

REPRESENTATIONS TO THE DEPOSIT VALE OF GLAMORGAN REPLACEMENT LOCAL DEVELOPMENT PLAN 2021–2036 ON BEHALF OF SETH HILL AND SON LTD

1. Introduction

These representations are submitted on behalf of Seth Hill & Son Ltd in response to the Deposit Vale of Glamorgan Replacement Local Development Plan 2021–2036.

They relate specifically to the treatment of Pant-y-Ffynnon Quarry / Seth Hill Quarry, Bonvilston in the Deposit Plan and the associated candidate site assessment process.

The principal concern arises from the Council's candidate site assessment, which states that a positive allocation for mineral working is not included because *"The 2nd Review of the Minerals Regional Technical Statement indicates no further allocations are specifically required to be identified within the Vale of Glamorgan RLDP."*

That explanation addresses only the narrow issue of whether a fresh minerals allocation is presently required on RTS2 arithmetic. It does not adequately address the planning merits of Pant-y-Ffynnon Quarry itself, nor does it justify a limited or negative treatment of the site in the Deposit RLDP.

These representations therefore object to the overly narrow basis on which the site appears to have been discounted for positive recognition and seek a more balanced and evidence-based treatment of Pant-y-Ffynnon Quarry within the Plan.

2. Site context

Pant-y-Ffynnon Quarry is an established quarrying location with an existing mineral planning history and an established role within the local minerals framework.

The candidate site planning statement explains that the site comprises the full extent of the currently consented **Ffynnon Quarry**, together with adjoining land to the south. It confirms that the quarry extracts limestone and that the consented quarry element is identified in the adopted LDP as a **Quarry Site**, with adjoining land within the **Buffer Zone** and wider **Mineral Safeguarding Area**. The submission sought to retain the existing LDP status of the consented element and to safeguard the potential for further quarrying to take place on the remainder of the site in the longer term.

The candidate site statement also recorded the continuing active planning context at the site, including application ref. 2021/01379/FUL for the resumption of limestone extraction in the North Quarry, the establishment of an aggregates recycling facility, and restoration of the North Quarry using inert waste materials. That position has since been materially reinforced by the ROMP determination. Decision notice 2024/00246/ENV is a Determination of New Working Conditions for Pantyffynnon Quarry / Seth Hill Quarry, Bonvilston. The decision provides that the new conditions replace those attached to permissions 97/01084/FUL and 2009/00184/ENV. Condition 1 states that *"No operations authorised by this permission, with the exception of restoration and after-treatment works approved under these conditions shall take place after 21 February 2042."* The decision also requires a detailed working scheme, revised working programmes every five years, and imposes an annual production limit of 250,000 tonnes.

BP25 independently corroborates the continuing active status of the quarry. It identifies Pantyffynnon in Table 1 as an active quarry with an extraction end date of 21.02.2042. BP25 also confirms that the Vale of Glamorgan is an *"important supplier of Carboniferous limestone for general aggregate use"*.

Taken together, that evidence confirms that the site is not simply a historic quarry with uncertain prospects. It is an active quarry with a recently updated modern conditions framework and an extraction end date beyond the RLDP period.

3. Objection to the candidate site assessment

The Council's candidate site assessment relies on the proposition that no further allocations are specifically required because of the RTS2 position. That reasoning is too narrow.

The statement that no further allocations are specifically required may explain why the Council has concluded that it does not presently need to identify a fresh minerals allocation in order to meet the current quantitative apportionment. It does not, however, address the separate issue of how the Plan should treat an existing quarry site such as Pant-y-Ffynnon Quarry.

The absence of a current need for a new allocation is not the same as a conclusion that an established quarry site should cease to be positively recognised, should no longer be meaningfully safeguarded, or should be treated as strategically unimportant.

The candidate site submission itself demonstrates why the Council's reasoning is incomplete. The submission did not merely seek a fresh allocation on the basis of additional tonnage need. It sought retention of the existing quarry status of the consented element and safeguarding of the wider site for longer-term quarrying potential.

The ROMP decision strengthens that point considerably. A site that has recently been granted updated mineral working conditions and is authorised to continue operations until 21 February 2042 cannot sensibly be treated as though its future role is immaterial simply because current RTS2 figures do not require a further allocation elsewhere in the Vale.

The Council's approach is also difficult to reconcile with national plan-making guidance. The Development Plans Manual states that plans should be based on "*robust evidence*" so they can be delivered, that candidate sites should not be purposefully excluded from assessment, and that the key objective is whether a promoter has a serious intention to bring the site forward, which links directly to the soundness question "*Will the plan deliver?*"

In those circumstances, the candidate site assessment appears to conflate two distinct questions: whether a new specific allocation is numerically required under RTS2, and whether an established quarry site should continue to be positively recognised and safeguarded in the Plan. Those questions are not the same. The former may currently be answered in the negative. The latter, in the case of Pant-y-Ffynnon Quarry, should plainly be answered in the affirmative.

4. National and local policy context

The wider policy and evidence framework supports a more positive treatment of Pant-y-Ffynnon Quarry than is reflected in the candidate site assessment.

PPW states that it is in the interests of the minerals industry that landbanks reflect "*real possibilities for future mineral working*" and adds that authorities should provide "*a clear guide to where non-energy mineral extraction is likely to be acceptable*".

MTAN1 explains that development plans should identify "*dormant reserves*" separately and states that "*A more realistic landbank assessment is the aim of this process*" so that a more accurate picture emerges of reserves "*that are likely to have real potential for future working*". It also states that the future landbank should include land specifically allocated for the working of aggregates as an "*extended landbank*".

The SWRAWP RTS reinforces the point that reserve arithmetic is not the whole picture. It states that "Caution must be exercised in using these landbank figures" because the calculation does not take account of geographical or operational aspects, changes in planning policy, protected site designations or other permitting constraints. This is particularly relevant given the increasingly important role of NRW licensing and abstraction controls, including quarry dewatering considerations, which may mean that some reserves are no longer as readily available or economically viable as historic landbank figures imply. Accordingly, apparent reserve sufficiency in quantitative terms may

overstate the extent of genuinely deliverable supply. SWRAWP also confirms that dormant reserves *"must be counted separately"*.

The Deposit RLDP's own framework is consistent with that broader policy approach. The Plan safeguards known limestone resources and retains quarry buffer zones so that incompatible development does not prejudice mineral operations or future working. BP25 explains that the RLDP safeguards finite mineral resources for future generations and protects them from permanent development that could sterilise or hinder extraction.

The Plan also provides a detailed framework for sustainable mineral working, including new workings, extensions and the reworking or reopening of old workings. That mechanism is intended to deal with the detailed merits of mineral proposals, including environmental effects, amenity, hydrology, transport and restoration. There is therefore no sound policy basis for adopting an unduly negative position toward Pant-y-Ffynnon Quarry at plan-making stage simply because no fresh allocation is currently required.

5. Benefits of continued extraction at Pant-y-Ffynnon Quarry

Continued extraction at Pant-y-Ffynnon Quarry would give rise to a number of important site-specific and strategic benefits.

PPW expressly recognises the planning advantages of extending established quarry sites. Paragraph 5.14.48 states that *"The presence of an existing quarry should be a material consideration when considering a proposal for an extension. There may be benefits to extending a site in terms of shared infrastructure, for instance, as opposed to working a new greenfield site."* That principle is directly relevant to Pant-y-Ffynnon Quarry. The site is an existing quarrying location with an established operational and planning context, and any continued working or extension would be able to build upon that existing quarrying footprint, associated infrastructure and minerals land use relationship. In planning terms, that is materially preferable to directing future working to an entirely new greenfield location, and it reinforces the case for the Deposit RLDP to continue to recognise the site positively within the minerals strategy rather than treating it as strategically unimportant simply because no fresh allocation is currently required.

The site is an existing quarrying location with an established mineral planning history. Continued extraction would therefore amount to the continuation and proper management of an existing quarrying use rather than the introduction of mineral development into a wholly new location. That is a material land use consideration.

The candidate site statement identifies the effective use of mineral resources and the avoidance of sterilisation of unworked reserves as clear benefits of the proposal. That carries substantial weight. Mineral resources can only be worked where they occur, and it is generally more efficient and sustainable to make prudent use of an established quarry resource than to disregard it while pressure for future supply is directed elsewhere.

The site can also contribute to continuity and resilience of supply. The candidate site statement expressly states that continued quarrying at the wider site would provide continuity in mineral supply at this location and contribute to resilience through the provision of a consistent supply over the plan period and beyond. Existing operational or consented sites will often provide a more realistic and deliverable source of continuing supply than wholly new mineral sites.

Continued extraction would also support the construction industry through the provision of an adequate and continuous supply of minerals. This sits comfortably with BP25's recognition that the Vale is an *"important supplier of Carboniferous limestone for general aggregate use"*.

There are also local economic benefits. The candidate site submission refers to the maintenance of local economic benefits. An established quarrying operation supports employment, haulage, plant use,

contractors and associated supply chains. Continued recognition of the site therefore supports local economic activity as well as mineral supply.

Environmental and restoration benefits are also relevant. The candidate site statement refers to benefits through *new planting and habitat creation* and treats restoration as part of the overall site concept. Continued quarrying should therefore not be considered solely in terms of extraction. It also creates the opportunity to secure restoration, habitat creation, landscape management and long-term after-use benefits through a modern planning framework.

A further important benefit is that any continued working would proceed under modern planning controls. The ROMP approval confirms that continued extraction has been reviewed through a contemporary planning process, that updated conditions now regulate the site, that the quarry must be worked in accordance with an approved working scheme, that annual production is capped at 250,000 tonnes, and that extraction may continue until 21 February 2042. That provides a robust and sustainable planning basis for future quarrying.

Continued recognition of Pant-y-Ffynnon Quarry within the Deposit RLDP would also ensure that the site remains properly integrated into the authority's safeguarding, buffer and minerals policy framework. That would provide clarity, consistency and transparency in the Plan.

6. Changes sought

The Deposit RLDP should not treat the absence of a current RTS2 requirement for further allocations as determinative of the planning treatment of Pant-y-Ffynnon Quarry.

The Plan should continue to recognise the consented quarry element positively within the minerals strategy.

The wider site should remain properly safeguarded within the minerals safeguarding and quarry buffer framework.

The supporting text should make clear that the absence of a new allocation reflects only the current RTS2 quantitative position and not any conclusion that the site is unsuitable in principle for continued quarrying.

The Plan should rely on its existing minerals development management policies, together with the ROMP framework and any future application process, to assess the detailed merits of continued working, associated development and restoration proposals at the site.

That approach would better reflect the site's planning status, the candidate site evidence, the ROMP determination and the wider objective of maintaining a sound and effective minerals strategy in the Vale of Glamorgan.

7. Conclusion

The Council's reliance on the statement that the 2nd Review of the Minerals Regional Technical Statement indicates that no further allocations are specifically required within the Vale of Glamorgan RLDP is too narrow a basis on which to assess Pant-y-Ffynnon Quarry.

That statement may explain why the Council has not identified a new formal mineral allocation on numerical grounds. It does not, however, justify removing or diluting positive recognition of an existing quarry site with an established planning status, a recent ROMP approval permitting continued extraction until 21 February 2042, and clear evidence of continuing supply, economic and restoration benefits.

Pant-y-Ffynnon Quarry should therefore continue to be positively recognised as part of the Vale of Glamorgan's minerals framework. The Deposit RLDP should distinguish clearly between the absence of a current need for a fresh allocation and the continuing strategic relevance of an established quarry site. In the case of Pant-y-Ffynnon Quarry, the latter plainly remains.

8. Summary

- Overall minerals strategy: Support in part / Object in part.**
 Seth Hill & Son Ltd supports the general objective of maintaining an adequate minerals supply and managing mineral resources through a plan-led framework. Objection is taken to the extent that the Deposit RLDP relies too narrowly on the RTS2 conclusion that no further allocations are specifically required, without properly reflecting the continuing role of Pant-y-Ffynnon Quarry as an existing quarry site with ongoing strategic relevance.
- Strategic minerals policy / supply and safeguarding approach: Support in part / Object in part.**
 The strategic objective of securing a continuous supply of minerals and safeguarding mineral resources is supported. Objection is taken insofar as that strategic approach is not properly applied to Pant-y-Ffynnon Quarry, which should continue to be recognised positively within the minerals framework notwithstanding the absence of a current need for a fresh allocation.
- Policy MIN1 – Mineral safeguarding areas: Support.**
 Support is given to the safeguarding of limestone resources from unnecessary sterilisation. That approach is directly relevant to Pant-y-Ffynnon Quarry, particularly given that the candidate site submission sought to retain quarry status for the consented element and to safeguard the wider site for longer-term quarrying.
- Policy MIN2 – Quarry buffer zones: Support.**
 The principle of retaining quarry buffer zones is supported because it protects existing and future quarrying operations from encroachment by incompatible development. Continued positive recognition of Pant-y-Ffynnon Quarry sits logically alongside that buffer framework.
- Policy MIN4 – Sustainable mineral working: Support in principle.**
 Support is given to the policy framework for new workings, extensions and continued mineral extraction subject to environmental safeguards, amenity protection and restoration. Pant-y-Ffynnon Quarry is capable of being assessed under that framework, and detailed issues should be dealt with through the policy and application process rather than by withholding positive plan recognition now.
- Candidate Site Assessment – Pant-y-Ffynnon Quarry: Object.**
 Objection is taken to the candidate site assessment insofar as it relies on the statement that no further allocations are specifically required under RTS2 as the reason for not taking the site forward positively. That reasoning is too narrow because it fails to engage with the fact that the site is an existing quarrying location, that the candidate submission sought retention of quarry status as well as longer-term safeguarding, and that the site has benefited from ROMP approval ref. 2024/00246/ENV, which permits operations until 21 February 2042.
- Status of the existing quarry site: Object to insufficient recognition.**
 Seth Hill & Son Ltd objects to any approach which treats Pant-y-Ffynnon Quarry as strategically unimportant simply because no new allocation is numerically required. The consented quarry element should continue to be positively recognised in the Plan, reflecting its existing planning status, updated ROMP conditions and ongoing minerals planning context.
- Benefits of continued extraction at Pant-y-Ffynnon Quarry: Positive material consideration.**
 Continued extraction would make productive use of an existing quarry site, avoid sterilisation of unworked reserves, provide continuity and resilience of mineral supply, support local economic benefits and allow restoration-led environmental gains through planting, habitat creation and long-term after-use. Those benefits weigh in favour of continued positive recognition of the site within the Deposit RLDP.
- Soundness and evidence base: Object to insufficiently evidence-led treatment.**
 The Development Plans Manual requires plans to be based on “robust evidence” so they can be delivered and links candidate sites directly to the soundness question “Will the plan

deliver?" The current treatment of Pant-y-Ffynnon Quarry does not fully reflect the evidence before the Council on the site's planning status, deliverability and continuing operational role.

- **National policy compliance – PPW, MTAN1 and SWRAWP: Support in principle / Object to incomplete application.**

The broad alignment of the Deposit RLDP with national minerals policy is supported. The objection is that the Plan does not go far enough in applying PPW's reference to *"real possibilities for future mineral working"*, MTAN1's requirement for a *"more realistic landbank assessment"*, and SWRAWP's warning that *"Caution must be exercised in using these landbank figures"* when considering the ongoing role of Pant-y-Ffynnon Quarry.

- **Overall position: Support in part / Object in part.**

In overall terms, Seth Hill & Son Ltd supports the Deposit RLDP's broad minerals framework. The objection is a focused one: the Plan should more clearly distinguish between the absence of a current need for a fresh mineral allocation and the continuing strategic relevance of Pant-y-Ffynnon Quarry as an established quarry site with planning status, ongoing supply potential and a recent ROMP approval extending operations beyond the plan period.