

4th August 2022

Judith Jones
Head of Town Planning
Merthyr Tydfil County Borough Council
Civic Centre,
Merthyr Tydfil
CF47 8AN

Our Ref: 407.00027.00430

Your Ref: Vaynor ROMP

FAO Huw Roberts, Planning Group Leader

Dear Ms Jones

RE: ENVIRONMENT ACT 1995
VAYNOR QUARRY: FIRST PERIODIC REVIEW

I refer to your letter dated 23rd May and the agreement to a postponement of the submission deadline for the Vaynor Quarry First Periodic Review application to 31st August 2022.

Pursuant to that, on behalf of Hanson UK (the trading name of Hanson Quarry Products Europe Ltd), I am pleased to enclose the ROMP First Periodic Review application, the documents for which comprise:

- The completed MPG14 Annex F application form
- Article 11 Certificate A
- Environmental Statement (ES), Volume 1
- Environmental Statement (ES), Appendices Volume 2 (Appendices listed in the contents section of the ES)
- Non-Technical Summary (NTS) of the Environmental Statement (ES), Volume 3
- Application Plans, bound as Volume 4 of the submission:
 - V6/PR/MT/1 Location Plan
 - V6/PR/MT/2 Quarry Boundary Plan
 - V6/PR/MT/3 Overall Mining Site at Vaynor Quarry
 - V6/PR/MT/4 Mining Site within Merthyr Tydfil
 - V6/PR/MT/5 Mineral Permissions relating to the Mining Site within Merthyr Tydfil
 - V6/PR/MT/6 Current Quarry Situation
 - V7/PR/MT/7 Quarry Phase 1: 5 Year Plan
 - V6/PR/MT/8 Quarry Phase 2: 10 Year Plan
 - V6/PR/MT/9 Quarry Phase 3: 15 Year Plan
 - V6/PR/MT/10 Quarry Phase 4: 30 Year Plan
 - V6/PR/MT/11 Quarry Phase 5: 60 Year Plan

- V6/PR/MT/12 Final Quarry Development Plan
 - V6/PR/MT/13 Quarry Cross Sections
 - V6/PR/MT/14 Restoration Concept for Mining Site
 - V6/PR/MT/15 Quarry Bench Restoration Treatments
 - V6/PR/MT/16 Restoration Concept for Overall Site
 - V6/PR/MT/17 Quarry Waste Tip and Cross Section
 - V6/PR/MT/18 North East Screen Bund – Plan and Cross Sections
- EIA Project Team Statement of Experience (ref Environmental Impact Assessment (Wales) Regulations 2017: Regulation 17(4) (b)).

You will be aware that the defined ‘overall Mining Site’ (OMS) at Vaynor Quarry straddles the administrative boundary between Merthyr Tydfil County Borough Council (MTCBC) and the Brecon Beacons National Park Authority (BBNP) meaning that there are two separate ‘mining sites’ for the purposes of Section 96 and Schedule 14, paragraphs 1 and 2 of the Environment Act 1995. Separate parallel First Periodic Review applications have thus been submitted to the two Authorities.

As part of the two applications, separate application plans have been prepared for each application, with the plans for the application to MTCBC bearing the prefix V6/PR/MT and those for the application to BBNPA bearing the prefix V6/PR/BBNP. The contents of the plans are generally consistent other than the superimposed boundaries reflecting the two administrative areas.

In terms of the quarry development scheme defined on the application plans, it is to be noted that not all of the land within the defined OMS is owned by the Applicant (Hanson UK). The area not owned by the Applicant comprises a block of undisturbed land covered by the 1959 minerals permission, some 5.5 ha in extent within the administrative area of BBNPA, lying along the south western side of the Quarry, within the Merthyr Tydfil (Cilsanws) Golf Course which extends to the west of the Quarry. This area is shown lying outside the Applicant’s ownership on plan ref. V6/PR/MT/3.

The Applicant does not intend to progress the future quarry development into the area within the golf course and given that mineral development within that area could only realistically be undertaken via the existing Quarry, the area can effectively be regarded as being relinquished from the OMS. The Quarry Boundary has been defined accordingly and is shown coloured green on application plan ref. V6/PR/MT/2. Whilst this issue is of direct relevance to the application submitted to BBNP, it is of indirect relevance to the application submitted to MTCBC in terms of the defined Quarry Boundary within which future quarrying operations will be confined.

The environmental impact assessment (EIA) which has been undertaken (as reported in the ES) considers the environmental effects of the overall future mineral development scheme which, for the purposes of the EIA, disregards the administrative boundary between MTCBC and BBNP. It thus does not attempt to consider the separate environmental effects within the administrative areas of MTCBC and BBNPA since this would be inappropriate. Instead, it considers the environmental and amenity effects of the overall scheme, and the respective applications submitted to MTCBC and BBNP are thus accompanied by the same ES and associated Appendices and NTS.

Where appropriate, the respective technical studies set out in the ES propose a series of mitigation measures designed to minimise the effects of the future development. These measures have in turn been translated into proposed updated planning conditions which would regulate the future

development. As was the case with the 1997 Initial Review, separate schedules of proposed updated planning conditions have been prepared to accompany the applications, which are generally consistent across the two Mining Sites with the exception of conditions which are deemed to be exclusively relevant to the respective areas. The proposed updated schedules of conditions are produced as **Appendices 1.3 and 1.4** to the ES.

As you are aware, the initial onus is on the Applicant to propose updated schedules of planning conditions (ES Appendix 1.3 for the MTCBC area). MTCBC are not obliged to accept the planning conditions proposed by the Applicant, and they are entitled to impose different conditions or additional conditions. However, where a Mineral Planning Authority (MPA) determines conditions different from those submitted by the Applicant and the effect of the new conditions, other than restoration or aftercare, as compared with the effect of the existing conditions is to impose a restriction on working rights, then Applicants whose interests have been adversely affected by the restrictions will be entitled to compensation (ref. Schedule 14, paragraph 13 of the Environment Act 1995).

In terms of the conditions which have been proposed, it will be noted that the schedule is substantially more detailed than the existing schedule of conditions which stems from the Initial ROMP (existing schedule produced as ES Appendix 1.1). The EIA and ES has facilitated the exercise of drafting updated conditions by considering the environmental effects of the development scheme and making recommendations for mitigation measures and environmental and amenity conditions which should logically be associated with the scheme. In those terms, the EIA has been of positive value in preparing specific conditions which reflect the conclusions and recommendations of the EIA.

I therefore trust that the application is in order, and I look forward to receiving formal confirmation of the validation and registration of the application. Clearly, it is important that such registration takes place before the deadline of 31st August 2022.

Finally, I assume that the administration of the two applications will be undertaken via the minerals planning services provided by Carmarthenshire County Council. Assuming that to be the case, we would welcome an early meeting with the relevant personnel to discuss the arrangements by which the two applications will be processed and determined in tandem.

Yours sincerely

SLR Consulting Limited



Graham Jenkins

Technical Director

cc Mark Frampton Hanson

Tom Boothroyd Carmarthenshire CC (e mail only)