

By email only to: planning@npt.gov.uk and
TRBoothroyd@carmarthenshire.gov.uk

Flat 3
11 Albert Crescent
Penarth
CF64 1DA

Our ref: Gwrhyd Quarry PA ref P2023/0861 (s73 PP
ref. P2010/0026)

29th February 2024

Dear Mr. Davies

GWRHYD QUARRY - PLANNING APPLICATION REFERENCE P2023/0861 RESPONSE TO CONSULTEE COMMENTS

On behalf of Marshalls Mono Limited (Marshalls) I write in connection with the above planning application and am pleased to submit responses to comments made by Neath Port Talbot Council (NPT) – Head of Engineering and Transport and by Natural Resources Wales (NRW) in their letters dated 15th January 2024 and 30th January 2024 respectively.

NEATH PORT TALBOT COUNCIL

HIGHWAYS

NPT Proposed s106 Draft Heads of Terms

In relation to the payment, we would require the commuted sum of £49,654.00 to be paid in full on the issuing of the Decision Notice

Applicant Response

We note this requirement is consistent with the cumulative total of the works identified in NPT's e-mail to Jeremy Hurlstone, The Hurlstone Partnership Limited, dated 11/09/2023 @14:50 for the commuted sums for the highway retaining walls in the 5 locations indicated on the plans you kindly provided.

As these are commuted sums, we assume they are to cover the anticipated maintenance of the various sections of the walls over the proposed duration of quarrying at Gwrhyd Quarry, rather than for immediate and urgently necessary repairs. We would be grateful if you could confirm our understanding is correct.

Should the sums be for urgent repairs, the Applicant would be grateful to receive details of the specific defects and other parameters which have led to the costings identified.

NPT Proposed Condition 12

Any heavy goods vehicles delivering machinery, equipment and large bulky supplies to and from the quarry shall access the development site utilising the following route only, Bryn Road, Coedffladau Road and Gwrhyd Road. All heavy goods vehicles departing the quarry shall turn right as they exit

the access point with the public highway known as Gwrhyd Road. No Heavy goods vehicles associated with the development shall access the site from any other routes.

Applicant Response

All HGVs departing the quarry turn right in any case.

It is proposed that the first sentence of the proposed Condition 12 wording is deleted as the final sentence would catch all HGVs.

Signage approved by NPT under Planning Permission (PP ref.) P2018/0580 ("Approval of Reserved Details Report", dated June 2018) is already in place at the Site; details are enclosed with this letter.

NPT Comment on Proposed Condition 14 (Table 2F in Planning Statement)

In addition to the proposed wording the need to clean the underside of the vehicles needs to remain as part of this condition and 'All heavy goods vehicles that depart from the quarry access transporting quarried stone products shall turn right as they exit the access point with the public highway.'

Applicant Response

The proposed Condition wording as set out in Table 2F of the Planning Statement for Planning Application (PA) ref. P2023/0861 encompasses the requirement to clean the HGVs departing the Site *"....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."*

The 2018 scheme was approved by the mineral planning authority in response to Condition 17 attached to PP ref. P2017/0036.

Condition 17

Within three months of the date of this permission the developer shall submit a scheme indicating the facilities and/or methods to be put in place to ensure deleterious materials is not carried onto any part of the public highway. The scheme shall include provision for all vehicles carrying loose materials to be sheeted and shall be implemented as approved.

The Scheme and signage were approved by NPT under PP ref. P2018/0580 ("Approval of Reserved Details Report", dated June 2018) and considered by them to be adequate. Details of the approved signage installed at the Site are enclosed with this letter.

The requirement to turn right is set out in Condition 12 above and therefore does not need to be replicated in Condition 14.

NPT Comment on Proposed Condition 15 (Table 2G of Planning Statement).

In addition to the proposed wording, the need the following needs to be included 'no materials are to be transported from the site by any other types of vehicles which includes Tractor and Trailer, Cars and Vans with or without trailers.'

Applicant Response

The Applicant disagrees with the NPT proposed wording.

Condition 15 (c) of PP ref. P2010/0026 included:

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"

This Condition reflected the nature of the products produced at the quarry which on occasion require small volumes of bespoke materials (e.g. a builder collecting a single bespoke cut stone lintel or a local farmer collecting a single bag of dry-stone walling). In this instance it is not sustainable or economical to deliver a single item on an HGV (which the proposed revision to condition 15 is seeking to avoid and ensure that the number of HGV movements delivering quarried products is restricted to the numbers proposed). The quarry is a local supplier of bespoke products and the need for a small number of vehicles that can transport sub-3 tonne loads is required.

It is understood the 3 tonne (t) load limit was to provide for smaller deliveries, rather than the larger rigid or articulated vehicles capable of carrying significantly higher payloads within their respective Maximum Gross Weight (MGW) or Gross Vehicle Weight (GVW) of 32t and 44t respectively. However, transporting a 3t load would require the use of an HGV, albeit a relatively small vehicle, whilst smaller loads of around 1 to 1.5t, such as a single dumpy bag would not, as these may be transported in pick-ups typically used by farmers etc, whilst a single lintel could be collected by a domestic customer in a normal car.

To provide for these occasional customers, and to avoid the inefficient use of HGVs on the local road network, it is proposed that Condition 15 (c) is revised to specify the MGW of 3.5t, to provide for smaller domestic vehicles and light goods vehicles. The maximum gross vehicle weight includes the unladen weight of the vehicle itself plus the maximum load it may carry, rather than just the load itself, which the other limiting conditions reference. If preferred, Condition 15 (c) could specify a maximum load of 1.5t, as that is about the maximum a 3.5t GVW vehicle could realistically carry and, for the purposes of the Quarry, would cover these smaller loads.

To place the likely use of such vehicles in context, the Quarry has reviewed its records and has advised that during 2023 only 25 loads were transported in 3.5t MGW vehicles, with a maximum of 3 such vehicles in any **week**. It is therefore apparent that in practical terms, the limited use of such vehicles would have an insignificant impact on the network, as their numbers fall well within the range of normal vehicle flow variations that routinely occur on the local roads resulting from activity that is independent of the Quarry. Any output transported in these smaller vehicles would be covered by the proposed overall weekly output limit of 750t, with the higher loads above around 1.5t and up to 3t being included within the proposed HGV limit.

It is suggested that the proposed condition is varied to include part (c) below to include small loads but on a restricted basis identical to that approved in PP ref. P2010/0026.

The remainder of the Condition is as proposed in Table 2G of the Planning Statement for PA ref.2023/0861 as follows.

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.*

- c) ***No more than 5 vehicles with a gross vehicle weight not exceeding 3.5 tonnes and carrying quarried products shall depart from the site in any one day and up to a maximum of 15 in any 7 day period.***

NPT Note to Planning Officer

While securing a contribution from the applicant to allow for improvements to existing passing bays it should be brought to the applicant's attention that such a contribution should not be taken as discharging any future claims the authority may wish to make under Section 59 of the Highways Act 1980 in regard to damage caused to the publicly maintained highways by the use of Heavy Goods Vehicles

Applicant Response

The above note appears to be a “carry over” from a previous consultee response as it states it is supplemental to improvements to passing places which the S.106 contribution does not relate to in this case. Presumably the Note can, therefore, be removed.

DRAINAGE

NPT Proposed Conditions 1 to 3 - Applicant Response

The Applicant has no objection to proposed Conditions 1 to 3.

NPT Proposed Condition 4 - Applicant Response

The Applicant has one minor suggestion with respect to proposed Condition 4 and that is to replace the word ‘effected’ with the word ‘affected’.

NPT Proposed Condition 5 - Applicant Response

The Applicant has no objection to such a planning condition. However, it is noted that proposed Condition 5 replicates Condition 36 of PP ref. P2010/0026 which PA ref. P2023/0861 does not seek to vary (see Table 4 of the Planning Statement for PA ref. P2023/0861).

NATURAL RESOURCES WALES

Condition 34 – Water Management (Table 2K in Planning Statement)

NRW comment

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.

Applicant Response

A scheme relating to Condition 34 was previously discharged. This approved scheme was updated in conjunction with PA ref. P2023/0861 to reflect the current position at the Site, with respect to extraction since that date and the current topography/infrastructure.

W21 relates to the soakaway “drain” located outside of the planning boundary adjacent to the Tip on the eastern side of the Site. The water level is significantly below where it previously could access this historical feature. The Operator Artisan Stone Supplies Limited (ASSL) does not actively de-water in any way other than through natural egress through the bedrock.

A topographical survey will be undertaken and forwarded to NPT/NRW once the requested information has been plotted onto it.

NRW Comment

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 bowsters will not be stored within the quarry void or floor. We recommend your Authority seeks written confirmation of this additional commitment.

Applicant Response

Condition 33 of PP ref. P2010/0026 requires that:

Prior to the commencement of the development hereby permitted details in the form of a method statement shall be submitted to and approved in writing by the Local Planning Authority for the pollution prevention measures during the operational and post operational phase of the development. The method statement shall include details, inter alia, for

- (i) the storage facilities and emergency containment for all fuels, oils, chemicals and explosives and any other polluting substances;*

Condition 33 was discharged via details approved under PP ref. P2012/0270, dated 17th July 2012 as stated in Table 3 of the Planning Statement for PA ref. P2023/0861. Therefore, this requirement is already managed under an approved scheme.

Condition 27 of PP ref. P2017/0036 confirms this.

The pollution prevention measures during the operational and post operational phase of the development shall be implemented at all times in accordance with the details approved under Application Reference P2012/0270 on 17th July 2012

ASSL complies with Conditions 27 and 33. As per guidance from NRW, all mobile plant is refuelled in the designated point suggested. However, it would be impractical for any fixed plant to be moved each time it requires re-fuelling.

Condition 37 – Restoration Strategy (Table 2L of Planning Statement)

NRW Comment

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.

Applicant Response

At this stage the restoration scheme is conceptual; 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 38 (see Table 2M of the Planning Statement for PA ref. P2023/0861) at which stage the Planting Plan would also be reviewed and amended as appropriate.

Paragraphs 6.67 to 6.69 of the Planning Statement for PA ref. P2023/0861 and paragraph 50 of Appendix 4.0 to it state that:

The concept restoration scheme responds to the likelihood that the two lower areas of the restored quarry will likely remain either wet or seasonally wet and the approach shown will cater for that. The slopes around the two lower areas are steep so the woodland / scrub planting shown will provide bank stability and are beneficial in terms of being in keeping with the pockets of woodland and treed hedgerows to the south and east of the site. The woodland pockets are shown on northern slopes to avoid shading the lower ephemeral grasslands.

The Applicant does not anticipate acid rock drainage to be an issue associated with Sandstone. NRW recommend and use ASSL stone in rivers etc.

NRW Comment

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.

Applicant Response

Conditions 17 to 24 of PP ref.2010/0026 all relate to the handling and management of soils (see Table 4 of Planning Statement for PA ref. P2023/0861). Of these, only Condition 20 is sought to be varied to reflect the position of the topsoil and subsoil storage bunds/mounds at the Site (see Table 2J of Planning Statement for PA ref. P2023/0861). All other soil management conditions would continue to apply.

Therefore, it is not considered necessary to include additional conditions relating to soil handling and storage.

With respect to the current wording of conditions to be carried forward, the Planning Statement suggests in paragraph 6.19 that:

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 (emphasis added).

Advice for the Developer

NRW Comment -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.

Applicant Response

ASSL discharge via the permitted/licenced discharge point after lagoon 4 only; no other discharge point has ever been used.

ASSL agree to remove any historical feature which would naturally be extinguished as extraction progresses deeper through the quarry floor.

NRW Comment - 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.

Applicant Comment

The Site never utilises more than 20 cubic metres per day. Dust suppression is now controlled via a sprinkler pipe fitted to the rear of a Dennis Sabre XL fire Engine. With a tank capacity of 1800 litres and using rainwater from harvested tanks, the fire engine has pipes to the rear with small aperture holes depositing small amounts of water close to the ground. This appliance is used only when and in areas required to suppress dust and is filled no more than twice per day (3.6m³ max) even during Summer.

NRW Comment - 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.

Applicant Comment

This requirement is already in place as set out in Condition 36 of PP ref. P2010/0026:

(36) Drainage ditches, settling ponds and lagoons shall be regularly desilted and maintained in such condition that they are able to perform effectively and efficiently the purpose for which they have been provided.

The vegetation allowed to form in the lagoons 1 and 2 is naturally seeded reed. During previous discussion with NRW, it was suggested that this vegetation may be useful to slow down the flow through the lagoons especially on high flow occurrences and to assist in the settlement of the solids during these times. However, the Applicant can remove the reeds at NRW's request.

NRW Comment - Water resources abstraction licence

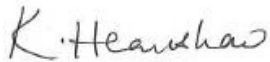
We note the active planning permission has condition 35 for the restriction of dewatering at the site. This implies working above the local water table (groundwater winter high) thereby working the site dry. However, as the condition states if this does occur and abstraction is over 20 m3/day, a water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

Applicant Response

Noted, however it is not proposed to work below the water table.

I trust that the above satisfies the Consultee comments and requirements.

Yours sincerely



Karen Hearnshaw BSc (Hons) DipLA MCD MRTPI
Director - Hearnshaw Planning

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Enc. Approved signage installed at Gwrhyd Quarry
Cc. Marshalls Mono Limited
Artisan Stone Supplies Limited
Carter Jonas
The Hurlstone Partnership Limited

PLANNING CONDITIONS STATE THAT ALL
VEHICLES THAT DEPART FROM THE QUARRY,
TRANSPORTING QUARRIED STONE PRODUCTS

SHALL TURN RIGHT –

THERE IS STRICTLY NO TURNING LEFT ONTO
GWRHYD ROAD.

ALL VEHICLES CARRYING QUARRIED
PRODUCTS SHALL ONLY LEAVE THE SITE
DURING THE FOLLOWING HOURS;

07:30 to 07:50 MONDAYS TO FRIDAYS

09:15 to 14:45 MONDAYS TO FRIDAYS

16:15 to 18:00 MONDAYS TO FRIDAYS

08:00 to 13:00 ON SATURDAYS

Thank You for your cooperation on this matter.

GWRHYD SPECIALIST STONE QUARRY



**Turn off A4068 at Black
Mountain Galleries**



**Continue straight along road for
approximately 2.5 miles**



**Continue along Gwrhyd Road
Turn left after chapel**



Follow track around to the left

ADDRESS & CONTACT INFORMATION



**GWRHYD SPECIALIST STONE
QUARRY
GWRHYD ROAD
RHIWFAWR
SWANSEA
SA9 2SB**

gwrhyd@specialiststone.com

www.specialiststone.com

Grid Reference: SN73635 08997

Main Office: 01639 830650

Site Manager:
Michael Walton – 07710210228



OTHER IMPORTANT INFORMATION

Safety Information



1. 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.
2. **NO** vehicle should leave the quarry unless the load is fully secured.
3. Vehicles may only leave the site between the following hours:
07.30 and 07.50 hours Monday-Friday
09.15 and 14.45 hours Monday-Friday
16.15 and 18.00 hours Monday-Friday
08.00 and 13.00 hours Saturday
4. Hi-Vis, Safety Boots and a Hard Hat **must** be worn at all times on site.
5. **No-one** may enter the quarry without permission from quarry Personnel.
6. The Speed Limit on site is **5mph**.
7. **No** shunting or pushing of vehicles at any point on site. Correct towing procedures must be followed.
8. Orange flashing beacons or hazard warning lights **must** be used on site at all times.