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Rhondda Cynon Taf County Borough Council

ENVIRONMENT ACT 1995 **REVIEW OF MINERAL PLANNING PERMISSION - INITIAL REVIEW** **DETERMINATION OF CONDITIONS**

Client's Name and Address

M M Frampton
Hanson Aggregates
Machen Quarry
Commercial Road
Machen
CF83 8YP

Applicant's Name and Address (if different)

ARC Western Ltd
Hanson House
14 Castle Hill
Maidenhead
Berkshire
SL6 4JJ

Part I - Particulars of Application Number 08/1380/10

Proposal: Application for determination of conditions for mineral site. The Environmental Act 1995 (Section 96 and paragraph 9 of schedule 13).
Location: CRAIG-YR-HESG QUARRY, BERW ROAD, PONTYPRIDD, CF37 3BG
Grid Ref: 307979, 191738

Part II - Particulars of decision

Under Schedule 13, paragraph 9 of the above Act, the County Borough Council as Local Planning Authority **HEREBY DETERMINES**, in consequence of the Application for Determination of Conditions received from you on 19th August 2008 for Craig Yr Hesk Quarry, Berw Road, Pontypridd, CF37 3BG that the following conditions apply in substitution for the previous conditions applied to the "mineral site" as identified in the application.

CONDITIONS:

- 1 This consent for the winning and working of minerals or depositing of mineral waste shall expire on 31st December 2022.

Reason: To define the consent granted.

- 2 Following the expiry of the planning consent all extraction, processing and stockpiling of minerals and depositing of mineral waste shall cease.

Reason: To ensure that all forms of minerals development cease.

- 3 No later than 12 months following the expiry of the planning consent, or the earlier permanent cessation of winning and working of minerals, as agreed between the mineral operator and the Local Planning Authority, all plant, machinery, hard standings, ancillary workshops, buildings, structures or other works associated with the development shall be dismantled and removed from the site unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that all works associated with the development are removed, in the interests of the amenities of the local area, in accordance with Policy CS10 of the Rhondda Cynon Taf Local Development Plan.

- 4 No later than 12 months following the expiry of the planning consent or the earlier permanent cessation of winning and working of minerals, as agreed between the mineral operator and the Local Planning Authority, the sale and transportation of any residual stocks from the site shall cease.

Reason: To ensure that all mineral activities cease in the interests of the amenities of the local area in accordance with Policy CS10 of the Rhondda Cynon Taf Local Development Plan.

- 5 Unless otherwise agreed in writing by the Local Planning Authority, the working and restoration of the site shall be carried out only in accordance with the quarry phasing plans, drawing numbers A057337 SR02 – 05 inclusive dated July 2009. The sequence of mineral extraction shall be undertaken as illustrated on submitted plan ref numbers A057337 SR001 – 05 inclusive, with the final extraction limits to be confined to those shown on plan ref A057337 SR05. No extraction shall take place outside the limits shown by the Green line on plan Ref SR05a.

Reason: To enable the Local Planning Authority to control the development and to minimise its impact on the amenities of the local area in accordance with Policy CS10 of the Rhondda Cynon Taf Local Development Plan.

- 6 No excavation or extraction of minerals shall take place below 100m A.O.D. other than those works necessary for the construction of the quarry sump.

Reason: To define the consent granted.

- 7 The recovery, storage and management of soils encountered during the course of excavation and development of the north eastern part of the site shall be undertaken in accordance with the details provided on Plan Ref C/10m/0075 dated Aug 2007. Prior to the excavation or development of the site which would disturb any additional suitable overburden or soil-making materials, a scheme for the recovery, storage and management of such materials (until such time as they shall be used in the restoration proposals for the site to be approved in accordance with Condition 45) below shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved scheme, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the availability of the adequate material for the landscaping and restoration of the site in accordance with Policy CS10 of the Rhondda Cynon Taf Local Development Plan.

- 8 A copy of this consent and the approved plans showing the method and direction of working and restoration shall be displayed in the operator's site office at all times during the life of the site. Any subsequent approved amendments shall also be displayed.

Reason: To ensure the operator and site contractors are aware of the working programme and the conditions attached to carrying out the development.

- 9 The developer shall submit a revised working programme and phasing plans for the approval of the Local Planning Authority five years from the date of this consent, unless otherwise agreed in writing by the Local Planning Authority, should the Working Programme as previously agreed by the virtue of Condition 5 be proposed to be changed within this time.

Reason: To enable the Local Planning Authority to control the development and to minimise its impact on the amenities of the local area in accordance with Policy CS10 of the Rhondda Cynon Taf Local Development Plan.

- 10 Except in the case of emergency to maintain safe quarry working, no blasting shall take place at the site except between 10.00 a.m. – 16.00 p.m. Monday to Friday inclusive and there shall be no blasting on Saturdays, Sundays and Public Holidays, or unless otherwise agreed in writing by the Local Planning Authority.

For the purpose of this Condition 10, "emergency" means any circumstances in which the operator has a reasonable cause for

apprehending injury to persons or serious damage to property.

Reason: To protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 11 In any part of the quarry in excess of 180m A.O.D., drilling operations shall be only be carried out between the hours of 10.00 and 16.00 on Monday to Friday, and not at any time on Saturdays or Sundays or Statutory Public Holidays unless otherwise agreed beforehand in writing with the Local Planning Authority.

Reason: To protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 12 In any part of the quarry below 180m A.O.D., drilling operations shall only be carried out between the hours of 07.00 and 18.00 Monday to Friday, and not at any time on Saturdays or Statutory Public Holidays unless otherwise agreed beforehand in writing with the Local Planning Authority.

Reason: To protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 13 Unless required to fulfil a specific contract, in which case notification shall be given to the Local Planning Authority at least two working days in advance of the contract being fulfilled, no vehicles associated with the production of ready mixed concrete shall enter or leave the area which is the subject of this planning permission on Sundays or Statutory Public Holidays unless otherwise agreed beforehand in writing with the Local Planning Authority.

Reason: To protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 14 Except in emergencies, to maintain safe quarry working (which shall be notified to the Local Planning Authority as soon as practicable), or unless the Local Planning Authority has otherwise agreed before hand in writing, quarrying operations shall only be carried out between the hours of 07.00 and 19.00 Monday to Friday and 07.00 and 16.00 on Saturday and not at any time on Sundays or Statutory Public Holidays.

For the purposes of this condition 14, 'quarrying operations' shall mean the

operation of the primary crusher, the stockpiling and loading or unloading of materials associated with the primary crusher and the haulage of rock from the quarry faces to the primary crusher or any stockpile.

Reason: To protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 15 No vehicles other than those associated with the manufacture of coated road stone, the production of ready mix concrete or the servicing, maintenance and testing of plant and machinery shall enter/leave the Quarry except during the hours of 07.00 and 19:00 Mondays to Friday and 07.00 and 16.00 on Saturday.

Reason: To protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 16 No soils shall be stripped or replaced, no topsoil or subsoil mounds shall be formed or removed except between the following times:

08.00 to 17.00 hours Mondays to Fridays.

08.00 to 13.00 hours on Saturdays.

Reason: To protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 17 Except in the case of an emergency, to maintain safe quarry working, or with the prior written agreement of the Local Planning Authority, no development or activities other than water pumping, environmental monitoring, servicing, maintenance and testing of plant and equipment, activities associated with the production of coated roadstone or ready mixed concrete shall be undertaken on Sundays or Statutory Public Holidays.

Reason: To ensure that the noise emitted is not a source of nuisance, and to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 18 Between the hours of 07:00 and 19:00 the free field Equivalent Continuous Noise Level $L_{Aeq,T}$ due to operations within the site shall not exceed the relevant noise limit specified in Table 1 below at each selected noise sensitive property. Measurements taken to verify compliance shall have regard to the effects of extraneous noise and shall be corrected for any

such effects.

Table 1

Receptor	No 36 Conway Close	No 3 Pen y Bryn	Flat above shop Garth Avenue	No 1 Rogart Terrace
Criteria	49dB LAeq,1hr	47 dB LAeq,1hr	54 dB LAeq,1hr	55 dB LAeq,1hr

Reason: To ensure that the noise emitted is not a source of nuisance, and to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 19 Between the hours of 19:00 and 07:00 the free field Equivalent Continuous Noise Level $L_{Aeq,T}$ due to operations in the site shall not exceed 42 dB $L_{Aeq,1hr}$ at each selected noise sensitive property specified in Table 1 above.

Reason: To ensure that the noise emitted is not a source of nuisance, and to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 20 Noise levels attributable to operations of a temporary nature on the periphery of the site such as the formation, removal or alteration of spoil tips, screening and storage embankments, measured at any noise sensitive property specified in Table 1 above, shall not exceed a level of 67dB $L_{Aeq,1hr}$ (free field) These noise limits shall only apply for a maximum of 8 weeks in any calendar year.

Reason: To ensure that the noise emitted is not a source of nuisance, and to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 21 Noise monitoring shall be undertaken at the properties listed in Table 1 or other representative properties biannually for the first 2 years from the date of this consent, then annually for the following three years. Thereafter, the frequency of monitoring shall be agreed with the Local Planning Authority. The results of monitoring shall be submitted to the Local Planning Authority, together with confirmation of action taken to remedy any breach of the limits set out in Table 1.

Reason: To ensure that the noise emitted is not a source of nuisance, and to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 22 Within three months of the date of this consent a noise management scheme for the site shall be submitted to and approved in writing by the Local Planning Authority, which shall, if practicable, include the provision of measures to reduce noise levels from site operations including the provision of any perimeter bunds/barriers, and specify the locations and methodology for monitoring carried out as required by condition 21 above. All site operations and noise monitoring shall be carried out in accordance with the approved scheme, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted is not a source of nuisance, and to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 23 Blasting shall be undertaken in such a manner to ensure that ground vibration, measured as a maximum of three mutually perpendicular directions taken at the ground surface, does not exceed a peak particle velocity (ppv) of 6mms^{-1} per second in 95% of all blasts measured over any continuous six month period, and no single blast shall exceed a ppv of 10mms^{-1} per second. The measurement is to be taken at or near the foundations of any vibration sensitive building in the vicinity of the quarry existing at the date of this consent.

Reason: To limit ground vibration from blasting operations so as to protect the amenities of local residents and the structure of buildings in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 24 Blasting shall be designed in such a manner that air over pressure resulting from any blast does not exceed 120dB at any residential property.

Reason: To limit air overpressure from blasting operations so as to protect the amenities of local residents and the structure of buildings in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 25 Each individual blast shall be monitored in accordance with a Blast Monitoring Scheme to be submitted to the Local Planning Authority within 3 months of the date of this consent. That scheme shall include provision for

the recording of details which shall include the location of the monitoring station(to be provided at a minimum of one of the properties listed at Para 10.3.1 of the Environmental Statement, or such other location previously agreed in writing with the Local Planning Authority); the position of the blast holes; weather conditions; the specification of the blast in terms of MIC, ppv data and total charge weight, and provision for the results to be made available immediately to the Local Planning Authority on request. All monitoring shall be undertaken in accordance with the terms of the approved scheme for the duration of mining operations at the site.

Reason: To ensure adequate monitoring of blasting operations in the interests of the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 26 Blasting times shall be clearly advertised at the Quarry and a warning, audible at the site boundary, shall be sounded prior to any blasting operations taking place, and shall be sounded again immediately after blasting has finished.

Reason: To give reasonable warning of blasting operations in the interests of public safety and the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 27 There shall be no secondary breakage of stone by the use of explosives.

Reason: To limit blasting operations so as to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 28 The best practicable means shall be used to restrict the generation of dust: on the haul roads and access road and within the remainder of the quarry, as a result of the storage and transportation of any material at the site e.g. pre-coated bituminous road stone or as a result of blasting. The best practicable means shall include the provision for haul roads and access roads to be watered during dry weather to lay the dust.

Reason: To ensure that dust emitted is not a source of nuisance so as to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 29 At all times during the carrying out of operations, a water bowser or similar equipment shall be available on site, and shall be used to minimise the emission of dust from the operational area.

Reason: To ensure that dust emitted is not a source of nuisance so as to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

30 Measures shall be taken to minimise dust emissions from quarrying operations, in accordance with the following protocols:

- (i) Soils and overburden shall not be handled during dry conditions which could result in the emission of visible dust unless the material has been suitably treated with water or other suitable agents.
- (ii) Drilling of shot holes shall be undertaken by drilling rigs fitted with a suitable dust collection system;
- (iii) Site roads within the quarry shall be dampened down as appropriate, using a water bowser, in accordance with the requirement of Condition 29;
- (iv) The speed of haulage vehicles at the site will be restricted to 10mph.
- (v) All site vehicles will be fitted with upswept exhausts and radiator fan shields.
- (vi) Lorries will be loaded to avoid spillages.
- (vii) All site traffic will be kept to the designated haul routes.
- (viii) Any product or waste spillages will be cleared to avoid accumulations.
- (ix) Drop heights will be minimised at loading and discharge points.
- (x) Measures shall be taken to ensure that mud and other detritus from site operations shall not accumulate onto the public highway. Such measures shall include the weekly cleaning/sweeping of the public highway used to access the site, as well as additional cleaning/sweeping of the public highway, if, in the opinion of the Local Planning Authority, significant accumulations have occurred which require action.
- (xi) Regular compaction, grading and maintenance of all on site non metalled roads used as a consequence of the quarrying operations.
- (xii) All product and waste stockpiles shall be watered as and when necessary to minimise the suspension of dust.
- (xiii) Existing vegetation along the site boundary to the north of the site which provides screening protection from dust shall be maintained unless a suitable screening replacement is otherwise approved in writing by the Local Planning Authority.
- (xiv) Before entering onto the public highway the wheels, of all lorries travelling from the site shall be cleaned and, their loads shall be secured and fully covered and in such a condition as to avoid the deposit of slurry, mud, or other material upon the public highway.

Reason: To ensure that dust emitted is not a source of nuisance so as to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 31 Six months prior to the commencement of any alternative means of access from the plant area to the primary crusher there shall be submitted to and approved in writing by the Local Planning Authority a scheme for additional dust minimisation measures which shall include the provision of additional screening along the site boundary in the vicinity of the primary crusher. All works shall be carried out in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that dust emitted is not a source of nuisance so as to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 32 The operator of the mineral activity shall undertake a further study of Fine Particulate Matter PM 10 at Craig Yr Hesg over a twelve consecutive month period to obtain 90% data capture, or less if agreed in writing with the Local Planning Authority, to assist in the evaluation of existing and new abatement techniques deployed at Craig Yr Hesg. The method, to be based upon previous assessment monitoring utilising Dutsan, and the monitoring location and commencement date, shall be agreed in writing in advance with the Local Planning Authority. The results of the exercise shall be reported to the Local Planning Authority within eight weeks of the end of the twelve month period. The need to continue the monitoring beyond the 12 month period shall be reviewed by the Local Planning Authority with the operator following submission of the aforementioned report. The 12 month period of monitoring shall commence within 3 months of the date of this consent.

Reason: To ensure informed management of the operations at the site to ensure that dust emitted is not a source of nuisance so as to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 33 The operator of the mineral activity shall maintain and operate an automatic weather monitoring station at the primary crusher, in a manner to ensure the accurate measurement of atmospheric temperature, wind direction, wind speed and precipitation. All data shall be recoded in an accessible format, to be agreed in writing by the Local Planning Authority, and kept at the site by the Operator for at least two years and made available for examination by any authorised officer as determined by the Local Planning Authority.

Reason: To ensure informed management of the operations at the site to ensure that dust emitted is not a source of nuisance so as to protect the amenities of local residents in accordance with Policies CS10 and AW10 of

the Rhondda Cynon Taf Local Development Plan.

- 34 No floodlighting other than that in existence at the date of this consent, shall be used on the site without the prior written approval of the Local Planning Authority.

Reason: To prevent any unacceptable light pollution and to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 35 Any facilities for the storage of oils, fuels or chemicals on the site shall be sited in impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of inter-connective tanks, plus 10%. All filling points, vents, gauges and site glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any water course, land or underground strata. Associated pipe work shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of nearby watercourses and drainage systems in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 36 Throughout the period of working, restoration and aftercare, the operator shall protect and support any ditch, stream, water course or culvert passing through the site and neither impair the flow nor render less effective drainage onto and from adjoining land. Satisfactory provision will be made to deal with any surface water run-off from the site and, in particular, no run-off water from the site shall be permitted to flow down the quarry access road and onto the Berw Road.

Reason: To prevent pollution of nearby watercourses and drainage systems in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 37 Settlement ponds at the site shall be kept clear of mud and silt as necessary so as to keep them in good order, and the discharge of waste, oil or other pollutant to any settlement pond, ditch, stream, watercourse or other culvert is not permitted.

Reason: To prevent pollution of nearby watercourses and drainage

systems in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 38 No excavation shall take place below the depth of the water table until a Hydro geological Impact Appraisal for dewatering and a scheme of working has been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved scheme, unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent derogation of the ground water resource at the site in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 39 All the site, including topsoil and subsoil dumps shall, so far as practicable be kept free from noxious weeds, and all necessary steps shall be taken to suppress such weeds at an early stage of growth to prevent seeding and spreading.

Reason: To protect the environment in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 40 Unless otherwise agreed beforehand in writing with the Local Planning Authority all vehicular access to or from the site shall be via the existing entrance and exit points on the B4273 road.

Reason: To define the accesses on to the highway.

- 41 At least 14 days notice of commencement of soil stripping operations shall be given to the Local Planning Authority, and the developer shall afford access at all reasonable times to archaeologists nominated by the Local Planning Authority who shall be allowed to observe the excavations and record any items of interest and finds.

Reason: To facilitate recording of the sites archaeology so as to accord with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

- 42 Within 3 months of the date of this permission a Wildlife Protection Plan for the protection of existing landscaping, vegetation or woodland areas to be retained within (or immediately adjoining, the site shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following matters:

a) An appropriate scale plan showing 'Wildlife Protection Zones' where protective measures will be installed or implemented if necessary ;

b) Details of any protective measures necessary (either physical measures and/or sensitive working practices) to avoid unacceptable impacts on wildlife;

c) Persons responsible for:

Compliance with legal statutory provisions relating to nature conservation, planning conditions relating to nature conservation, installation of physical protection measures, implementation of any sensitive working practices, regular inspection and maintenance of any physical protection measures provision of training and information about the importance of any 'Wildlife Protection Zones' to all personnel on site.

The approved Wildlife and Protection Plan shall be implemented for the duration of the permission.

Reason: To afford protection to animal and plant species in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

43 Within 3 months of the date of this consent a scheme for the interim restoration of benches located outside active quarrying, additional woodland planting along the south western boundary of the quarry and the timescales for implementing the works shall be submitted to and approved in writing by the Local Planning Authority to include the following matters:-

- Locations for the proposed various treatments of the quarry benches
- Use of soils and native woodland restoration, natural regeneration, and heath land restoration to achieve the proposed restoration treatments shown within the green hatched areas of the quarry phasing drawings SR02 – SR05.

The restoration works shall be carried out in accordance with the approved interim restoration scheme, unless otherwise agreed in writing by the Local Planning Authority

Reason: In the interests of the amenity of the local area in accordance with Policy CS10 the Rhondda Cynon Taf Local Development Plan.

44 Unless modified by conditions and schemes under this consent the interim restoration scheme for quarry benches under condition 43 above and the final restoration scheme under condition 45 below shall be based upon the restoration concept plan ref A057337/9a.

Reason: In the interests of the amenity of the local area in accordance with Policy CS10 the Rhondda Cynon Taf Local Development Plan.

45 Not later than 31st December 2022 or the expiry of 6 months following the permanent cessation of the winning and working of minerals and the depositing of mineral waste, whichever is the sooner, the operator shall submit for the written approval of the Local Planning Authority a detailed final restoration scheme, including drawings to illustrate the proposals for the final restoration of the quarry. The final restoration scheme shall be based upon the restoration concept plan ref A057337/9a and include, inter alia the following matters:

- a) the nature of the intended after use of the site;
- b) the location, depth and treatment of any dust/fine aggregate on the site;
- c) the ripping of the quarry floor (other than where comprised of bedrock) and the re-spreading over the floor of the excavated area of any overburden, subsoil and topsoil previously stripped from the site, in that order;
- d) the ripping of any compacted layers of final cover to ensure adequate drainage and aeration; such ripping should normally take place before placing of the topsoil;
- e) the machinery to be used in soil re-spreading operations;
- f) the final proposed levels of the site on a contour plan at 5m intervals and the gradient of the restored 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 restored land including the formation of suitably graded contours to promote natural drainage and the installation of artificial drainage where necessary, the position and design of ditches and watercourses where all such features shall be designed to achieve maximum ecological diversification;
- h) the reinstatement of the plant site and access roads by clearing plant, buildings, machinery and concrete or brickwork, and other obstructions, replacing of subsoil and then topsoil previously stripped from the site;
- i) details of the spreading of soils previously stripped and stored on the site including depths and placement areas;
- j) the method of soil replacement and soil handling;
- k) the provision of site security;
- l) position and erection of boundary fencing,
- m) The position of any roadways, footpaths and bridleways to be provided linked with existing Public Rights of Way, including the crossing and surfacing of such routes;

Unless otherwise approved in writing by the Local Planning Authority, the restoration works shall be carried out in accordance with the approved

restoration scheme.

Reason: In the interests of the amenity of the local area in accordance with Policy CS10 the Rhondda Cynon Taf Local Development Plan.

- 46 The scheme detailed in Conditions 45 above shall be fully implemented within two years of the date of approval of the scheme or by 31.12.2024, whichever is the sooner, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of the local area in accordance with Policy CS10 the Rhondda Cynon Taf Local Development Plan.

- 47 Prior to the commencement of the Final Restoration Scheme, the operator shall submit a scheme to deal with any potential contamination on the site. The scheme shall include such of the following steps as the Local Planning Authority shall reasonably deem necessary:

- i) A desk-top study and walk-over survey shall be carried out by a competent person to identify and evaluate all potential sources and impacts of contamination relevant to the site. A report of the desk-top study and walk over survey shall be submitted to the Local Planning Authority without delay upon completion.
- ii) Unless the report supplied under i) above satisfies the Local Planning Authority that it is not required, a site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any contamination and its implications.
- iii) A scheme containing a written method statement for the remediation of any contamination revealed by the site investigation in ii) above shall be agreed in writing with the Local Planning Authority prior to commencement and all requirements shall be implemented and completed by a competent person in accordance with a timescale to be approved in writing by the Local Planning Authority.
- iv) A suitable validation report of any remedial works carried out under iii) above shall be submitted to and approved by the Local Planning Authority.

If during restoration works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in any remediation proposals in sub paragraph iii) of this condition then revised remediation proposals shall be submitted to and approved in writing by the Local Planning Authority, and

thereafter implemented in accordance with an agreed timescale with the Local Planning Authority.

Reason: In the interests of health and safety and environmental amenity in accordance with Policy AW10 the Rhondda Cynon Taf Local Development Plan.

- 48 An aftercare scheme, for amenity after use that promotes the use of the site for nature conservation through a restoration strategy shall be submitted for the approval of the Local Planning Authority not less than 6 months prior to the date specified in Condition 46 above as the date by which the final restoration of the site is to be completed. The aftercare scheme shall include the following elements:
- i) A five year period of aftercare following restoration;
 - ii) The inclusion of all areas affected by the quarrying activities, and areas outside the extraction area that have been used to store soil or overburden and areas subject to trafficking by mobile plant and equipment;
 - iii) The steps to be taken and the period during which they are to be undertaken and who shall be responsible for taking those steps;
 - iv) The timing and pattern of vegetation establishment (including grass seeding of restored areas with a suitable herbage mixture and application rates to achieve species rich grassland and heath land restoration, the distribution of native tree and shrub planting including stock types, sizes, spacing, method and position of planting.
 - v) cultivation practices for the preparation of soils;
 - vi) fertilising and lime application based on soil analysis, weed control
 - vii) land management techniques;
 - viii) the provision of boundary treatment.
 - ix) Entry onto the site shall be granted to officials of the Welsh Government at all times during soil stripping or replacement operations, restoration and aftercare of the site.
 - x) A habitat management plan which shall include;
 - a) The details of the provision of areas to be restored to nature conservation and their application to local biodiversity objectives(to include

nesting sites for peregrine falcon and raven, roosting and hibernation areas for bats, native woodland restoration, natural species –rich grassland and heath land restoration

- b) Description and evaluation of features to be managed.
- c) Ecological trends and constraints that may influence management.
- d) Aims and objectives of management.
- e) Appropriate management options for achieving aims and objectives.
- f) Prescription for management actions.
- g) Work Schedule.
- h) Personnel responsible for implementation of plan.
- i) Monitoring and remedial/contingency measures triggered by monitoring.

Aftercare operations shall be carried out in accordance with the approved aftercare scheme, unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of the amenity of the local area in accordance with Policy CS10 the Rhondda Cynon Taf Local Development Plan.

- 49 Before 31st March of every year during the aftercare period, unless otherwise agreed in writing with the Local Planning Authority, the site operator shall arrange a formal site meeting to review the aftercare operations which have taken place on the site during the previous year, and also the programme of management for the following year. The parties invited to this meeting shall include the site operator, the owners of the land (if not the operator), any other relevant occupiers, the Local Planning Authority and such relevant advisors and/or representatives of the Local Planning Authority as it shall nominate. At least one month before the date of each annual review meeting, the site operator shall provide a written report to the Local Planning Authority. The report shall contain details of the management and other operations carried out on the site in the previous year and those which are planned for the ensuing year.

Reason: In the interests of the amenity of the local area in accordance with Policy CS10 the Rhondda Cynon Taf Local Development Plan.

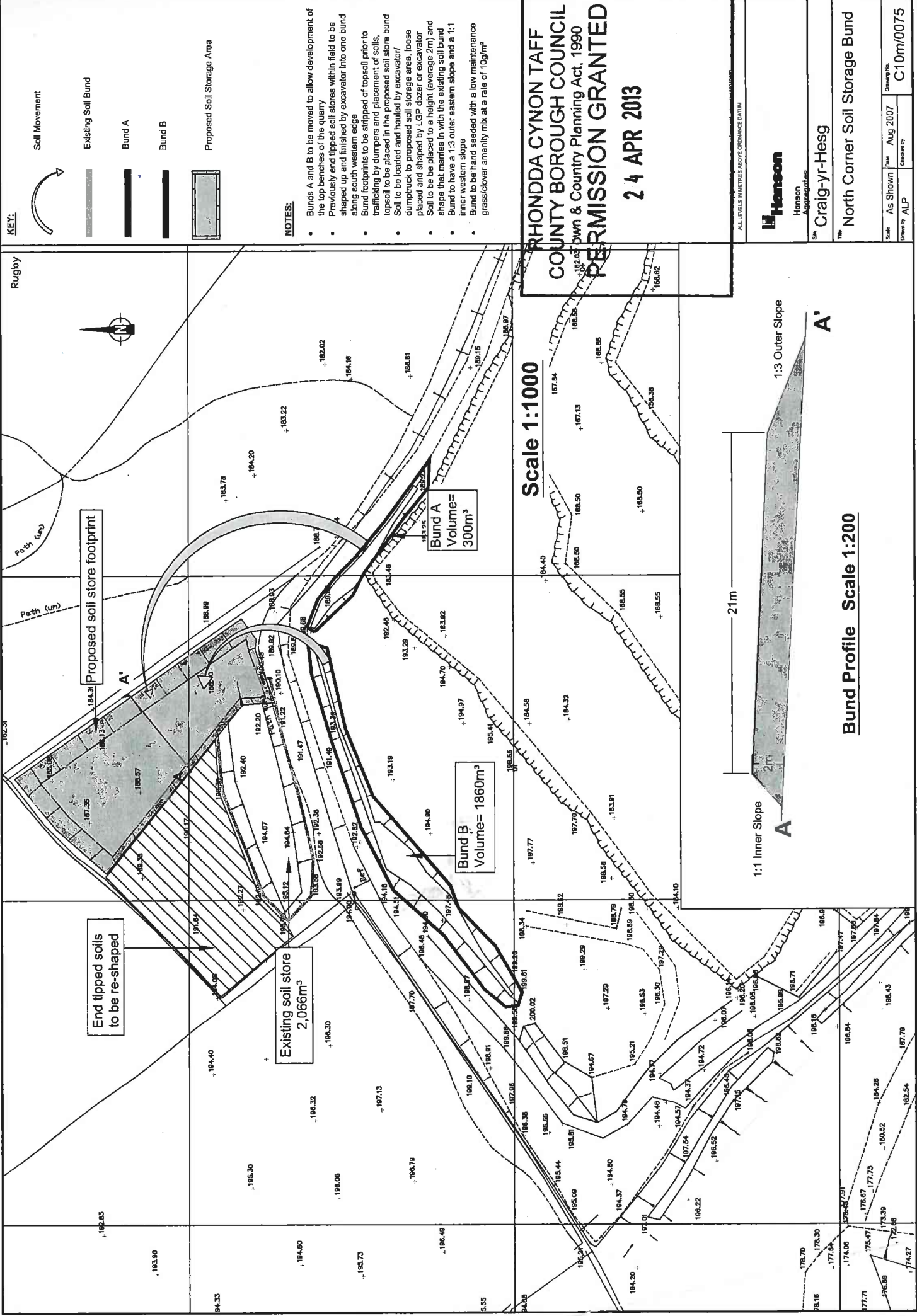
Dated: 24/04/2013 Signed _____



Service Director Planning

NOTES TO APPLICANT:

- 1 It is considered that the Site Liaison Committee is resurrected, as it provides a valuable forum for regular discussion and explanation of matters arising at the quarry, for the operator, the Local Planning Authority and local residents.
- 2 Any future amendments affecting ordinary watercourses will require an Ordinary Watercourse Consent from the Consulting Authority (Rhondda Cynon Taf) for the protection and/or support if necessary.
- 3 The site operator is reminded of their responsibility under the Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009.
- 4 The Environment Agency Wales consider that a permit may be required under the Mining Waste Directive (Environment Protection Regulation 2010) for the management of waste generated at the site.
- 5 If any controlled waste is to be removed off site then the site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility, in line with the Duty of Care regulations.
- 6 If the Applicant is aggrieved by the decision of the Local Planning Authority he/she may appeal to the National Assembly for Wales within 6 months of the date of this Notice. Appeals should be made on a form available from the Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ.



KEY:

- Soil Movement
- Existing Soil Bund
- Bund A
- Bund B
- Proposed Soil Storage Area

NOTES:

- Bunds A and B to be moved to allow development of the top benches of the quarry
- Previously end tipped soil stores within field to be shaped up and finished by excavator into one bund along south western edge
- Bund footprints to be stripped of topsoil prior to trafficking by dumpers and placement of soils
- Topsoil to be placed in the proposed soil store bund
- Soil to be loaded and hauled by excavator
- Dumptruck to proposed soil storage area, loose soil to be placed to a height (average 2m) and shaped that marries in with the existing soil bund
- Bund to have a 1:3 outer eastern slope and a 1:1 inner western slope
- Bund to be hand seeded with a low maintenance grass/clover amenity mix at a rate of 10g/m²

**PHONDDA CYNON TAFF
COUNTY BOROUGH COUNCIL
Town & Country Planning Act, 1990
PERMISSION GRANTED
24 APR 2013**

ALL LEVELS IN METRES ABOVE ORDNANCE DATUM

Hanson
Hanson
Aggregates

Craig-yr-Hesg

The North Corner Soil Storage Bund

Scale	As Shown	Date	Aug 2007	Drawn By	C10m/0075
Drawn By	ALP	Checked			



RHONDDA CYNON TAF
 COUNTY BOROUGH COUNCIL
 Town & Country Planning Act, 1990
 PERMISSION GRANTED
 24 APR 2013

DATE RECEIVED	12 JUL 2012
REFERRED TO	

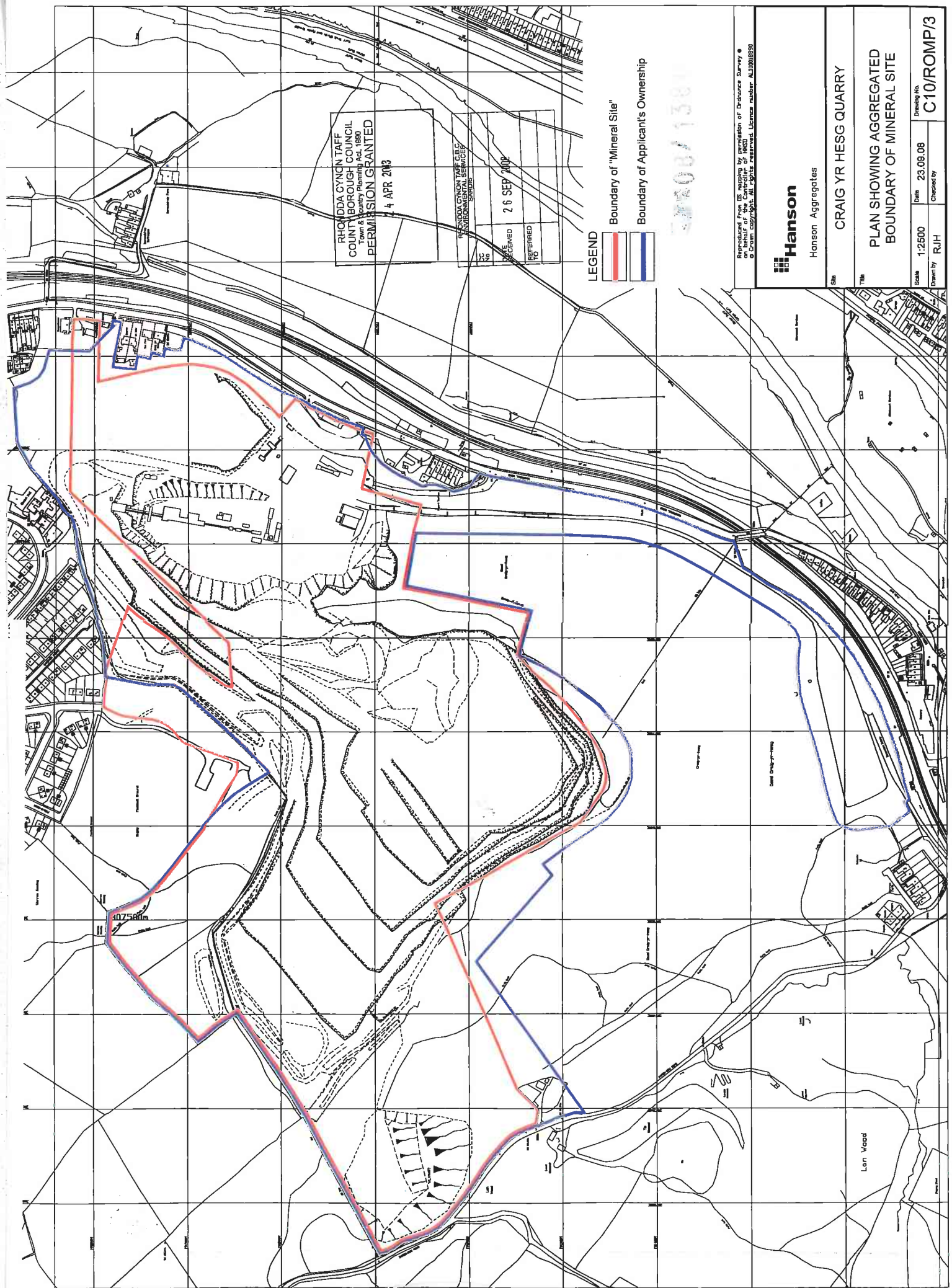
KEY

 Consented limit of mineral extraction

Hanson
 HEIDELBERGCEMENT Group

Craig Yr Hesg
 S105a Final Quarry Extent
 (Version A)

Scale	1:2,500	Date	Jul 12	Drawn by	JWB	Checked by	MF	Project No.	C10-0087
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RHODA CYNON TAFF
 COUNTY BOROUGH COUNCIL
 Town & Country Planning Act, 1990
PERMISSION GRANTED
 4 APR 2013

RHODA CYNON TAFF C.B.C.
 ENVIRONMENTAL SERVICES
 RECEIVED
 26 SEP 2012

LEGEND
 Boundary of "Mineral Site"
 Boundary of Applicant's Ownership

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Hanson
 Hanson Aggregates

Site: CRAIG YR HESG QUARRY

Plan Showing Aggregated
 Boundary of Mineral Site

Scale: 1:2500
 Date: 23.05.08
 Drawing No.: C10/ROMP/3
 Drawn by: RJH
 Checked by:

LOCAL GOVERNMENT ACT 1972

As amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

DEVELOPMENT CONTROL COMMITTEE

7 MARCH 2013

**JOINT REPORT OF THE DIRECTOR, LEGAL AND DEMOCRATIC SERVICES
AND THE SERVICE DIRECTOR, PLANNING**

SITE MEETING

**APPLICATION NO. 08/1380 – APPLICATION FOR DETERMINATION OF
CONDITIONS FOR MINERAL SITE. THE ENVIRONMENTAL ACT 1995
(SECTION 96 AND PARAGRAPH 9 OF SCHEDULE 13) – CRAIG YR HESG
QUARRY, BERW ROAD, PONTYPRIDD**

Minute No. 179(1) (Development Control Committee, 7 February 2013)

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2012-2013

**DEVELOPMENT CONTROL
COMMITTEE**

7 MARCH 2013

**JOINT REPORT OF THE
DIRECTOR LEGAL AND
DEMOCRATIC SERVICES
AND THE SERVICE DIRECTOR,
PLANNING**

Agenda Item No.7

**SITE MEETING
APPLICATION NO. 08/1380 –
APPLICATION FOR DETERMINATION OF
CONDITIONS FOR MINERAL SITE. THE
ENVIRONMENTAL ACT 1995 (SECTION
96 AND PARAGRAPH 9 OF SCHEDULE
13) – CRAIG YR HESG QUARRY, BERW
ROAD, PONTYPRIDD**

**Author: Mrs.Z.D.Maisey, Principal Officer, Committee Services
Mrs.D.Bowhay, Senior Planning Officer**

1. PURPOSE OF THE REPORT

To consider the outcome of the site inspection in respect of the above-mentioned proposal and to determine the application, as outlined in the report of the Service Director, Planning attached as Appendix 1.

2. RECOMMENDATION

To approve the application in accordance with the recommendation of the Service Director, Planning.

3. BACKGROUND

- 3.1 In accordance with Minute No.179(1) (Development Control Committee, 7 February 2013) a site inspection was undertaken on Monday, 18 February 2013, to consider the impact of the proposal.
- 3.2 The meeting was attended by the Chairman and Vice-Chairman of the Development Control Committee (County Borough Councillors R.B.McDonald and M.J.Watts respectively) and County Borough Councillor E.Webster in consultation with the Local Member for Glyncoch (County Borough Councillor D.H.Williams).
- 3.3 The Development Control Officer informed Members that the application was for the Initial Review of the existing mining permissions at Craig Yr Hesk Quarry. The Review process was designed to ensure that active

quarry sites operate with up to date conditions which reflect present day environmental standards. The application was recommended for approval subject to conditions which should ensure that the environmental impact of the continued quarrying activities were limited and allowed for appropriate supervision and planning enforcement.

- 3.4 The Local Member highlighted the concerns of local residents regarding the number and size of haulage vehicles visiting the quarry site which had significantly increased since the last application was approved. As a result, damage was being caused to the surface of the highway and also, to the railway bridge which had to be crossed in order to access and egress the quarry site. The Local Member also expressed concerns for both drivers and pedestrians in the vicinity of the access and exit points and he emphasised the urgency of providing appropriate warning signs particularly at the exit point.
- 3.5 The Local Member then referred to problems caused by Dust on the main road which was an ongoing problem for local residents and one that should be enforced in future.
- 3.6 Members were informed by the Transport Officer that the capacity of the B4273 to cater for present day outputs is not in question and that the Transportation Section had requested an annual condition survey of the road surface in the vicinity of the access until the expiry of the permission and require additional damage to be rectified at the quarry operator's expense.
- 3.7 Members were also informed that conditions would be imposed regarding Dust, to ensure that vehicles do not deposit mud and other detritus onto the public highway, including the regular sweeping of the highway.
- 3.8 With regard to the provision of appropriate warning signs, the Transportation Officer was asked to discuss the funding of improved signage with the quarry operator.
- 3.9 With regard to the condition of the railway bridge, the Transportation Officer stated he would look into the matter.

4. Update to the meeting

- 4.1 It is Officers opinion that, whilst Members concerns about the railway bridge are appreciated, the issue would apply to all traffic using the bridge and not just the traffic using the quarry. As the railway bridge is in third party ownership and any improvements would require third party land, it is considered unreasonable to pursue any improvement to its condition.

- 4.2 The annual condition survey is covered in the report of the Service Director, Planning as being more appropriate under Section 59 of the Highways Act 1980.
- 4.3 The local Member 's concern regarding road signage at the quarry exit is being pursued by officers, with a view to erecting a warning sign on highway owned land, as the quarry operator does not own any land adjacent to the quarry exit.

APPENDIX 1

APPLICATION NO: 08/1380/10 (DB)
APPLICANT: ARC Western Ltd
DEVELOPMENT: Application for determination of conditions for mineral site. The Environmental Act 1995 (Section 96 and paragraph 9 of schedule 13).
LOCATION: CRAIG-YR-HESG QUARRY, BERW ROAD, PONTYPRIDD, CF37 3BG
DATE REGISTERED: 12/07/2010
ELECTORAL DIVISION: Glyncoch

BACKGROUND AND APPLICATION DETAILS

This is an application for the Initial Review of the existing mining permissions at Craig yr Hesg Quarry. The Initial Review of Old Mining Permissions is commonly referred to by the acronym "ROMP" Review, and is required by Schedule 13 of the Environment Act 1995, at 15 year intervals from the date of a previous review or, if no review has taken place, from the date of the latest mineral permission relating to the site. The Review process is designed to ensure that active quarry sites operate with up to date conditions which reflect present day environmental standards.

The initial review date for all mineral sites, and for Craig Yr Hesg Quarry was initially set as 01.10.1998. However, an application to postpone the review date on the basis that the conditions imposed on the 1993 Permission were satisfactory, was approved until 20.08.2008. Accordingly, an application accompanied by a schedule of proposed updated planning conditions was submitted in August 2008. Whilst the applicant confirmed that they would undertake an Environmental Statement (ES) to inform the planning conditions, in order to allow sufficient time for environmental surveys and results to be formulated, it was agreed that this should be submitted by 14.07.2010. An Environmental Statement was therefore submitted on 12.07.10 to accompany this initial review.

There are a number of planning permissions at the site, which date back to 1949, followed by permissions granted in 1965, 1970 and more recently 1993 which permitted an extension to the original quarry. This most recent permission (56/86/0827) was accompanied by a Section 106 Agreement. This agreement inter alia, provided for the relinquishment of the rights to quarry and remove vegetation from a defined area of land to the south of the quarry to protect the integrity of the Craig Yr Hesg ridgeline above Pontypridd, and the construction of a screen embankment along the north western boundary of the quarry. Together, these form the extant mineral permissions which are subject to the Periodic Review. The submitted conditions apply to the overall quarry site.

The application has submitted quarry development plans which involve quarrying to the limits defined in the existing permissions. These show the deepening of the quarry to a final base level of 100m AOD, the development of the quarry faces and benches in a north-west and north-easterly direction to create a wider floor, the creation of a narrow cutting through to the processing plant site which will provide low level access to the base of the quarry. At present there is a large stockpile of dust/fines aggregate within the eastern part of the quarry which is sterilising underlying reserves of stone. Therefore, the short term quarrying development proposes to deepen the southern/south-western areas of the quarry to the approved depth to accommodate the dust/fine aggregate, which will then provide access to reserves currently sterilised by the stockpile. As part of the review of the quarry working the applicant proposes not to implement the construction of a screen embankment along the north western boundary of the quarry. The reason for this decision is that the land has naturally regenerated and forms a local amenity feature which would be significantly impacted upon.

The plant at the site extends to the crushing and screening operations within the processing plant, and a ready-mix concrete (Premix) plant. The plants are regulated by a permit issued by Rhondda Cynon Taf (RCT) pursuant to the Pollution Prevention and Control Act 1999, and the Environmental Permitting (England and Wales) Regulations 2010. The quarry has historically provided aggregate for a coated road stone plant but this was de-commissioned in 2009 and removed from the site. The quarry now only supplies dry aggregate to coated road stone plants elsewhere.

The applicant has proposed revised hours of operation at the quarry as compared to the existing planning permission (56/86/0827). For the purposes of these conditions, quarrying operations are defined as the operation of the primary crusher, the stockpiling and loading or unloading of materials associated with the primary crusher and the haulage of rock from the quarry faces to the primary crusher or any stockpile.

The proposed hours of operation are proposed to be restricted as follows:-

Blasting operations Mondays to Fridays 10:00 to 16:00

Drilling operations at levels above 180m A.O.D. Mondays to Fridays 10:00 to 16:00, and not at any time on Saturdays, Sundays or Statutory Public Holidays (revised times).

Drilling operations at levels below 180m AOD Mondays to Fridays 07:00 - 18:00 and not at any time on Saturdays, Sundays or Statutory Public Holidays (revised days and times).

Vehicle movements other than associated with the ready mix concrete plant, coated road stone and related to servicing, testing, maintenance of plant and machinery Monday to Friday 07:00 to 19:00 and Saturdays 07:00 to 16:00 and on Sundays or Statutory Public Holidays with written permission (new times).

Quarrying operations Mondays to Fridays 07:00 to 19:00 and Saturdays 07:00 to 16:00 and not at any time on Sundays or statutory public holidays (new times).

Soil stripping Monday to Fridays 08:00 to 17:00 and 08:00 to 13:00 on Saturdays (new provision).

Operations outside the normal 'daytime' hours of 07:00 - 19:00 to be restricted to the coated road stone plant and ready mix concrete plant only, together with water pumping, environmental monitoring, servicing, maintenance, and testing (which reflects the current permissions).

In terms of output and traffic movements, recent and historic output at the quarry has averaged some 400,000 tonnes per annum. Based upon average load sizes of 22 tonnes, and a notional 275 day working year, this equates to an average of 66 loads per day. Apart from a very isolated local delivery there are no markets northbound. Almost all traffic movements are to and from the south, via the B4273 to Pontypridd and the A470.

The restoration details involve final quarrying to a base level of 100m A.O.D. It is likely that a proportion of the dust/fine aggregate stockpile will be retained for use in profiling the base of the quarry. Restoration will involve restoration of the benches involving natural regeneration, planting, or use of the quarry waste material. The restoration details have been reviewed as part of the application with additional details provided based on the principles of the original restoration scheme.

The application is accompanied by an Environmental Impact Assessment (ES) and a Schedule of Conditions. Further environmental information regarding air quality monitoring was received on 30 May 2012. A copy of the ES and associated documentation is available for inspection.

SITE APPRAISAL

Craig Yr Hesg Quarry lies on the western side of the Taff Valley about 1km north of the built up area of Pontypridd. The village of Glyncoch lies beyond the northern boundary of the quarry. The quarry is bounded by Glyncoch football ground and clubhouse to the north, open agricultural land to the northwest and west, to the southwest by the prominent ridgeline of Coed Graig Yr Hesg, and to the east by a narrow corridor of woodland between the site and the B4273 Ynysybwl Road.

The access to the quarry is from the B4273 via separate entrance and exit roads. The nearest residential properties mainly lie within the Glyncoch and Cefn Farm Housing Estates and properties which face directly onto the B4273 adjacent to the quarry access roads.

The quarry produces aggregate from a deposit of pennant sandstone, which has one of the highest quality sources of skid resistant surfacing aggregate in the UK, which makes it particularly suitable for major road surfacing projects such as motorways, interchanges, airport runways etc. The material has been used in the 2012 Olympics as well as more locally in the Porth Bypass and the Newport Southern Distributor Road.

The main quarry working lies to the west with the quarry processing plant in the eastern part of the quarry. At present the quarry faces and benches are being developed in a north-westerly direction. Planned reserves are located between the processing plant and the quarry void.

The total area of land covered by the mineral permissions is 30.88ha, and an area of 17.21 ha is the total area to be excavated.

PLANNING HISTORY

The following applications are relevant to the consideration of the present application.

- Ref E339 - Planning Permission dated 7 January 1949 (covers area now taken up by the processing plant, stockpile area and site entrance and exit);
- Reference P22/Z/596, dated 20 August 1965, which permitted a south-western extension to the original Quarry;
- Reference 349/Z/970, dated 27 January 1970, which permitted a southern extension;
- Reference 56/86/0827 dated 20 August 1993, which permitted a north western extension including inter alia a legal agreement not to work the remaining unworked land within the 1970 permission.

PUBLICITY

The application has been the subject of neighbourhood notification, site notices and press notices. These have all been undertaken again following the receipt of the further environmental information regarding air quality monitoring received on 30 May 2012. Three letters have been received raising the following comments:-

- clarification should be provided regarding the details of recording vibration levels of each blast and the monitoring – in terms of location, (the locations specified in the ES are incorrect), monitoring devices used, amount of explosives, and the availability of obtaining these details,

- independent checks of the blasting and air quality measurements must be made,
 - publicity of this application should have extended to other areas, especially Cilfynydd as noise disruptions caused by blasting have been reported from that area,
 - damage to plant, animal and insect life has already taken place,
 - the claim that the blue pennant sandstone is of premier quality is stretching the truth as this material was extracted years ago,
 - the proposed blast to a depth of 100 A.O.D and location within 200m of the houses in Rogart Terrace would occur on the same bedrock as the houses are built upon at 82 A.O.D. and should require a closely regulated work method statement, as MTAN 1 prohibits blasting within 200m of houses,
 - there appears to be no working methods for the control of noise and air pollution during all operations, and the control, and enforcement of working practises by the local authority have been lacking,
 - consider that the planning department do not have the experience or qualifications to make the decision regarding blasting vibration, noise control, air pollution (dust), drainage (surface and foul) and transportation breaches,
 - question whether quarrying would include the exposed rock outcrop 50m west of the quarry offices. If so asks about the drilling sequence method to ensure the stability of this narrow ridge – as accidents have been known to happen,
 - question the depth of the existing quarry floor as tip waste will be used to infill the lower quarry floor which implies the floor is lower than 100 A.O.D.,
 - the timing of restoration is stated to be flexible, but no restoration works before quarrying works are exhausted would be unacceptable,
 - not against continuing operations but they need to be supervised and regulated as we have to protect our homes and investments,
 - number and size of vehicles using the quarry has significantly increased,
 - dust emissions continue to increase, especially following blasting,
 - dust on main road is a problem,
 - air quality in the community is of concern,
 - number of vehicles queuing to get in the quarry is of concern,
 - suitable warning notices should be erected on highway warning motorists of the exit and type and size of vehicles using it.
- One letter and comments in other letters have also been made in relation to any possible future extension at the quarry. However these comments are not relevant to the consideration of this application.

The Glyncoch Community Partnership raise the following comments:-

- Noise causes disruption and alarm particularly for older and vulnerable residents.
- Quarrying activity threatens structural integrity of buildings – evidence of cracks in walls of homes and buildings nearest the quarry – people suspect

that effects of blasting are exacerbated by underground tunnels relating to previous mining activity.

- Difficult to accept statement in ES that “the quarry is not a major contributor to the occasionally elevated fine particulate PM10 concentrations in the locality... and that it appears to be largely derived from other local or more distant sources”, as there are no other nearby significant sources of PM10.
- Consider quarry already impacts upon the lung health of residents – and quarry dust may exacerbate the suffering of those with TB in Glyncoch where there is recognised high levels of TB.
- Fear quarrying activity will continue to compromise the health and wellbeing of people of Glyncoch as well as the Council’s and Welsh Government’s commitment to sustainable development based on the three principles of environmental, social as well as economic factors.
- Continued quarrying in favour of economic development would be to the detriment of environmental and social considerations and is contrary to the ethos of Para 7 of MTAN1.
- Christine Chapman AM raises the following comments following a meeting with a group of residents, which relate to the effectiveness of monitoring and enforcement action regarding the following matters:-

an increase in blasting,
an increase in diesel smoke being omitted from machinery effecting local housing,
dust levels,
noise levels,
stability of local buildings, especially Craig Yr Hesg Primary School,
number of vehicles allowed on a weekly basis to remove stone,
whether permission was required for exploratory drilling.

CONSULTATION

Dwr Cymru/Welsh Water – raises no adverse comments.

RSPB – raises no adverse comments and advises it would like to see the site safeguarded and the protected species and other birds which use the site protected on restoration from housing or inappropriate recreational uses. Consider it desirable to get a commitment about long term management/ownership and there is the potential for the site to be gifted to the Council so that the adjacent Local Nature Reserve can be extended which may require a Section 106 agreement and some funding elements.

Transportation Section - raises no highway objection subject to conditions relating to hours of use for hgv’s entering or leaving the site and the need for a S106 Agreement regarding condition surveys of the local roads (B4273 and A4233) where quarry traffic would exceed 50% of the total hgv traffic on these

roads or a one-off payment towards the cost of remedial works associated with damage caused by extraordinary traffic use.

Cwm Taf Health Board – the proposed continuation of activities may have the potential to impact upon human health and/or cause nuisance and that the following matters be considered:- dust monitoring should be suitable to assess risks to sensitive receptors: dust prevention measures should be sufficient to prevent nuisance and exposure to PM10 at the most sensitive receptor, suitable noise management and monitoring plan should be submitted to ensure the prevention of nuisance and health risks to sensitive receptors and the Environmental Management System (EMS) should be suitably robust for site operations and off site consequences.

Countryside Council for Wales (CCW) – raise no objections to the proposal. Would welcome the opportunity to comment on the final restoration scheme. CCW advise of the need to consult the Council's Ecology Officer regarding the Council's duty to have regard to conserving biodiversity, as set out in Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006.

Countryside Section – raises no objection. Considers the ecological assessment to be a thorough assessment. There will be areas of localised areas of habitat loss and potential impacts on protected species and other birds but considers that a wildlife protection plan would ensure the mitigation measures recommended within the ES are achieved. In addition, considers that conditions are required to secure long term biodiversity goals and after care management. In terms of landscaping, the Landscape and Visual Impact Assessment is considered thorough and comprehensive. There is a phased programme of restoration and natural regeneration. Issues of site security and measures to prevent access to the site should also be identified within the final restoration scheme.

Environment Agency Wales – raises no objections but recommends that a number of conditions are reworded or replaced and additional conditions are included. Also wish to be consulted on restoration plans of the quarry involving seasonal pools and wetland areas. Advises that the Council's Drainage Engineer's are consulted to ensure that any surface water drainage from the enlargement of the quarry does not cause or exacerbate any flooding in this catchment. Provides notes regarding the management and removal of waste, any future de-watering and use of sustainable drainage techniques

Land Reclamation & Drainage Engineering - raises comments in relation to surface water and flooding matters, and has agreed wording of proposed conditions.

Public Health and Protection Division – raises no objections but raises a number of matters which should be addressed within the proposed conditions in relation

to noise, air quality, dust and land contamination. Advises that some matters are not necessary due to their adequate provision within the existing Environmental Permit. Reminds the operator of responsibilities under the Environmental Damage Regulations 2009.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Craig Yr Hesg Quarry is identified in the Local Development Plan, as being within the countryside and outside defined settlement boundaries. Adjacent to the north western boundary of the site is land subject to Policy SSA25 which is identified as a Preferred Area of Known Mineral Resource. Policy AW14.5 safeguards a 200 metre buffer zone around the quarry from development that would adversely affect its operations. Policy AW8.213 identifies land immediately adjacent to the southern boundary known as the Glyn Coch Quarry as a Regionally Important Geological Site. Policy AW8.229 identifies the wooded slopes to the south of the Quarry as Craig Yr Hesg Quarry Local Nature Reserve. Policy AW8.77 identifies land to the south of the quarry as Craig Yr Hesg /Lan Wood as a Site of Importance for Nature Conservation. Policy NSA 25.4 identifies land to the south and east of the quarry as Cwm Clydach Special Landscape Area.

Policy CS10 - outlines the strategic aim relating to the safeguarding of a continuous supply of minerals, without compromising environmental and social issues. Points 4 and 6 are of particular relevance to the application, regarding the restoration and after care and also ensuring that impacts from operations upon residential and sensitive land uses are limited.

Policy AW5 - supports development subject to certain amenity and accessibility criteria.

Policy AW8 – gives guidance on the preservation and enhancement of the natural environment, particularly Sites of Importance for Nature Conservation (SINC) or Regionally Important Geological Sites (RIGS).

Policy AW10 – does not permit proposals where they would pose an unacceptable risk to public health, safety or amenity.

Policy AW14 - ensures the long term safeguarding of mineral resources and also identifies a specific 200m buffer zone around Craig Yr Hesg Quarry, which is also shown on the proposals map.

National Guidance

Planning Policy Wales

Para 4.1.8 advises that while the substance of local views must be considered, they must be based on valid planning considerations, and each case should be decided on its own merits.

Para 4.7.5 advises that planning obligations should only be sought where they are necessary to make a proposal acceptable in land use planning terms.

Para 5.5.5 advises that proposals for development must be carefully assessed for their effect on natural heritage interests.

Para 8.7.1 advises that the environmental impact of both transport infrastructure and the traffic generated should be taken into account.

Para 13.12.1 advises that the potential for pollution affecting the use of land is a material consideration, and will include impact on health and amenity, the risk and impact of potential pollution insofar as this might have an effect on the use of land, prevention of nuisance, impact on the road and other transport networks and the need and feasibility of restoring the land to standards sufficient for an appropriate after use.

Minerals Planning Policy Wales (MPPW)

Para's 34 to 47 provide advice to ensure that the environmental impact of mineral extraction is limited. Issues that must be addressed include access and traffic generation; noise, dust and blasting, land drainage, prevention of pollution of water supplies; visual intrusion and general landscaping; impacts on sites of nature conservation, historic and cultural importance; land instability, promotion of the use and treatment of unstable, derelict or contaminated land; cumulative impact, restoration, after care and after-use.

Para's 48 to 54 provide advice in order to achieve a high standard of restoration and provide for beneficial after-use when mineral working has ceased. Restoration and after care should provide the means to maintain and preferably enhance the long-term quality of land and landscapes taken for mineral extraction. It is considered essential that progressive restoration is introduced at the earliest opportunity, where appropriate and practicable

Minerals Planning Guidance (MPG) 2 Applications, Permissions and Conditions

This guidance covers planning applications for minerals development, planning permissions and the imposition of planning conditions.

Minerals Planning Guidance (MPG) 14 Environment Act 1995: Review of Mineral Planning Permissions

Provides guidance on the statutory procedures for preparing and considering updated planning conditions in the review process.

Minerals Technical Advice Note 1: Aggregates

Section C outlines a number of measures of control to reduce the impact of aggregates production including the provision of buffer zones, planning conditions regarding dust, blasting operations, noise and visual impact. It also states that regular environmental audits should be carried out and that community liaison should occur where there are regular complaints or local concern about specific impacts.

Section D outlines the means to achieve a high standard of restoration and after care and provide for a beneficial after-use.

TAN5 Nature Conservation and Planning

Para 1.4.1 states that Section 40 (1) of the Natural Environment and Rural Communities Act 2006 (NERC) places a duty on every public authority, in exercising its functions to "have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. TAN (5) sets out the manner in which planning authorities should comply with this duty. Section 2 sets out the key principles of positive planning for nature conservation.

PLANNING CONSIDERATIONS

The primary consideration of this application is to provide for updated conditions in respect of the mineral permissions at the site to ensure that the environmental impact of the continued quarrying activities is limited.

The conditions should ensure that the development complies with national and local planning policies, ensuring the after use is conditioned for natural generation that compliments the character of the surrounding landscape and securing the highest design standards to compliment the surrounding Special Landscape Area. It is also considered that the new conditions should consider the broad concerns of residents which were raised as part of the statutory process of consultation in relation to the Deposit of the LDP, but only those which directly relate to the policy guidelines for imposing new conditions. The main objections concerned the following matters:– airborne dust impacting on the lives of residents, inadequate road infrastructure from heavy vehicles serving the quarry, faulty fencing and ease of access for children, quarrying levels having a negative impact on the quality of life of local residents, concerns of blasting and structural integrity of homes and the school.

Time Limits and Working Programme

Consideration has been given as to whether the proposed conditions in relation to the time limits for the mining and working of minerals of the depositing of mineral waste and the working programme are appropriate.

The most recent mineral permission, Ref 56/86/0827 provided for the development to expire at the end of December 2022. There appears to be no good reason why the operations would be completed before that date. Therefore, the same end date has been agreed with the quarry operator but for clarity reasons is provided as 31st December 2022. The removal of plant, machinery and structures and the cessation of the sale and transportation of any residual stocks, within a further 12 month period, is also proposed.

The quarry is to be worked in accordance with the extraction areas shown on the previous planning permissions 1949, 1965, 1970 and 1993. The red line of the planning permission boundary reflects the restrictions which are in place via the Legal Agreement of the 1993 Permission which removed an area of land to the south of the quarry to protect the integrity of the Coed Graig yr Hesg Ridge.

The approved plans involve the deepening of the quarry to a final base level of 100m AOD, the development of the quarry faces and benches in a north west and north easterly direction; and, via the approved plans accompanying the 1949, 1965 and 1970 Planning Permissions, the creation of a narrow cutting through to the processing plant site, which would allow a low land access to the base of the workings and provide for the final surface water drainage to the quarry.

The approved quarry development scheme has been updated to reflect the progress of quarrying in the intervening years and is illustrated on plans numbered AO57337 SR02 - 05 inclusive.

The presence of a large stock pile of dust/fine aggregate within the quarry influences the future quarry development. The quarry is to be deepened within the southern/south western area to the approved depth, to accommodate the relocated stockpile, which in turn will provide access to reserves presently sterilised by the stockpile and allow the quarry to work to its approved limits. The base of the quarry would then be broadened out in a north-west and north-easterly direction, to allow the stockpile to be progressively relocated to the quarry base. Thereafter working continues in a north-easterly direction to create a narrow cutting through to the plant site. The stockpile is likely to be retained for use in profiling the base of the quarry and to provide a gradient to assist final water drainage, the extent of which depends on future sales.

The conditions regarding the phasing of working have therefore been amended to reflect the updated quarry phasing plans. The sequence of mineral extraction should be undertaken in accordance with these approved plans but the condition allows some flexibility for the Local Planning Authority to vary the working

programme if required, at a later date and this is considered good practice. An additional plan numbered A057337 SR05a shows the extent of final extraction limits within the northern parts of the quarry, for clarity purposes.

The condition requiring no extraction of minerals below 100m AOD (other than these works necessary of the construction of the quarry sump) is retained.

Additional conditions are also proposed. One requires a copy of the consent of the approved plans to be displayed in the operator's site office at all times in order to ensure that the developer and site operatives are aware of the working programme and conditions. Also, a condition requires a review of the working programme and phasing plans every 5 years for approval, in order to formally review the working plan at regular intervals.

The previous mineral permission (56/86/0827) included a number of conditions regarding the removal of vegetation and soils and the storage of soils. However, most soil stripping has now occurred and the approved locations and volumes of soil storage mounds are provided on Drwg No.C/10m/0075 dated August 2007. It is therefore considered that all further soil stripping and storage should be undertaken in accordance with a scheme to be submitted for approval.

The previous mineral permission (56/86/0827) included a condition requiring a scheme for enclosing the operational area. The location and design of the palisade security fencing at the site has formerly been approved by the Council and has been implemented. Therefore it is considered unnecessary and unreasonable to re-impose such a requirement. In any event, the provision of a secure enclosure for the site is the responsibility of the Mines and Quarries Legislation, and should not therefore be duplicated here.

The previously imposed conditions securing the protection of vegetation adjacent to the excavation area are now provided for in the proposed Wildlife Protection Plan condition (see Landscape, Restoration, Aftercare and Ecology later in this section).

The proposed phased working plans show that in later phases there would be a revised access to the primary crusher and there is the recognised requirement for the need to retain boundary vegetation which is acting as a screening protection from dust between the plant and nearby residential properties in the Glyn Coch Estate. This requirement is therefore contained within the proposed Dust Conditions.

The consideration of the need for any perimeter bunds/barriers in order to provide noise protection for properties in Pen y Bryn/Gardner Close, from drilling operations within the top bench only, is contained within the Amenity Considerations below.

Public Health, Safety and Amenity Considerations

The quarry is located in close proximity to residential properties which mainly are located within the southern part of the Glyn Coch and Cefn Farm Residential Estates, residential properties with Rogart Terrace and individual properties near the quarry entrance and exit points. Occupants within these areas and others have raised concerns in relation to issues concerning noise, air pollution, dust, public health, safety and residential amenity.

The Cwm Taf Health Board and the Council's Public Health and Protection Division have been consulted on the application. Both the Cwm Taf Health Board and the Public Health & Protection Division have recognised that the continuation of mineral activities at the quarry may have the potential to impact upon human health and/or cause nuisance. Both have therefore provided advice in relation to the form and wording for the updated conditions. The Cwm Taf Health Board also convened a public meeting on 18th August 2010 at Glyncoch Community Centre to clarify local community health concerns perceived to be associated with quarrying activity at the quarry.

The Public Health and Protection Division have advised that the original submitted ES, together with the May 2012 Report on Air Quality monitoring (from Jan 2012 to March 2012) are considered to comprise a detailed air quality assessment on which to determine conditions in relation to dust emissions and particulate matter. Together these documents provide a greater understanding of air quality within the local area and the possible contribution that any mineral activity at the quarry may have, in order to ensure that any mitigation or abatement measures required as a result if mineral activities are effective and proportionate.

The May 2012 Report collates and assesses monitoring undertaken within a two year period of local and regional air quality undertaken by a number of different persons. The May 2012 Report recognised that the mineral activity at the quarry can have an affect upon local air quality and can be a contributory factor, under certain circumstances, to occasions when PM10 concentrations become elevated. However, the May 2012 Report asserts that future incidences of elevated PM10 concentrations may be expected to be below the daily or annual means within the National Air Quality objectives. The May 2012 Report also states that it is unlikely that the mineral activity has caused substantial or persistent dust nuisance to the local area.

The May 2012 Report, in line with the previous Air Quality Monitoring Reports accepts that appropriate mitigation measures are essential to maintain as minimal impact as possible. The primary crusher and the haulage road are identified as having the potential to be sources of significant emissions of PM10, in certain circumstances. A number of mitigation measures are proposed to ameliorate potential impact and to provide improved management, within

sections 6.2.4 and 6.2.5 of the May 2012 Report. Some of these measures are able to be adequately covered through the Environmental Permitting Regime. Therefore, in order to avoid duplication, the quarry operator and the Public Health & Protection Division have recently updated the Environmental Permit for the quarry to reflect these mitigation measures. However, the majority of the mitigation measures are not fully covered by the Permit and therefore it is considered necessary to update the planning conditions to ensure that potential dust generated from these aspects of the quarrying operations are not a source of nuisance and to protect the amenities of the local area. Also, the Public Health & Protection Division have recommended that additional conditions are imposed in order to monitor any improvements brought about by operational changes and to be informed regarding the investigation of dust related incidences, by securing a further 12 months minimum of dust monitoring and the provision of a weather monitoring station. These additional conditions are also proposed to be imposed.

In terms of noise, a detailed noise assessment, was undertaken in accordance with standard guidance BS5228. This measured noise levels at representative properties in the vicinity of the quarry – in the Glyncoch Housing Estate and on Berw Road, and considered the effects of the on-going development on these properties in the context of MTAN1. The assessment concluded that noise emissions for all temporary and normal operations at the quarry are expected to comply with MTAN1 guidance. These are based on a number of mitigation measures and restrictions detailed in Section 9.4 of the E.S. These include more restrictive working hours for quarrying operations to be – 07:00 to 19:00 hours compared to 07:00 to 20:30 hours as currently permitted, and the potential need for temporary screen bunds when drilling operations are taking place on the top bench. It is therefore proposed to impose noise level conditions to ensure that the noise levels are not exceeded in order that noise is not a source of nuisance to the local area. The provision of conditions regarding a Noise Management Plan together with Noise Monitoring are also proposed as additional noise control mechanisms.

Concerns have also been raised in relation to the stability of future working areas, blasting at the quarry, and the structural integrity of local buildings. The stability of quarry working is the responsibility of the quarry operator and is policed by the Health and Safety Executive, and should not therefore be duplicated in any planning condition. The two later of these concerns have been raised with the Council on a regular basis by local residents, normally as a result of residents experiencing the blasts at the quarry. It was for this reason that a much experienced mineral planner (Martin Lucas) was commissioned to review the information submitted in relation to blasting as part of the E.S. His conclusions are therefore summarised below.

The ES uses an internationally recognised method of ground vibration prediction and appears to correctly identify the closest sensitive receptors to the quarry.

The ES sets out to assess the likely impacts of blasting and recommends limits on the use of explosives to minimise the risk of both ground vibration and air over pressure levels. The ES identifies that in MTAN1, 95% of all blasts, monitored over a six month period, should not cause a ground vibration level of not more than 6mm per second (mm/s) at any sensitive receptor, with the remainder not exceeding 10mm/s. This is a stricter requirement than contained in the present planning conditions, of 8mm/s.

Nevertheless, regardless of the MTAN1 nuisance standard, experience has shown that levels well below 6mm/s can be distinctly perceptible and can give rise to complaints. Further, in view of the large number of dwellings within 300m of the boundary of the quarry, every effort should be made to reduce ground vibration levels as much as possible.

The ES also quotes Para 81 of MTAN1 which states that due to the wider range of variables involved, including meteorological conditions, air over pressure is much more difficult to predict and that planning conditions to control it are unlikely to be enforceable.

The ES, together with blast monitoring data for 2009, 2010, and 2011 are considered to represent comprehensive monitoring data which cross the West Ynysybwll fault line which lies between the majority of the quarry and the residential area to the north-east. The data has shown that, whilst the Council has received complaints regarding the vibration affects of blasting, since 2009, only one blast has exceeded the 6mm/s level (6.28mm/s at Rogart Terrace) and this used an unusually high maximum instantaneous charge (MIC) weight of 160kg, with most of the other blasts using considerably smaller charges, meeting the cautionary level on a consistent basis over the long term.

The mineral consultant considers that the data provided satisfactorily demonstrates that the quarry can be worked so as to meet the MTAN1 cautionary vibration level, provided careful attention is paid to the MIC levels. He has recommended that a condition is imposed to ensure that all blasts are designed to meet the MTAN1 advice at all existing residential properties, and that all blasts are monitored at least one of the specified "sensitive" receptors and that the results are made available to the Local Planning Authority on request.

Para 83 of MTAN1 states that planning conditions should only relate to those aspects of environmental management that are under the control of the operator, directly relevant to environmental issues and should not be in conflict with existing health and safety legislation. Consequently, planning conditions should provide for: the acceptable days and times for blasting operations, maximum level of ground vibration, approval of a scheme by which air over pressure is managed and mitigated, and the approval of a scheme of vibration monitoring.

Conditions are therefore proposed requiring the above recommended provisions, together with additional conditions reiterating previous controls regarding audible warning of blasting and no secondary breakage of stone which can cause problems such as fly rock. These conditions should ensure that blasting operations are not a source of nuisance to local residents.

Local concern has been expressed that quarrying activity threatens the structural integrity of buildings surrounding the quarry. However, Para 80 of MTAN1 confirms the British Standards (BS7385) which specifies guide values to preclude damage to various building types from blast induced ground vibration. Cosmetic damage, or hairline cracks in plaster or mortar joints, should not occur at vibration levels lower than 20mm/s ppv at a frequency of 15Hz and lower than 50mm/s ppv at 40Hz and above. The blast vibration limits which are proposed to be imposed (and consistently met previously) are very substantially below the levels of vibration at which even cosmetic damage might be caused, and comply with the accepted parameters set out in MTAN1. Whilst the Council understands the worry that residents express, the fact that there is no breach of planning control means that any action concerning structural damage is a private matter between the residents and the quarry operator.

Concern has also been expressed that the effects of blast vibration are exacerbated by the nearby residential properties being built on the existing stone with no proper foundations and that there are underground tunnels relating to previous mining activity. There is no evidence of such assertions, and in any event any criterion limits proposed will need to apply at the sensitive receptors, regardless of any sub-surface conditions.

Access and traffic

The location of the access to the quarry onto the B4273 via separate entrance and exit roads has been determined by the existing mineral permissions for the site. None of these permissions restrict the rate of output from the quarry or restrict the number of vehicles entering or leaving the site during the prescribed working hours.

Concern has been expressed about the number and size of vehicles associated with the quarry, queuing at the quarry entrance early in the morning and of the inadequacy of the exit road in terms of its vertical alignment, inadequate width and surfacing.

MPG14 advises that it will not generally be appropriate to expect the construction of new accesses or exists to active sites, except where this can be accomplished without significantly affecting the structure of the existing operations. MPG14 also advises that conditions should not place limits on the annual output from active sites, but may be appropriate in some cases to preclude substantial increases in traffic in the future, but should relate to an average annual output

over a period of years, to enable the operator to respond to the demands of the market.

The Transportation Section have advised that at peak times the haulage route along the B4273 towards the A470 in Pontypridd is congested at peak travel times and has sought a condition to restrict hgv traffic between the hours of 07:30 to 8:30 and 16:00 to 18:00. The Transportation Section have also sought a S.106 Agreement to require a condition survey of the local roads where the quarry traffic would exceed 50% of the total hgv traffic on these roads.

In consideration of these matters it is considered that an improvement of the existing entrance and exit arrangements to the quarry is not straight forward despite being able to be provided on land which is under the control of the quarry company. The quarry exit is particularly sub-standard in terms of its width, vertical alignment and surfacing - but due to the close proximity of residential properties any substandard improvements is unlikely to be achieved. The quarry entrance could be improved, however any changes would be likely to affect existing activities at the quarry as well as affecting the visual amenity and character of the area.

The quarry company has not offered to negotiate new access arrangements as part of this application but have advised that it is considering improvements to the access, which would be the subject of a separate future planning application. Recently, TPO consent was granted (Ref 12/0985) to allow site investigation works to assess the ground conditions in respect of such works.

A restriction on the hgv vehicles entering or leaving the quarry at peak times, as suggested by the Transportation Section, is considered unreasonable as it would be likely to result in an adverse prejudicial effect on the economic viability of the quarry for which there would be compensation implications.

The Transport Section has also requested an annual condition of the road surface, in the vicinity of the access, until the expiry of the permission and additional damage to be rectified at the quarry operator's expense. However, it is considered that such measures are not capable of being secured under planning application and could be secured, more appropriately under Section 59 of the Highways Act 1980.

There are other means of protecting the public highway in terms of securing wheel washing, road screening and lorry sheeting. These measures are included in the proposed conditions under the heading, Dust to ensure that vehicles do not deposit mud and other detritus onto the public highway.

Drainage and Water pollution

The prime considerations in relation to conditions here is to prevent pollution to groundwater and water courses, control any potential effects of derogation and the prevention of flooding. In terms of water protection measures, the Environment Agency Wales are satisfied that the recently installed improved water treatment facility provides suitable water treatment for the site. The Environment Agency has therefore advised that there is no need for a condition requiring a surface water drainage scheme nor a scheme to demonstrate how controlled waters (settlement ponds, ditches, streams, watercourses or culverts) shall be kept clear of pollutants. These matters can therefore be satisfactorily regulated by the separate controls of the Environment Agency Wales. A condition regarding the bunding for the storage of oils is supported as it is a preventative measure to prevent pollution of the water environment.

The ES states that the water table is located at a depth below the maximum proposed depth of working (100m A.O.D.) However, no information (borehole records etc) has been provided to confirm the depth of the water table, especially in the areas of the quarry which have not yet been excavated to the maximum depth. In the absence of this data, the Environment Agency Wales have advised that a condition should be imposed requiring a Hydrogeological Impact Appraisal for dewatering, prior to any excavation taking place below the depth of the water table, in order to prevent derogation of the groundwater resource at the site.

The Environment Agency Wales has advised that the ES is correct in stating that there are no licensed groundwater or surface water abstractions within 2km of the quarry. The ES has assessed private water supply abstractions located to the site and has stated that none are considered to be at risk of potential impact from the proposed quarry workings. The Environment Agency Wales have advised that as private water supplies do not require a licence, it is not necessarily aware of their existence.

Under the Flood and Water Management Act 2010, the Council is now the lead Local Flood Authority, and therefore the Council needs to ensure that the measures to minimise flood risk are incorporated into the quarry proposals. The recent improvements to the drainage arrangements at the quarry have the benefit of a recent discharge consent by the Environment Agency Wales, and are designed to cater for the life of the current planned reserves. Therefore it is only any possible future amendments to working practices, which may effect flood risk matters, which would fall under the control of the Council and require an ordinary watercourse consent. The Land Drainage and Engineering Section has therefore advised that the originally submitted conditions, now numbered 36 & 37 (as amended) are adequate to deal with any potential future flood risk.

Landscape Restoration, Aftercare and Ecology

In terms of restoration, after care and ecology, the conditions should ensure that the quarrying activities retain and protect the natural environment adjacent to the

quarry largely consisting of SINC and a local Nature Reserve and complement the character of the surrounding land which is designated as a Special Landscape Area.

The initial development of the quarry which involves deepening and advancement of the quarry faces is assessed within the ES as having negligible visual and landscape impact. During the latter phases of quarrying which involves the partial extraction of the rock corridor between the quarry void and the plant area resulting in the removal of existing vegetation and lowering of the land surface, the extent of active quarrying which would be visible would increase, but views would not extend into the quarry void due to the limited nature and narrow nature and oblique angle of the cutting. The ES assesses this impact as negligible to slight adverse visual impact and negligible to moderate adverse landscape impact depending on the distance to the site and the sensitivity of the receptor. However the progressive restoration of the quarry faces and benches as soon as possible after they have been worked involving a variety of treatments and the additional woodland planting along the south western boundary would soften their appearance and create a visual link with the existing woodland Coed Craig Yr Hesg. Following final restoration of the site the overall impact is assessed as slight adverse to negligible.

Conditions are therefore recommended in order to obtain further details regarding the phased restoration, additional woodland planting and details of the final restoration scheme, in order to ensure that the mitigation measures within the ES are secured.

The restoration strategy for the quarry shows how the quarry is to be deepened to a final base level of 100m A.O.D., and a proportion of the dust/fine aggregate stockpile is to be retained for use in profiling the base of the quarry. The principles of the original restoration scheme remain although the applicant has reviewed and updated the details. It is proposed not to implement the construction of a screen embankment along the north western boundary as this area of land has naturally regenerated and now forms a local amenity feature. This proposed amendment is considered acceptable as constructing the screen embankment would result in an adverse impact to visual amenities by removing the existing vegetation of largely broadleaf woodland.

The main objective of the restoration proposals are ecological enhancement and nature conservation. The restoration strategy involves using on-site soils in selected locations to reflect the pattern of existing woodland, use of a variety of treatments to the quarry benches and faces and the natural regeneration of the quarry floor. It includes interim restoration proposals of benches outside active quarrying, and additional planting along the south western boundary.

The Council's Ecologist has advised that the ecological assessment is a thorough assessment, and that as the quarry workings are mainly to deepen the quarry, the impacts on habitats and species are very much reduced and localised. There will be loss of areas of secondary shrub/woodland and potential impacts on a protected bird species and other birds, but the ES identifies that within a managed scheme there should be sufficient capacity to mitigate loss.

In order to ensure that the mitigation measures recommended within the ES are achieved, there are a number of additional conditions recommended. These include a Wildlife Protection Plan in order to ensure that the works do not impinge on retained adjacent habitat or are affected by the storage or movement of materials, and more detailed restoration and after care conditions to require that the restoration delivers maximum ecological diversification and long term goals such as native woodland restoration and natural, species rich grass and heathland restoration.

Other matters

Conditions are also proposed in relation to archaeology, to allow any items of interest and finds to be recorded when any further soil stripping operations occur.

Approval from any future flood lighting is also provided as a condition, in the interests of residential amenity.

An informative note is proposed in relation to the resurrection of the site liaison committee, which it is considered, provides a valuable forum of regular discussion and explanation of matters arising at the quarry for the operator, Local Planning Authority and local residents.

Conclusion

In conclusion, it is considered that the proposed updated conditions should ensure that the environmental impact of the continued quarrying activities are limited, and allow for appropriate supervision and planning enforcement.

RECOMMENDATION: Grant

1. This consent for the winning and working of minerals or depositing of mineral waste shall expire on 31st December 2022.

Reason: To define the consent granted.

2. Following the expiry of the planning consent all extraction, processing and stockpiling of minerals and depositing of mineral waste shall cease.

Reason: To ensure that all forms of minerals development cease.