	Within <u>3 5</u> years of the <u>end</u> date of this permission, or in the event of the cessation of winning and working of sandstone which in the opinion of the Local Planning Authority constitutes a permanent cessation within the terms of Schedule 9 of the Town and Country Planning Act 1990, a detailed restoration scheme (in the form of written statements and plans) for the whole of the site shall be submitted to the Local Planning Authority for its approval. The scheme shall include, inter alia, details of the following unless modified by other conditions of this consent.

<i>whole site;</i> <i>(b) the removal of buildings, plant and machinery and the reinstatement of the site and access roads by clearing plant, buildings, machinery, road base, concrete or brickwork and any temporary river crossings;</i> <i>(c) details of the re-spreading of overburden, subsoil and topsoil previously stripped from the site, including depths and placement;</i> <i>(d) the ripping of any compacted layers of final cover to ensure adequate drainage and aeration, such ripping to take place before placing the topsoil;</i> <i>(e) the machinery to be used in soil re-spreading operations and the method of soil replacement;</i> <i>(f) the final proposed levels of the reclaimed land, as a contour plan at 2 metre intervals, and the gradient of the slopes which shall be graded to prevent ponding of, or erosion by, surface water and to conform with the surrounding land;</i> <i>(g) the drainage of the reclaimed land (including the formation of suitably graded contours to promote natural drainage), the installation of artificial drainage where necessary, and the position and design (including longitudinal and transverse sections) of main outflow ditches and watercourses where all such features shall be designed to achieve maximum ecological diversification;</i> <i>(h) the position and erection of fencing, hedge on bank constructions, gates, walls, cattle ditches and water supplies in order to show field layouts and sections;</i> <i>(i) the creation of attenuation ponds, water features or wetlands;</i> <i>(j) the distribution of woodlands and nature conservation features;</i> <i>(k) provision of and position of any footpaths and bridleways to be reinstated or linked with existing Public Rights of Way</i> <i>Unless otherwise approved in writing by the Local Planning Authority development shall be</i>	(a) the nature or intended after use of the whole site; (b) the removal of buildings, plant and machinery and the reinstatement of the site and access roads by clearing plant, buildings, machinery, road base, concrete or brickwork and any temporary river crossings; (c) details of the re-spreading of overburden, subsoil and topsoil previously stripped from the site, including depths and placement; (d) the ripping of any compacted layers of final cover to ensure adequate drainage and aeration, such ripping to take place before placing the topsoil; (e) the machinery to be used in soil re-spreading operations and the method of soil replacement; (f) the final proposed levels of the reclaimed land, as a contour plan at 2 metre intervals, and the gradient of the slopes which shall be graded to prevent ponding of, or erosion by, surface water and to conform with the surrounding land; (g) the drainage of the reclaimed land (including the formation of suitably graded contours to promote natural drainage), the installation of artificial drainage where necessary, and the position and design (including longitudinal and transverse sections) of main outflow ditches and watercourses where all such features shall be designed to achieve maximum ecological diversification; (h) the position and erection of fencing, hedge on bank constructions, gates, walls, cattle ditches and water supplies in order to show field layouts and sections; (i) the creation of attenuation ponds, water features or wetlands; (j) the distribution of woodlands and nature conservation features; (k) provision of and position of any footpaths and bridleways to be reinstated or linked with existing Public Rights of Way Unless otherwise approved in writing by the
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<i>carried out in accordance with the approved details.</i>	Local Planning Authority development shall be carried out in accordance with the approved details. <u>Restoration shall be carried out in accordance with the approved details</u>
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Condition 39 – Aftercare Scheme

- 6.73 Both the 2011 and the 2018 consents required the submission of details of an aftercare scheme within five years of the restoration end date of those permissions. Therefore, it is considered appropriate to apply the same time frame for submission of the aftercare scheme in connection with this s73 planning application. In every other respect the content of the 2011 consent Condition would be carried forward. Furthermore, the 5-year aftercare period would remain unchanged (see under Conditions 3, 5 and 41).

Table 2N - Condition 39	
2011 Consent Planning Condition	Proposed Wording
<i>Within 10 years of the date of this permission, or in the event of a cessation of winning and working of sandstone (which in the opinion of the Local Planning Authority constitutes a permanent cessation, within the terms of Paragraph 3 of Schedule 9 of the Town and Country Planning Act), details of an aftercare scheme, to bring the site to the required uses for agriculture, amenity and nature conservation, shall be submitted to the Local Planning Authority for its approval. The details shall include the steps that are to be undertaken and the period during which they are to be taken, together with the following:</i> <i>(a) the designated areas of the intended after uses for the whole site;</i> <i>(b) the timing and pattern of vegetation establishment (including species to be planted, grass seeding mixtures and application rates, stock types and sizes, spacing, method and position of planting);</i> <i>(c) cultivation practices for the preparation of soils;</i> <i>(d) hedgerow construction;</i> <i>(e) fertiliser and lime application and weed control based on soil and chemical analysis and identification and justification of any areas that would be the subject of treatment by biogran or biosolids;</i> <i>(f) drainage proposals including the timing of</i>	Within <u>3 5</u> years of the <u>end</u> date of this permission, or in the event of a cessation of winning and working of sandstone (which in the opinion of the Local Planning Authority constitutes a permanent cessation, within the terms of Paragraph 3 of Schedule 9 of the Town and Country Planning Act), details of an aftercare scheme, to bring the site to the required uses for agriculture, amenity and nature conservation, shall be submitted to the Local Planning Authority for its approval. The details shall include the steps that are to be undertaken and the period during which they are to be taken, together with the following: (a) the designated areas of the intended after uses for the whole site; (b) the timing and pattern of vegetation establishment (including species to be planted, grass seeding mixtures and application rates, stock types and sizes, spacing, method and position of planting); (c) cultivation practices for the preparation of soils; (d) hedgerow construction; (e) fertiliser and lime application and weed control based on soil and chemical

<i>installation, maintenance and temporary drainage measures including any ponds and wetlands;</i> <i>(g) grassland management, including class of grazing stock, livestock, stocking density and mowing practices;</i> <i>(h) the provisions for the seeding of woodland ground flora;</i> <i>(i) watering facilities and the provision of supplies;</i> <i>conservation and their application to local biodiversity objectives;</i> <i>(k) the creation, management and maintenance of any paths, tracks or roads;</i> <i>(l) any other agricultural, silvicultural or conservation treatment relevant to the site; and</i> <i>(m) fencing</i> <i>Unless otherwise approved in writing by the Local Planning Authority development shall be carried out in accordance with the approved details.</i>	analysis and identification and justification of any areas that would be the subject of treatment by biogran or biosolids; (f) drainage proposals including the timing of installation, maintenance and temporary drainage measures including any ponds and wetlands; (g) grassland management, including class of grazing stock, livestock, stocking density and mowing practices; (h) the provisions for the seeding of woodland ground flora; (i) watering facilities and the provision of supplies; (j) the full assessment of the introduction of areas to be restored to nature conservation and their application to local biodiversity objectives; (k) the creation, management and maintenance of any paths, tracks or roads; (l) any other agricultural, silvicultural or conservation treatment relevant to the site; and (m) fencing Unless otherwise approved in writing by the Local Planning Authority development shall be carried out in accordance with the approved details. <u>The development shall be carried out in accordance with the approved details.</u>
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Condition 46 – Stocking of Sandstone Products

- 6.74 The Condition as proposed would carry forward the current requirements relating to the stocking and bagging of quarried products within dedicated areas. The change amends the wording to refer to the updated phased working plans on which these dedicated stockpile areas are shown.

Table 20 - Condition 46	
2011 Consent Planning Condition	Proposed Wording
<i>No stocking of sandstone products shall occur other than in the areas identified on Drg. No. 2.4 (Revised) May 2010. Quarried stone</i>	No stocking of sandstone products shall occur other than in the areas identified on

<i>products shall not be stocked at a height greater than 3 metres above ground level, and if covered in sheeting or in bags such sheeting or bags shall be dark green in colour.</i>	Drg. No. 2.4 (Revised) May 2010. Quarried stone products <u>will be stocked in the areas shown on the approved phased working and restoration plans.</u> shall not be stocked at a height greater Stock shall not <u>exceed a height of more than 3 metres above ground level, and if covered in sheeting or in bags such sheeting or bags shall be dark green in colour.</u>
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Condition 52 – Landscape Plan

- 6.75 The presence of the remaining waste tip material has limited the opportunities for early restoration within the quarry. However, as set out in the Revised Working and Restoration Programme (Appendix 4.0 to this planning application) Artisan has undertaken early pro-active restoration at the southern end of the quarry where the quarry waste tip has been removed and the underlying area graded with soil cover and grass seeded.
- 6.76 As set out in Appendix 4.0 and under Conditions 37 and 30 above, it is considered appropriate to confirm the landscape plan at the same time as submitting the detailed Restoration Plan nearer the time of the required restoration for the quarry.

Table 2P - Condition 52	
2011 Consent Planning Condition	Proposed Wording
<i>The landscaping of the existing waste (overburden) mound as set out within Section 10 of the Supplementary Information dated May 2010 shall be implemented within 9 months of the commencement of the development.</i>	Within 5 years of the end date of this permission, or in the event of a cessation of winning and working of sandstone (which in the opinion of the Local Planning Authority constitutes a permanent cessation, within the terms of Paragraph 3 of Schedule 9 of the Town and Country Planning Act), details of a landscaping plan shall be submitted to the local planning authority for its approval.

Condition 57 – Limitations on Permitted Development Rights

- 6.77 The change proposes that any restrictions to permitted development rights would apply to Class A of the GPDO Part 19, whereas under the proposed wording, prior approval of the mineral planning authority could be sought and permitted under Part 19, Class B, subject to the development meeting the conditions set out under Class B.

Table 2Q - Condition 57	
2011 Consent Planning Condition	Proposed Wording
<i>Notwithstanding the provisions of Part 19 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order amending or re-enacting that Order) no fixed plant or machinery, buildings, structures and erections or private ways shall be erected, extended, installed or replaced at the site complex without the prior approval of the Local Planning Authority.</i>	Notwithstanding any provision to the contrary under Part 19 Class A of the Town & Country Planning (General Permitted Development) Order 1995 or any subsequent order no fixed plant or machinery, buildings or structures shall be erected, extended, installed or replaced at the site.

Ongoing Compliance with Conditions

- 6.78 No change is proposed to the Conditions listed in Table 3 as these have already been implemented and the quarry will continue to comply with the requirements of the approved schemes.

Table 3: Pre-Commencement and Time Restricted Planning Conditions

No.	2011 Consent Planning Condition Requirement	Condition Discharged
1&2	Timeframes for implementation of planning consent	Implemented
33	Pollution Prevention Measures Method Statement	Details approved under PA ref. P2012/0270, dated 17 th July 2012
53	Stockproof fencing, hedgerows and cattle grid.	Implemented and ongoing.
54	Advance planting and hedgerow construction	Implemented
55	Site Liaison Committee	Scheme approved under PA ref. P2013/0592, dated 8 th August 2013.
56	Technical Working Party	Scheme approved under PA ref. P2013/0592, dated 8 th August 2013.
59	Artificial Bird Nesting Sites	Scheme approved under PA ref. P2011/0861, dated 22 nd September 2011.

- 6.79 There will be ongoing compliance with the operational 'day-to-day' Conditions listed in Table 4.

Table 4: 'Day-to Day' Operational Planning Conditions

No.	2011 Consent Planning Condition Requirement
6	Permanent cessation of stone extraction - removal of stone stock & products
9	Hours of operation – start-up of machinery, maintenance and testing.
10	Hours of operation - rock breaking plant
11	Hours of operation – temporary activities e.g. soils stripping & bund construction

17	Notice prior to soil stripping
18 & 19	Soils – stripping, storage and conservation
21	Storage of turf, topsoil and subsoil in accordance with approved plans. <i>(NB content is covered by other planning conditions)</i>
22	No removal of soils from Site
23	Storage mounds – seeding and maintenance
24	Restrictions on vehicles accessing unstripped and stripped areas
25	Dust control, suppression and monitoring in accordance with Dust Action Plan.
26 & 27	Operational Noise Limits – Noise Sensitive Properties
28	Compliance with Noise Action Plan (June 2010)
29 to 32	Noise control within the site – Pumps, vehicles, plant and machinery, temporary operations
35	Dewatering restrictions
36	Drainage measures – maintenance requirements
40	Restoration and Aftercare – Annual review of progress and management programme <i>(NB some of the listed parties have changed their name e.g. Countryside Council for Wales and Environment Agency Wales have since been superseded by Natural Resources Wales)</i>
42	Working, restoration and aftercare – obligations for protection of drainage features and prevention of pollution of watercourses
43	European Protected Species licence requirements <i>(Such requirements are covered by their own separate legislation and do not need to be subject of a planning condition)</i>
44	No blasting permitted
45	Restriction on stocking of materials on Site
48	Maintenance and availability to local planning authority of records of daily, weekly and monthly outputs and size, weight and number of vehicular movements used in the transportation of quarried products from site.
49	Availability of planning consent for inspection at site office during site operating hours.
50	Requirement for land survey to be undertaken every 5 years and submitted to the local planning authority.
51	Footpath – obligations to avoid impacts and undertake repairs
58	Storage and removal of rubbish and scrap materials
60	Definition of term ‘emergency’ used in planning conditions <i>(NB question whether it is necessary to include such a planning condition)</i>

7.0 PLANNING POLICY INCLUDING NEED

- 7.1 The following paragraphs provide a summary of the national and local development plan policies which are pertinent to this planning application and they consider how the proposed development would meet the overarching economic, social and environmental objectives of sustainable development.
- 7.2 They describe the importance of the minerals industry to the provision of construction materials to meet society's needs as well as the vital role which Gwrhyd Quarry plays in serving local and wider markets with its high-quality products across a diverse range of project types.
- 7.3 Furthermore, it considers how this established quarry provides ongoing direct and indirect employment opportunities for local communities as well as the retention and development of specialist trade skills, in particular related to the masonry and blockstone business. These attributes are key to the Welsh Government 'prosperous' and 'resilient' well-being goals which seek the efficient and proportionate use of resources and development of a skilled population in a resilient economy which generates wealth and provides employment opportunities.
- 7.4 The revised Working and Restoration Programme (Appendix 4.0 to this application) would be achieved within the current parameters of lateral extent and depth of working and total products output, in ongoing compliance with planning conditions which provide for the protection of the environment and amenity of local communities.

Contribution to Economic and Social Objectives

- 7.5 Planning Policy Wales: Edition 11 (PPW11) acknowledges³ that:
- Construction related minerals and mineral products are particularly important in Wales and are essential for housing and infrastructure... and a steady and adequate supply of materials is necessary.*
- 7.6 The Mineral Products Association (MPA) reports⁴ that the flow of essential mineral products into the economy makes the mineral products and quarrying industry the UK's biggest materials producer with a total of 419 million tonnes of minerals and mineral products each year. This equates to a direct contribution of £7.9 billion contribution to the UK economy and the employment of 80,000 people.
- 7.7 More specifically, MPA Wales⁵ sets out that the mineral products and quarrying industry is essential to the Welsh economy, the operation, development and maintenance of Welsh infrastructure, as well as the built environment and quality of life. The publication states that there are over 200 sites across Wales that produce 22 million tonnes of mineral products per annum, supporting 3,800 jobs and contributing £0.7 billion to the Welsh economy.
- 7.8 The MPA recognise that the dimension (building) stone sector, whilst specialist, plays a vital role within the UK construction material supply industry in ensuring that the unique local characteristics and distinctiveness of natural stone-built areas of the UK are maintained and that new housing and development has a "sense of place". In addition, there is demand from the heritage sector and from the prestige development market both at home and overseas.

³ PPW11, Para 5.14.1

⁴ Profile of the UK Mineral Products Industry 2023 Edition

⁵ 'Delivering for Wales: Priorities for Government, Priorities for Industry' (2021)

While dimension stone represents a fraction of the total mineral products market, more than one million tonnes of high value stone is produced in the UK each year. Yet for too long there has been a perception amongst legislators and regulators that this represents a 'small - scale' cottage industry that only exists to supply the heritage market causing unnecessary restrictions on potential output which could stifle the development and competitiveness of British dimension stone, particularly in the face of overseas imports⁶.

- 7.9 Elsewhere, in non-masonry markets, Blue Pennant Sandstone is extracted as aggregate for its use in high specification road surfacing due to its skid resistance and hard-wearing properties. This is recognised by the North and South Wales Regional Aggregate Working Parties (RAWP's) who state⁷ that the main export from South Wales is sandstone, with the vast majority (90%) being High Specification Aggregate (HSA), skid-resistant road surfacing material with a Polished Stone Value (PSV) of 58 or above, and generally much higher. These exports are of major importance because of the limited sources of unconstrained HSA materials within England. Furthermore, they are also transported over much greater distances to meet specification requirements in areas which have no comparable indigenous resources (which includes most of eastern and southern England).
- 7.10 Stone from the quarry has been used in many high-profile building projects, with a selection of examples provided below.

A465 Heads of the Valley	Infrastructure
A40 Road Scheme	Infrastructure
Swansea Arena	Walling
Swansea Waterfront Museum	Paving
Cwm Carn Forest Regeneration	Walling/Boulders
WW1 Centenary Memorials <i>Supplied Free of Charge</i>	Memorial Stones
Kidwelly Castle	Paving
Harlech Castle	Paving
Atlantic College	Walling/Paving/Masonry
Llandaff Cathedral	Walling/Paving/Masonry
Bath Abbey	Walling/Paving/Masonry
Neath Abbey	Walling/Masonry
Felindre Tin Works Regeneration	Walling/Monoliths
Manchester North Hospital	Paving/Walling
Cotswold Homes (100+ Houses)	Walling/Paving/Masonry
Maesteg Town Hall	Steps/Paving
Riverside Temple Street Bath	Paving
Pembroke Dock South Quay Regeneration	Walling/Masonry

⁶ <https://www.mineralproducts.org/Mineral-Products/Dimension-Stone.aspx#:~:text=While%20dimension%20stone%20represents%20a,in%20the%20UK%20each%20year.>

⁷ Regional Technical Statement 2nd Review (Main Document), September 2020, Para 3.37

Clifton Suspension Bridge	Paving Masonry
Hartford House Northumberland	Walling/Paving
Pinewood Studios – Star Wars 9 Film	Boulders
Cwmllynfell School	Quoins/Masonry
Somerset County Hall	Public Infrastructure
National Theatre London	Paving
Bargoed Bus Station	Walling/Paving
Royal National Lifeboat Institution Stations Wales and South-West	Walling/Masonry
Royal Mint Llantrisant	Walling/Masonry
Coed Darcy Housing Estate	Walling/Masonry

- 7.11 Gwrhyd Quarry has a wide customer base across Wales and into England, including the Welsh Government, NPT amongst many other local authorities, Natural Resources Wales, the Canal and River Trust, South Wales Building Preservation Trust and a multitude of national and local builders merchants amongst many others.
- 7.12 At a local and regional level, Gwrhyd Specialist Stone Quarry directly employs a workforce comprising 14 trained quarry operatives and a further 2 administrative personnel that work remotely from the Company's head office location. Of the quarry operatives, 8 live within a 6-mile radius of it while the remaining 6 operatives live within a 20-mile radius.
- 7.13 The Company relies upon a range of suppliers for engineering and supply services, of which approximately 122 companies are based in South Wales.
- 7.14 The combined wage bill at the quarry and expenditure on contractors and suppliers, the majority of whom are based in South Wales, averages over £900,000 per annum. Business rates payable to NPT average £5,500 per annum.
- 7.15 Gwrhyd Quarry therefore directly and indirectly injects just over £0.9 million per annum into the local economy.

Mineral Waste – High Specification Aggregate

- 7.16 PPW11 recognises⁸ that although there are large resources of useful minerals in Wales, it is important to ensure that they are not wasted and that they are used efficiently and for the purpose(s) specified in the planning permission, although flexibility may be necessary in some circumstances.
- 7.17 Paragraph 5.14.25 of PPW11 relates specifically to Dimension Stone and states:

Suitable building stone is important for the restoration of historic buildings and ancient monuments and may be available from small operations in specific locations to supply local markets. Dimension stone is used in new buildings where it is important to maintain local building character. It may be

⁸ Para 5.14.5 PPW11

necessary to obtain dimension stone from geological formations which are restricted in occurrence in order to obtain a particular colour, texture or homogeneity. There is often a large proportion of waste produced that may be utilised as general construction aggregate. Market demand will usually result in low rates of output from relatively small sites which may be temporary or intermittent and a flexible approach may be necessary to deal with the long duration of planning permissions which result from such a working pattern.

- 7.18 Condition 7 of the most recent planning permission (2018 consent) stipulates that output from Gwrhyd Quarry is to be restricted to 750t per week of dimensional blockstone and/or masonry products. The current quarry output of dimensional blockstone and masonry products falls well within this limit, which remain unchanged. To minimise the level of mineral waste produced from the dimension/masonry stone operation it is proposed to widen the range of products to enable the processing and sale of mineral waste as aggregate.
- 7.19 There are multiple benefits to this widening of the product range. The footprint of the operational quarry area is relatively small, and with the lateral extent of the approved extraction area having been reached, mineral extraction is now focussed on deepening the quarry to access the geological beds that are capable of producing dimension/masonry products, the footprint of the working area will be reduced as the depth increases due to the requirement to leave safe working faces and access ramps.
- 7.20 The existing quarry waste tip which comprises stone unsuitable for the currently permitted dimensional blockstone and masonry product range, as well as the mineral waste resulting from the cutting operations are continuously added to the tip, which further reduces the operational footprint. This also creates issues and costs associated with future double handling due to the necessity of tipping waste material above the reserves which are yet to be worked. Therefore, the less waste that is added to the tip and the more material that can be removed from the tip the greater the benefit for the future operation of the quarry.
- 7.21 The material currently tipped within the site is classified as waste insofar as the permitted product range is concerned, however this material is mineral that could be processed into HSA products.
- 7.22 Paragraph 5.14.23 of PPW11 has specific regard to aggregates suitable for road surfacing construction and maintenance where:

high specification aggregates are required for skid resistance, are of importance to the UK and significant resources occur in Wales. The UK and regional need for such minerals should be accorded significant weight provided environmental impacts can be limited to acceptable levels. The fundamental characteristics of these materials, which distinguish them from more general-purpose aggregates, are their ability to meet the stringent specifications required for road construction and repair and wherever possible high specification aggregates should be used for these purposes. Planning authorities should identify potential high specification aggregate resources and consider whether there is a need to protect these resources and potential rail connections to the resources from sterilisation.

- 7.23 Currently, the planning consent is effectively seeing Pennant Sandstone that can produce HSA products being sterilised as a mineral waste/future restoration material, rather than being processed and supplied to the local South Wales market as a by-product of the dimension/masonry stone operation at Gwrhyd Quarry. This position is not a sustainable use of a mineral resource of UK importance. Rather than sterilise this stone as a waste product, its use as aggregates would help to meet established and ongoing demand for these products, thereby delaying and/or avoiding the need to create new quarries to produce similar materials.

- 7.24 It is proposed to process (crush and screen) the mineral waste into aggregate products thereby avoiding a valuable resource of a high specification sandstone being added to the tip, sterilising it. This material would either be processed on site via a mobile crushing plant on a “campaign” basis or it would be exported in bulk prior to processing and processed off site by a contractor at their own facility. In either case, the processed material would be sold either in bulk loads or as bagged aggregate.
- 7.25 The dimension and masonry stone operation produces mineral waste that is acknowledged as a resource of UK importance. PPW11 recognises that this material should be utilised rather than sterilised.
- 7.26 The quarry also contributes to the local and regional South Wales economy through direct and indirect employment (and taxation) spending on services and business rates. The quarry delivers important socio-economic benefits in line with national planning policy.
- 7.27 The adopted Neath Port Talbot Local Development Plan⁹ (NPT LDP) recognises in para 5.3.64 that minerals can only be worked where they occur. The principle of development is established in that Gwrhyd is an active, operational quarry where the existence of mineral is proven and the working of the reserves previously consented. The importance of the quarry and the underlying mineral is reflected in its designation as a Safeguarded Category 1 Sandstone Resource, which lies within a wider mineral buffer zone, the primary aim of which is to protect permitted or proposed mineral working from new, sensitive uses which could prejudice the future extraction of permitted reserves.

Local Community and Environment

- 7.28 These proposals are for ongoing mineral extraction from this safeguarded reserve and active quarry to allow time to access the full reserve and make best use of the mineral to produce a wider range of high-quality products so preventing unnecessary sterilisation of a finite resource. These principles are in keeping with the LDP Policy M4. In accordance with the criteria listed under Policy M4 which apply to existing operations and the reworking of mineral tips for their mineral content, Gwrhyd Quarry would continue to operate in accordance with the planning conditions which are already in place to protect local communities and the environment. The proposed, revised Working and Restoration Programme would ensure the ongoing phased, effective and sustainable extraction of the mineral, management of mineral waste and restoration of the site on cessation of the working, at which point the land would be returned to another beneficial use, for agriculture.

⁹ Adopted January 2016

8.0 SUMMARY AND CONCLUSION

- 8.1 Gwrhyd Quarry is an active, established quarry with safeguarded reserves of Blue Pennant Sandstone, processing areas for the cutting and dressing of the stone and restored areas that sit within peripheral agricultural land.
- 8.2 The uniquely coloured, high-quality Pennant Sandstone has generated a sustained demand and use of the quarry materials across the built environment from paving and walling to the construction, maintenance and renovation of new homes and iconic Welsh buildings and spaces such as Swansea Arena. Elsewhere, in non-masonry markets, Pennant Sandstone is extracted as “high PSV” (polished stone value) aggregate for its use in high specification road surfacing due to its skid resistance and hard-wearing properties.
- 8.3 This planning application has been prepared on behalf of Marshalls Mono Limited further to pre-application discussions and advice from the mineral planning authority (mpa) and highway authority. It seeks the continuation of mineral extraction at Gwrhyd Quarry over an extended period in accordance with an updated working and restoration programme based on an up-to-date topographical survey. This would allow for the reserves to be fully accessed and extracted and for more of the mineral waste material generated from the dimension and masonry stone operations to be processed and exported as a high-quality saleable aggregate, rather than for these resources to be put back into the void and consequently sterilised.
- 8.4 In 2018, the mpa approved a temporary period for the waste re-processing and export of aggregate products. The Applicant now seeks permission for the ongoing output of aggregates, the principle of which the mpa has previously deemed acceptable. The quarry is currently operating well within the overall weekly product output limit and the application does not seek to change this. However, to maximise the benefits derived from the mineral waste, greater flexibility in the daily mix of vehicles servicing the quarry is being sought to cater for the transportation of a wider range of quarry products.
- 8.5 An updated Drainage and Surface Water Management Plan details the improvements made within the Site to harvest rainwater and re-circulate process water, so reducing the requirement for abstracted water. An updated Restoration Plan illustrates the proposed concept for returning the land to agricultural use with biodiversity enhancements.
- 8.6 Extraction has already reached the lateral limit of the consented working area and now the focus is on achieving the approved depths, so confining any impacts within the quarry void. The regulation and monitoring of any impacts from the day-to-day operations would continue to be controlled by planning conditions and approved schemes. The site continues to operate in compliance with these.
- 8.7 Minerals can only be worked where they are found. The proposals as set out in this planning application would allow for the ongoing best use of the mineral resource and the production of a range of high-quality building materials for which there is local, regional and national demand. They would also enable Gwrhyd Quarry to provide ongoing direct and indirect employment opportunities for local communities as well as retain and develop specialist trade skills, in particular related to the masonry and blockstone business.
- 8.8 This application presents the opportunity to clarify and where appropriate simplify the planning requirements for the Site, provide greater certainty and flexibility to the quarry operations and enable the quarry operators to invest further in the development of the quarry.
- 8.9 It is concluded that the proposals are in accordance with national planning policy and the Development Plan and should be granted.