

Ein cyf/Our ref: CAS-243061-D5H1
Eich cyf/Your ref: P2023/0861

Neath Port Talbot County Borough Council
The Quays
Briton Ferry
SA11 2GG

Dyddiad/Date: 30 January 2024

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: 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 HGVs serving the site.

LLEOLIAD/LOCATION: Gwrhyd Specialist Quarry, Gwrhyd Uchaf Farm, Gwrhyd Road, Pontardawe, Swansea, Neath Port Talbot, SA9 2SB.

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 20 November 2023.

We have concerns with the application as submitted. We have reviewed the conditions in the proposal and consider that conditions 34 and 37 fall within our remit.

We do not recommend your Authority varies conditions 34 and 37 for the following reasons.

Condition 34 – Water Management

We have reviewed the updated Drainage and Surface Water Management Plan, proposed Water Catchments Plan (Dwg No. J0054597-22-08c), Water Management (J0054597-22-09b) and Water Management Plan – Detail (J0054597-22-10b).

We have concerns that water from a groundwater feature at the base of the quarry void is freely discharging without treatment during periods of intensive or prolonged rainfall, our concerns primarily relate to the pollution risk presented to groundwater or surface waters down gradient of this feature. The groundwater feature referred to as 'W21 Discharge Point C' in the associated documents and plans and is described as an engineered soak-away structure its location is plotted on plan (ref: - J0054597-22-09b).

We request that this discharge point be plotted on the most recent topographical survey for the site together with the extent of the sump used to store water within the base of the quarry void, with spot and contour levels of these areas.

We note and welcome the pollution prevention commitment regarding the safe storage of oils & fuels at the site, however, we advise that the applicant and operator extends this commitment to include that no refuelling of plant or equipment will be carried out within the quarry void or floor and that mobile fuel bowsers will not be stored within the quarry void or floor. **We recommend your Authority seeks written confirmation of this additional commitment.**

Condition 37 – Restoration Strategy

Regarding the restoration proposals, previous (natural) hydrology should be replicated in the site restoration designs. It appears on the Proposed Restoration Concept Plan (170-01-REST/02) that two areas within the quarry void area will be retained for the purposes of supporting *ephemeral seasonal wetlands*. **We request further detail on what will be the water storage capacity of each of these areas and will there be a requirement to engineer any above ground structures to retain water in these areas.**

Furthermore, we note from the plans submitted that two water features will be formed within the existing void – further consideration of the implications of this is needed, especially from a water resources and potentially reservoir safety perspective, together with the likelihood for water quality chemistry pollution from acid rock drainage.

We recommend that an additional commitment in relation to soil handling and storage is sought from the operator to the safe stripping, handling, storage and conservation of soil resources on site, in line with DEFRA Guidance Construction Code of Practice for the Sustainable Use of Soils on Construction Sites. We would defer to the recommendation of the Mineral Planning Officer if there were more appropriate and up to date guidance in relation to managing soil at quarries.

Other Matters

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

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

Advice for the Developer

Water discharge activity permit

This discharge point does not benefit from a water discharge activity permit, and we would advise the applicant enters into pre-application discussions with NRW in respect of applying for an environmental permit to regularise this activity, alternatively, the applicant or operator may wish to consider removing this engineered discharge facility, although further discussion with NRW would need to be had in this regard.

Water usage

The applicant has made reference to an average daily abstraction usage figure within the documentation. We would remind them that 20 cubic metre is an absolute daily water abstraction limit, prior to requiring an abstraction license application, this does not only incorporate the use of water from the borehole, but any water used from other sources on site such as the water treatment areas or quarry void for the purposes of dust suppression with a vehicular bowser.

Lagoon maintenance

Photographs provided in the supporting documentation show established vegetation within water treatment lagoons 1 and 2 – silt removal from these lagoons should be at such a frequency that it would prevent natural vegetation from establishing, particularly in lagoon 1.

Water resources abstraction licence

We note the active planning permission has condition 35 for the restriction of dewatering at the site. This implies working above the local water table (groundwater winter high) thereby working the site dry. However, as the condition states if this does occur and abstraction is over 20 m³/day, a water resources abstraction licence will now be required. The former exemption for quarry dewatering activities has now been removed.

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

Yn gywir / Yours faithfully

G Cuthbert

Cynghorydd - Cynllunio Datblygu/Advisor - Development Planning
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Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi./Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.