



## **PLANNING & DEVELOPMENT COMMITTEE**

**26 AUGUST 2021**

### **REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0720/15 (GD)  
**APPLICANT:** Hanson UK  
**DEVELOPMENT:** Continuation of quarrying and related operations without complying with conditions 1-4 inclusive and conditions 45 & 46 imposed on the Environment Act ROMP schedule of conditions issued by Rhondda Cynon Taf County Borough Council on 24th April 2013 ref:08/1380/10  
**LOCATION:** CRAIG YR HESG QUARRY, BERW ROAD, PONTYPRIDD, CF37 3BG  
**DATE REGISTERED:** 24/05/2021  
**ELECTORAL DIVISION:** Town (Pontypridd)

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#### **RECOMMENDATION: APPROVE, SUBJECT TO A S.106 AGREEMENT**

**REASONS:** PPW11 states that society needs, and will continue to need for the foreseeable future, a wide range of minerals. The role of the planning authority in relation to mineral extraction is to balance the fundamental requirement to ensure the adequate supply of minerals with the protection of amenity and the environment.

**MTAN1** states that the overarching objective being to ensure supply is managed in a sustainable way so that the best balance between environmental, economic, and social considerations is struck, whilst making sure that the environmental and amenity impacts of any necessary extraction are kept to a level that avoids causing demonstrable harm to interests of acknowledged importance.

The economic need for the mineral has been clearly demonstrated and without these reserves the Authority would fall below the 10-year landbank required by Policy CS10 of the LDP with no prospect of realistic alternatives being found in the short term. This needs to be balanced against the potential environmental and amenity impacts raised by objectors. In considering those potential impacts it must be noted that the impacts can be controlled to nationally set standards by planning conditions attached to any planning permission.

**On balance it is concluded that there is an overriding economic need for the mineral which is not outweighed by any potential environmental and amenity issues.**

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## **REASON APPLICATION REPORTED TO COMMITTEE**

- The proposal is not covered by determination powers delegated to the Director of Prosperity & Development
- Three or more letters of objection have been received;

## **APPLICATION DETAILS**

Currently, the site operates under four planning permissions for mineral extraction, which date between 1949 and 1993. These are listed in “Planning History” below. The access is covered by a separate planning permission (reference 13/1039/10).

The conditions under all four applications were reviewed under a Review of Minerals Permission (ROMP) application (reference 08/1380/10), in accordance with the requirements of the Environment Act 1995, to bring the operating conditions up to date and in line with modern standards. A schedule of 49 conditions was issued including conditions imposing time limits.

Conditions 1 & 2- time limit of 31st December 2022 for the winning and working of minerals and the deposit of mineral waste;

Conditions 3 & 4– time limit of 31st December 2023 to remove all plant and machinery and residual stocks of material;

Condition 45 – time limit of 31st December 2022 to submit a final restoration plan;

Condition 46 – time limit of 31st December 2024 to implement the approved final restoration plan

This application seeks to extend the time limit set out in condition 1 of the ROMP permission up to 31st December 2028 and to amend conditions 2, 3, 4, 45 and 46 to add 6 years to the current date. The application states that there were 3.3 million tonnes of rock remaining within the existing quarry on 31st December 2020. There are no restrictions on production at the site but historically the output has averaged some 400,000 tonnes per annum. Based on the average production the existing reserves would provide for a quarry life of 8 years (31st December 2028).

No changes are proposed to the lateral extent, depth, working methods, or existing operational elements within the quarry such as the processing plant, surface water drainage lagoons and ancillary site infrastructure, the existing hours of working at the site and the output and traffic generated at the site.

Following the completion of extraction operations, a period of 12 months is proposed to remove remaining sandstone stocks, decommission all plant, and remove it from the site, and a period of 2 years to restore the site in accordance with an agreed

restoration scheme. The proposed restoration strategy is intended to enhance the ecological and nature conservation features of the site. Quarry faces will retain rocky crags and crevices where different vegetation types will colonise, scree slopes will create different ground conditions, quarry benches will be provided with a range of treatments and conditions, and the quarry floor would be restored using quarry fines and soils to provide ground conditions to aid the development of species rich grassland with wetland areas.

As well as the plans and application form, the application is accompanied by an Environmental Statement.

## **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 total area of land inside the planning application site boundary is 28.8 hectares, the active quarry covering some 13.6ha; undisturbed land, woodland and scrub some 12.7ha; and the plant/production area some 2.5ha. The quarry has reached its lateral limits and future development of the site will be confined to the existing footprint.

The quarry is bounded by Glyncoch Rugby Ground and Clubhouse and the residential areas to the north; grazing land to the west and northwest (currently subject of a planning appeal relating to the refusal of the extension of the quarry); the prominent ridgeline of Coed Craig yr Hesg to the southwest, and to the east by a narrow corridor of woodland between the site and the B4273 Ynysybwl Road, and also by residential properties along this road.

The main area where the quarry is currently being worked lies within the western part of the quarry site, with the processing plant lying in the eastern part of the quarry, approximately 60m from the nearest residential property at Garth Avenue. At present the quarry faces and benches are being developed in a north-westerly direction.

Much of the existing quarry site and its surroundings are covered by a Woodland Tree Preservation Order (No 10). The Cwm Clydach Special Landscape Area lies to the south and west but does not encroach into the site.

Two-way access to the quarry is from the B4273 (Ynysybwl Road). The previous 'exit only' road is now only used for emergency use. Adjacent to the access road are a small number of residential properties, including Rogart Terrace.

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

## **PLANNING HISTORY**

The applications for quarry extraction activities at the site are as follows:

15/0666/10: Western Extension to include phased extraction of 10 million tonnes of pennant sandstone, construction of screening bunds and associated work and consolidation of all previous mineral planning permissions. Refused 23 July 2020 (Appeal lodged but not determined to date)

08/1380/10: Application for determination of conditions for mineral site incorporating the four existing planning permissions listed below. (ROMP under The Environmental Act 1995) Approved 24/04/13.

56/86/0827: Extension to Existing Sandstone Quarry. Approved 20/08/93.

349(Z)970: Extension of Quarry Working Area. Approved 27/01/70.

P22/Z/596: Extension to Quarry. Approved 20/08/65.

5183: Quarry. Approved 07/01/49.

Other significant consents are as follows:

13/1039/10: Improvements to quarry entrance to provide two-way quarry entrance and exit. Granted 14/03/13.

13/0825/23: Erection of an asphalt plant within Class B, Part 19 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995. Granted 18/1/13.

T/99/2567: Proposal to replace part of existing dry stone processing plant- Approval of detailed plans under the Town and Country Planning (General Permitted Development) Order 1995. Granted 06/09/99.

349/223/71: Crushing, screening, and coating plant. Permitted Development (no date).

## **PUBLICITY**

The application has been the subject of neighbourhood notification, site notices and press notices, due to the application being a major application that has been submitted with an Environmental Statement. 14 letters of objection have been received.

The letters of objection are summarised as follows:

## **Policy Issues**

The application has been specifically timed to exploit the downtime with the current LDP coming to an end and its replacement still under consideration

It appears somewhat coincidental the application being made now whilst the replacement LDP is being consulted on taking advantage of an unsettled situation.

This application takes the boundary of the site to within 150m of the school boundary and dormer houses this was relevant in the rejection of the quarry extension and is relevant to the current application

The proposals are contrary to the requirements of the Wellbeing of Future Generations Act and does not support the objectives delivering a resilient Wales or a healthier Wales.

## **The earlier application that is subject of an appeal**

Last year the applicant's earlier application to extend the quarry was refused and is now subject of an appeal. The Inspector dealing with the appeal has required an updated environmental statement should be provided this will take time and the current application should not be determined until such time as its findings is known.

## **Blasting operations, noise, and vibration**

The consequences of blasting activities are now worse than ever.

Blasting limits have been breached

Vibration testing should be attached to the walls of homes as near as possible to ground level and not paced flat on a flag-based driveway. Quarry operators indicate that test apparatus for vertical walls is not available though they are.

There is no testing station at Rogart Terrace and testing only happens there after complaints.

Due to the inclination of the rock the quarry are blasting and drilling into the rock that the houses on Rogart terrace are built on.

The depth and location of the blast sites currently gives the experience of a World War 2 bomb going off nearby.

Many complaints have gone to Sardis house and yet nothing is done.

Vibration data is only up to 01/12/2020 and does not reflect more recent complaints to the Council. It is essential the Council compare the data provided against the complaints

Dust, blasting, and noise are all injurious to human health

Damage caused by vibration is extensive. Hansen claim that blasting at current levels cannot cause property damage but the objections to the Council confirm damage has occurred at a greater rate than if it were general wear and tear. Also, there is increasing concern that the increase and weight of traffic is having an adverse impact on the Old Bridge.

No warning is given when blasting is due to take place and the lack of warning leads to disturbance and upset amongst local residents.

The quarry will have records of complaints from local residents, and these should be taken into account.

### **Dust pollution and air quality**

The residents of upper Glyncoch have suffered the most from this and the Council have been provided with doctors reports directly linking it to asthma, lung, COPD, and pulmonary ill health as well as several deaths particularly from the dust coming from crusher operations. There is also a suggestion that chemicals within the dust might also contain carcinogens and this problem needs to be properly evaluated. There is medical evidence by way of a GP's report that is suggestive of a problem in the area and this needs to be explored further.

It is claimed that dust monitoring stations are no longer working what do local reports currently show in respect of air quality.

Have updated air quality standards been applied to and to what extent?

Speed limits on the A470 have been reduced due to air quality concerns – given the concerns have proven accurate continued monitoring should take place in the wider Pontypridd area to fully characterise the problem.

The dust problem is not restricted to the locality and can affect the Whiterock/Graigwen area of the town to fully characterise the problem monitors should also be placed in Cilfynydd, Town, Trallwyn and Glyncoch wards.

The dust control officer does not respond to complaints and one objector has been waiting for him to view the problem from his home.

### **Lorry washing down pit**

No longer exists in operation according to quarry management as the water supply was no longer sufficient for the volume of use

Water from lagoons is used when available but is not viable during dry periods and is also not appropriate as it is already contaminated.

Washing down processes do not the sheeting over the loads in the wagons as they cannot reach them.

### **The quarry access road**

The quarry access road was widened some years ago though the proposals contained glaring faults

The slit drains at the bottom of the road were always inadequate and have never worked properly e.g., the road level at the junction with Ynysybwl Road is now 450mm higher than previously causing flooding and a back fall to Rogart Terrace and as a consequence increasing dust nuisance.

Storm water drains connected to those in Ynysybwl Road are 70% blocked with dust from the quarry again contributing to flooding and the Councils Highways division have not responded to complaints about this.

### **The haul road**

The haul road was originally a single-track railroad with an 8-ton locomotive housing 10-ton wagons to the Darren Park Sidings where they meet the main railway hence no loaded trucks used Berw Road. As this was replaced with road wagons up to 200 movements per day. The rail tracks were removed, and the area was also used in part for the storage of bitumen coated stone chippings with no council approval.

No drainage was installed hence during periods of wet weather bitumen contamination runs off the site into the surrounding area.

No consolidation or road preparation before the use of the haul road by 48-ton trucks. Just above the Berw Road railway bridge the haul road is some 10m higher than the road and only 4.5m horizontally making it very dangerous for pedestrians using the road.

The impact of heavy vehicles on the road was evident in the quarry having to replace what drains were there due to them being blocked some years ago.

The heavy wagons have pushed down manholes and broken drains resulting in water flowing down the banking.

### **Jet wash sprays access road**

Simply do not work continually because of the contaminated water – they're probably silt blocked, and they add to the dust washing down the access road.

### **Highway issues**

The footpath and road between the site and Pontypridd is contaminated with dust and grit from passing wagons.

The rail bridge originally had a 20-ton weight restriction and inexplicably had a speed limit increase to 40mph no testing of the bridge and abutments was undertaken. The only change was the placing of solid steel sheets to the wing walls. There was no strengthening to accommodate heavier vehicles.

The steel panels obstruct the view of pedestrians looking for traffic coming up the hill. The footpath on the hill is narrow and only 350mm wide – how can anyone pushing a pram safely negotiate a blind bend on the road carriageway? When installing the steel panels why did they not also provide a cantilevered footway on the south side?

Two 48-ton wagons cannot use the bridge at the same time

Highways know about this but do nothing

The white bridge being closed adds to congestion at the town lights - only the highways department could have been surprised at the scouring that has caused its closure

The bottom end of Berw Road is also subject to scouring which is not helped by the passage of 48-ton vehicles. There are two further areas on Berw road cannot pass each other at the same time where pedestrians are constantly at risk.

The development has the potential to lead to an increase in the size and volume of vehicles using local roads

The number of lorries passing through the dangerous junction opposite the Llys Cadwyn development is dangerous and adds to pollution

Residents remain concerned for the effects of potential accidents, lorry breakdowns and traffic jams, the limits on the number of lorries using the site are regularly exceeded

### **Glyncoch primary school**

Under no circumstances should pupils at the school be subject to pollution from the quarry and the crushing activities that take place there.

Closing the quarry on the approved date will allow local children to benefit from noise and dust free learning.

Cefn Primary would be used to merge both schools while this will free up the old Ty Gwyn site as a local Welsh language primary school in the north of Pontypridd benefitting the language in line with Welsh Government objectives

### **Other issues**

Heidelberg only bought Hanson's because German conditions are stricter and enforced.

Allowing the current proposal would be detrimental to the wellbeing of current residents who have made life decisions and based future anticipation in the original end date being maintained.

Local green space would be lost to the development

The impact of the development on local species has not been fully evaluated

Woodland will be lost and will not be remediated for many years

They are seeking permission to quarry on land in third party ownership which could affect house sales and the red line should be moved back to their property

### **CONSULTATION**

**Public Health, Protection & Community Services:** Have provided advice on what measures are required to ensure potential impacts from the quarry in terms of air quality, noise and well-being can be prevented, mitigated, or ameliorated as far as reasonably practicable - including a dust management plan and monitoring programme; noise limits, noise management scheme and monitoring programme; limitations on the duration of certain activities and a scheme for communicating with the local community.

**Transportation Section:** No highway objections are raised subject to the developer entering into a legal agreement to provide a financial contribution towards the additional maintenance liability resulting from the heavy goods vehicle movements. The financial expectation would be calculated as 5 pence per tonne of material transported from the site to enable the Council as Highway Authority to undertake regular inspections and maintenance of the haulage route along the B4273 between the quarry and the A4223 Bridge Street traffic signals.



**Countryside:** The Peregrine nesting site is a clear priority and should form an integral part of any Wildlife Protection Plan serving the whole site should planning permission be granted.

**Flood Risk Management:** no objection in relation to surface water flood risk for this application as the developments surface water flood risk will be adequately managed by both the Building Regulations and Schedule 3 of the Flood and Water Management Act 2010.

**Cwm Taf Morgannwg University Health Board:** Local air quality is compliant with the relevant PM10 AQO (as measured near the existing site operations) but there is a need for continued air quality monitoring at existing locations. Crucial is the continued implementation of a dust management plan.

Subject to satisfactory checks of the underpinning data used to inform the impact assessments supplied by the applicant, then we have no grounds for objection based upon public health considerations and provided the site is operated using best available techniques to control emissions.

Given that the application seeks to extend the life of quarry operations by years, we would also recommend that the operator seeks to engage proactively with local community residents with regard to information on the monitoring and mitigation of impacts e.g. noise and air quality.

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**Natural Resources Wales:** No objection, subject to the quarrying depth being limited to 100 metres AOD. Note that peregrine falcon has been known to nest in the southern faces of the quarry and protection of peregrine falcon is included in the site Wildlife Protection Plan.

**Coal Authority:** No objection raised.

**Cadw:** No objection raised as the development as the quarry has reached its development footprint and therefore the extension of the operational period will not increase the impact on the setting of designated assets.

**Glamorgan Gwent Archaeological Trust:** No comments received

**Dwr Cymru Welsh Water:** No objection raised, but respectfully request that any drainage related conditions are brought forward if minded to grant consent.

**RSPB:** No comments received

**Welsh Government Planning Division:** No comments received.

**Wales & West Utilities:** No comments received

**Western Power Distribution:** make the applicant aware that if they require a new connection or a service alteration, they will need to make a separate application to WPD.

**South Wales Fire and Rescue:** No comments received

**Pontypridd Town Council:** object on the following grounds:

Contrary to the Well-being of Future Generations (Wales) Act 2015 especially a resilient Wales and a healthier Wales

There is a reasonable expectation of local residents that quarrying activities would be limited in duration. Residents have made life decisions and have future anticipations based on the limited duration of the original permission.

Current Local Development Plan Out of Date

Any decision in this matter should be delayed until the Appeal report is received and fully digested, and the implications discussed with local communities.

Impact of Air Quality / Dust

Impact on Highways/Roads/Access

Proximity to residential homes and local school

Impact of Noise / Vibration

Impact on Environment / Biodiversity

## **POLICY CONTEXT**

### Rhondda Cynon Taf Local Development Plan (LDP)

The following are shown on the Local Development Plan Proposals Map:

A small section of the western edge of the site is part of a far broader Site of Importance for Nature Conservation- Craig Yr Hesg/Lan Wood, but is outside of the extraction area Policy (AW8.77);

The existing quarry site is a recognised Regionally Important Geological Site (Policy AW8.213);

There is a 200 metres buffer zone around the existing quarry and the designated Preferred Area of Known Mineral Resource, to safeguard against development that would adversely affect their operations. (Policy AW14);

The site is adjacent to a broader Special Landscape Area designation- Cwm Clydach (Policy NSA 25.4).

The following policies in the Local Development Plan are considered to be most relevant to this proposal:

CS2 - Development in the South

CS10 - Minerals

AW4 – Community Infrastructure & Planning Obligations

AW8 - Protection and Enhancement of the Natural Environment

AW10 - Environmental Protection and Public Health

AW14 - Safeguarding of Minerals

NSA25 - Special Landscape Areas

The following Supplementary Planning Guidance is also considered relevant:

Delivering Design & Placemaking – Access, Circulation & Parking

Nature Conservation

Employment Skills

Planning Obligations

### National Legislation and Policy Context

The Well-being of Future Generations (Wales) Act 2015 is relevant and imposes a duty on public bodies to carry out ‘sustainable development’ in accordance with the ‘sustainable development principle’.

“Sustainable development” means the process of improving the economic, social, environmental, and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals.

‘Sustainable development principle’ means that Local Authorities must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

In order to achieve this principle, the Act introduces five ways of working to support decision making which ensures public bodies take account of: long-term thinking, an integrated approach, engagement, collaboration, and preventative action.

Well-being goals identified in the Act are:

A prosperous Wales;  
A resilient Wales;  
A healthier Wales;  
A more equal Wales;  
A Wales of cohesive communities;  
A Wales of vibrant culture and thriving Welsh language; and  
A globally responsible Wales

The Environment (Wales) Act 2016 has been designed to complement the Wellbeing of Future Generations (Wales) Act 2015 by applying the principles of sustainable development to the management of Wales' natural resources.

It also imposes a duty to require all public authorities, when carrying out their functions in Wales, to seek to “maintain and enhance biodiversity” where it is within the proper exercise of their functions. In doing so, public authorities must also seek to “promote the resilience of ecosystems”.

The “sustainable management of natural resources” means— (a) using natural resources in a way and at a rate that promotes achievement of sustainable development and the well-being goals (b) taking other action that promotes achievement of that objective, and (c) not taking action that hinders achievement of that objective.

Planning Policy Wales – Edition 11 - (PPW) is considered relevant to this proposal.

Minerals Technical Advice Note (MTAN) 1: Aggregates is also considered relevant.

The Regional Technical Statement for the North Wales and South Wales Regional Aggregate Working Parties - Second Review (2020) is also relevant as this apportions crushed rock requirements to be provided in each Authority over a 25-year period (based on the usual 15-year life of an LDP with the need to have a minimum 10-year supply remaining at the end of the plan period)

## **REASONS FOR REACHING THE RECOMMENDATION**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

It is important to recognise that this application, if granted, would extend the life of the existing operational area of the quarry by 6 years. Therefore, the continuing impacts of the operation of the existing area are the main consideration in this case and consideration of whether the existing environmental and amenity controls imposed as planning conditions via the ROMP Review remain appropriate for the extended duration of the operation, or whether additional or amended controls are required

### **Need for the Mineral**

PPW11 sets out the Welsh Government's general policies for mineral development in Chapter 5.14. Paragraph 5.14.4 states: -

Mineral working is different from other forms of development in that:

extraction can only take place where the mineral is found to occur;  
it is transitional and cannot be regarded as a permanent land use even though operations may occur over a long period of time; and  
when operations cease land needs to be reclaimed to a high standard and to a beneficial and sustainable after-use so as to avoid dereliction and to bring discernible benefits to communities and/or wildlife.

Paragraph 5.14.1 states that society needs, and will continue to need for the foreseeable future, a wide range of minerals. The role of the planning authority in relation to mineral extraction is to balance the fundamental requirement to ensure the adequate supply of minerals with the protection of amenity and the environment.

### **The key principles are to:**

provide positively for the safeguarding and working of mineral resources to meet society's needs now and in the future, encouraging the efficient and appropriate use of high-quality materials;  
protect environmental and cultural characteristic of places, including those highly cherished for their intrinsic qualities, such as wildlife, landscapes, ancient woodlands, and historic features, and to protect human health and safety and general well-being;  
reduce the impact of mineral extraction and related operations during the period of working by ensuring that impacts on relevant environmental qualities caused by mineral extraction and transportation, for example air quality and soundscape, are within acceptable limits; and  
achieving, without compromise, a high standard of restoration and aftercare so as to avoid dereliction and to bring discernible benefits to communities, heritage and/or wildlife, including beneficial after uses or opportunities for enhancement of biodiversity and the historic environment.

These principles are expanded upon in MTAN1 with the overarching objective being to ensure supply is managed in a sustainable way so that the best balance between environmental, economic, and social considerations is struck, whilst making sure that

the environmental and amenity impacts of any necessary extraction are kept to a level that avoids causing demonstrable harm to interests of acknowledged importance.

In order to provide an adequate supply of minerals that society needs, PPW11 and MTAN 1 require 10-year land banks of crushed rock permitted reserves to be maintained at all points throughout the LDP period in each Local Planning Authority, including at the end of the Plan period. Policy CS10(1) of the LDP reflects the requirement to maintain a minimum landbank of 10 years permitted rock reserves throughout the plan period.

The 2019 Annual Report published by the SWRAWP in May 2021 indicates that the landbank in RCT was 11 years based on the average sales over a the 3-year period from 2010. Therefore, at current rates of extraction RCT would be below the 10-year landbank requirement by 2021.

MTAN1 also requires the production of Regional Technical Statements (RTS) to ensure that there is an adequate supply of primary aggregates within a region. The role of the RTS is to consider the required supply in each LPA area in order to ensure an adequate supply.

The RTS 2nd Review (RTS2) for South Wales was published in September 2020. RTS2 indicated that at the base date of 31st December 2016, the 25-year requirement for crushed rock in RCT was 18.816 million tonnes and that the stock of crushed rock reserves stood at 9.830 million tonnes – a shortfall of a minimum of 8.986 million tonnes. On that basis RCT is required to make allocations for crushed rock working in the LDP as an adequate supply is not in place.

The RTS is clear that the apportionments are a minimum requirement. In addition, they are a snapshot of the situation at the base date. They are also not split into different types of stone (Hendy and Forest Wood are both limestone quarries, whereas Craig yr Hesg is a sandstone quarry), nor take account of the different purposes or markets the stone is required for. Therefore, while the RTS2 should be the starting point in the consideration of need, it is recognised that there are significant issues in solely using the RTS for the purposes of assessing the need for the level of reserves proposed as part of this application.

There is a clear need for additional reserves of crushed rock to be released in RCT to meet the RTS requirements and comply with policy CS10(1) of the LDP. If existing reserves are no maintained at Craig yr Hesg that need will be exacerbated significantly.

In addition, the resource to be released is high polished stone value sandstone which whilst plentiful in Wales it is not available in other parts of the UK. It is therefore recognised as being of national importance in terms of meeting the needs of society as the mineral can only be worked where it is found to occur. However, it has to be

acknowledged that is currently no shortage of supply of high polished stone value sandstone in South Wales.

### **Acceptability of Impacts**

It is considered that one of key considerations of this proposal is in respect of the health, well-being, and amenity of local residents. These are considered to comprise both the impacts on the residents and users of other sensitive development of extending the life of the existing operational area.

In respect of the acceptability of impacts, Policy CS10 of the Local Development Plan is the core policy in that document relating to minerals. As well as seeking to ensure a supply of minerals is maintained throughout the Plan period, it seeks to ensure that impacts upon residential areas and sensitive land uses from mineral operations and the transportation of mineral are limited to an “acceptable proven safe limit”.

Policy AW5 seeks to ensure no significant impact on the amenities of neighbouring occupiers. Policy AW10 states that development proposals will not be permitted where they would cause or result in a risk of unacceptable harm to health and / or local amenity because of various types of pollution, including air pollution and noise, unless it can be demonstrated that measures can be taken to address any significant adverse risk to public health, the environment and / or impact upon local amenity.

It is considered that the key issues for health, well-being, and amenity in respect of this application are the impacts on air quality due to fine and very fine particulate matter and “nuisance” dust, blasting and operational noise. These are considered in turn below.

### **Dust and Air Quality**

Concern has been expressed by objectors in relation to dust and the health effects of the dust. In Mineral Technical Advice Note 1: Aggregates (MTAN1) the Welsh Government indicates that research has indicated that people living close to mineral workings consider dust to be the main impact of mineral extraction.

It is recognised that the principal sources of dust from a mineral working are likely to be associated with the excavation of soil, overburden and quarry waste material; drilling and blasting operations; the movement of vehicles within the site and the processing and storage of excavated stone. Condition 30 of the ROMP permission sets out the controls the applicant is required to put in place to control dust on the existing site.

The existing processing plant is recognised as potentially the most significant source of dust from the quarry and it is located close to sensitive development. However, it has to be recognised that the processing plant is already a contributor to the current air quality position which is not considered to be in breach of the current NAQS

objective levels for PM10. The processing plant also benefits from an Environmental Permit to control air emissions. There are no proposals to increase annual output as a result of this planning application but it is acknowledged that the quarry life will extend for a longer period.

Mineral dust coarser than 10µm may constitute a 'nuisance' due to soiling of surfaces but does not pose a risk to human health. Fine particles of 10µm or less, referred to as PM10 can be inhaled and depending on the concentrations and the nature of the particles, they can be associated with health impacts. The very fine particles of 2.5µm or less are referred to as PM2.5.

There are no statutory or recommended levels of dust deposition which constitute an acknowledged nuisance, but 200 mg/m<sup>2</sup>/day is often quoted as a threshold for nuisance dust. Large dust particles (>30µm), which make up the greatest proportion of dust emissions from mineral workings (up to 95%) will largely deposit within 100m of the source. Intermediate particles (10-30µm) can travel further but it is unlikely that adverse impacts will occur at distances in excess of 250m. The submitted dust assessment considers potential receptors within 400m of the site boundary. It assesses the estimated risk of nuisance dust impacts at 14 locations around the site and considers that the risk of impacts is negligible at all locations, except at Garth Avenue where the risk is assessed as low.

It should be noted that there are seventeen residential properties within 100m of the quarry plant. However, the impact on these properties was considered as part of the ROMP permission and controls were put in place which can be replicated in any new planning permission granted. The mineral crushing and screening plant and directly associated equipment also operates under the terms of an Environmental Permit issued by the Council. The terms of the Permit seek to ensure that all appropriate preventative measures are taken to avoid pollution of the air.

The law requires the Local Authority to regularly review air quality in its area against Air Quality Objectives [AQO]. In doing so, the Local Authority has identified two air pollutants, Nitrogen Dioxide [NO<sub>2</sub>] and Fine Particulate Matter [PM10], as requiring closer examination.

Air Quality Regulations prescribe National Air Quality Strategy (NAQS) – objectives to be achieved for a range of pollutants such as PM10 and PM2.5 particulates which are relevant to mineral working and NO<sub>2</sub> relevant for associated HGV emissions.

Predicted PM10 data from DEFRA shows that the 2021 average PM10 concentrations in the area occupied by the site are 11.57 µg/m<sup>3</sup>, 29% of the annual mean NAQS objective for PM10 of 40µg/m<sup>3</sup>. The NAQS daily mean objective for PM10 is 50µg/m<sup>3</sup> which should not be exceeded more than 35 times per year. It is important to note that the NAQS objectives represent a threshold above which government considers the health risks associated with air pollution are unacceptable, nonetheless it is also recognised that efforts to reduce pollution more widely may be beneficial. Data for



2020 has been obtained by the applicant from the Air Quality in Wales website. This reports the 2020 annual mean PM10 concentrations to have been 14.44 µg/m<sup>3</sup> and there to have been 4 exceedances across the year, well within the NAQS objective.

There are also 3 Local Authority monitoring stations at Garth Avenue, within 91m of the site processing facilities. The measured annual mean PM10 concentrations at all 3 locations, and in particular at location 130 that uses the EU Reference method, have been well below the long-term UK AQO (<75%) between 2015 and 2020. RCT local monitoring data from these stations indicates that annual mean PM10 concentrations for 2019 ranged between 14.4µg/m<sup>3</sup> and 22.3µg/m<sup>3</sup>, which equates to between 36% and 55.75% of the annual mean NAQS objective of 40µg/m<sup>3</sup> with 15 daily means exceeding the 50µg/m<sup>3</sup> NAQS objective.

The Local Air Quality Management - Air Quality Progress Report 2020 produced by the Council, indicates that at present it is believed that the levels of Fine Particulate Matter (PM10) at Glyncoch are compliant with the relevant NAQS Objectives for Fine Particulate Matter and Nitrogen Dioxide.

Glyncoch is currently monitored due to long term monitoring previously identifying the area of Glyncoch as experiencing levels of PM10 potentially incongruous to other areas of Rhondda Cynon Taf. Glyncoch appears to observe a widely fluctuating trend which may indicate the influence of particular local factors. It is possible that during 2019 the impact of Craig Yr Hesg Quarry on local PM10 levels may have been subdued, a trend which has been observed since 2015 and may be as a result of ongoing improvements to reduce PM10 emissions from Craig Yr Hesg Quarry. Changes to locally prevailing weather and future changes at Craig Yr Hesg Quarry, means it is difficult to know if future compliance will continue. Therefore, the Local Authority intends to continue to monitor PM10 within the local community for the foreseeable future. Public Health, Protection & Community Services have requested a financial contribution towards allowing the Local Authority to carry out monitoring of air quality in the Community due to the proposals and the issues they raise. This has been agreed by the applicants and can be covered by a Section 106 Agreement which is considered further below.

The Council's Public Health, Protection & Community Services considers that with regard to the precautionary principle, the contribution to the overall observed levels of particulate matter by the development on a potentially localised neighbouring area, community feedback and Officer's understanding, the development has the potential to prolong the identified adverse impact at specific residential locations along Garth Avenue, that are in close proximity to the Site. However, given current understanding and the present legislative framework this impact is not expected, at present, to result in an exceedance of a relevant Air Quality Objective for particulate matter. Cwm Taf Morgannwg University Health Board and Public Health Wales also confirm that local air quality is compliant with the relevant PM10 AQO (as measured near the existing site operations) but there is a need for continued air quality monitoring at existing locations. Crucial is the continued implementation of a dust management plan.

It is proposed that a Dust and Particulate Management Plan and Dust Monitoring Plan (DMP) is agreed with RCT which would draw together the existing mitigation and management measures taking into account the existing planning permission and Permit controls for the continuation of the existing activities. This would include a scheme in relation to fugitive dust monitoring.

## **Blasting**

A review of the chapter of the Environmental Statement on blasting has concluded that the development can achieve the ground vibration level of 6mm per second for 95% of all blasts within a 6-month period, with no single blast greater than 10 mm per second. This is the standard set out in MTAN 1 and in existing ROMP condition 23.

At a blasting level of 6 mm per second when measured at the nearest residential properties, it is highly likely that local residents will feel the vibration, either through the ground or through the air, even if it is not causing damage. BS 5228 – Code of Practice for Noise and Vibration Control on Construction and Open Sites: Vibration (Part 2) acknowledges that human beings are known to be very sensitive to vibration, the threshold of perception being typically in the ppv range of 0.14 to 0.3 mm/sec. A ppv of 1 mm/sec is likely to give rise to complaints and blasting at this site does generate complaints.

Analysis of blasting data indicates that there have been no known exceedances of the 6 mm per second level, when measured from the agreed monitoring points. It is acknowledged that many residents find the blasts that occur an unpleasant experience and feel, despite the contents of BS5228 and the compliance with the 6 mm per second standard, that the blasts are causing damage to their properties.

However, BS 5228 states that the level at which cosmetic damage to residential structures will occur is 15 mm/sec at 4 Hz, rising to 20 mm/sec at 15 Hz and 50 mm/sec at 40Hz and above. Minor damage could occur at vibration magnitudes which are greater than twice these levels (30 mm/sec at 4 Hz, rising to 40 mm/sec at 15 Hz and 100 mm/sec at 40Hz and above) and major damage could occur at values greater than 4 times these levels (60 mm/sec at 4 Hz, rising to 80 mm/sec at 15 Hz and 200 mm/sec at 40Hz and above). Therefore, even at the lowest level for cosmetic damage of 15 mm/sec this is significantly higher than the blast vibration limit of 6mm/sec for 95 % of blasts over a 6-month period and no blast greater than 10mm/sec.

These blast vibration limits are set in national guidance and therefore it would be considered unreasonable to reduce this without very good reason. Therefore, while it is anticipated that blasting at the quarry may generate complaints, in respect of the impact of blast vibrations on residential properties, the proposed ground vibration blasting levels are considered acceptable.

In respect of air over pressure, condition 24 of the ROMP permission seeks to ensure blasts are designed to not exceed 120 dB when measured from the nearest residential properties. There have been some exceedances of this level in the past, but there are acknowledged difficulties in taking readings for air over pressure, principally due to the influence of climatic conditions. However, requiring a review of blasting design if the level of 120dB is exceeded should assist in minimising the impact of air overpressure going forward.

## **Operational Noise**

The existing noise limits between 7am and 7pm are specified in Condition 18 of the ROMP permission as follows:

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

The noise assessment submitted in the Environmental Statement suggests that the limits at Penybryn, Garth Avenue and Rogart Terrace remain appropriate but the limits at Conway Close should be reduced to 46dB LAeq (1 hour)

Night-time (7pm to 7am) noise levels are set in Condition 19 of the ROMP permission at 42 dB LAeq at the same locations. This accords with the guidance set out in MTAN1.

MTAN1 allows for higher noise limits up to 67dB LAeq to be imposed 'during temporary and short-term operations for periods of up to 8 weeks in a year. This is reflected in condition 20 of the ROMP permission.

In respect of general operational noise, the protection of the local community from excessive noise is considered an important element in maintaining public health. Public Health, Protection & Community Services have advised that these levels are acceptable.

It is therefore considered that the effects of the proposal can be mitigated and managed to an acceptable level where they have a minimal impact on sensitive developments surrounding the site.

## **Health & Well-being**

In considering health & wellbeing, the submission identifies the "main themes of concern regarding the proposed development are anticipated to relate to noise, blast vibration and dust". In the assessment of the air quality theme, it states "it is unlikely

that the extension of time [the development] would cause respirable particles to exceed the relevant objective threshold set to be protective of human health". In respect of noise and vibration the submission highlights "the worst-case noise levels predicted would comply with noise limits set to be protective of human health" and "no blasting events have exceeded the ground vibration limit set to protect human health".

In addition to considering the above themes the submission also remarks, in the respect of the potential impact on ground and surface waters, that "no health and wellbeing effects are predicted"

In conclusion on wellbeing & health, the submission states, "existing activities have shown that, unless out of the operator's control, exposure to environmental determinants of health would remain within objective thresholds set to be protective of the environment and human health" and "overall, no significant adverse health and wellbeing effects are associated with the extension of time application".

By utilising previous work undertaken the submission has attempted to take account of a range of views and concerns associated with this type of development. Although some of this information may have aged and, in part, focused on additional elements more relevant to the previous planning application it is likely that it does provide a reasonable evidence base. In addition, the submission may not explicitly address if the development could likely have an express health and wellbeing impact upon inequality, although by considering various aspects of the development and the local circumstances this may, nonetheless, have been implicitly considered.

It may be noted that even where health-based standards and objectives are met the risk of impact upon health and wellbeing can still occur in relation non-tangible effects. For instance, the concerns that can be generated within the local community, if exposed to persistent levels of potential nuisance particulate matter, can go beyond any obvious nuisance effect. Its observance may increase anxiety in relation to particulate matter exposure and public health and dissuade the community from fully utilising its inherent amenity.

In addressing the potential benefit of constructive relationships between the development and the local community, the submission does highlight the importance of a range of communication and engagement mechanisms. With the overall aim to disseminate relevant information and improve understanding whilst also potentially further enabling the involvement of the local community. This in turn may help in general to support community well-being, inclusion and maximise community benefit from the development, should it be granted permission.

## **OTHER ISSUES**

### **Ecology**

Part 1(6) of the Environment (Wales) Act 2016 imposes a duty on a public authority to seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions.

The Craig-yr-Hesg Local Nature Reserve is located to the south of the existing quarry and forms part of the much larger Craig-yr-Hesg/Lan Wood SINC which extends to 89.72 hectares of predominantly ancient semi-natural woodland with smaller areas of grassland and bracken habitats. The SINC adjoins the western boundary of the extension site.

The applicants have carried out an Ecological Impact Assessment which is included within the Environmental Statement. In summary, the conclusions reached/measures previously agreed and considered valid are:

No direct or indirect potential significant impacts have been identified upon any identified statutory or non-statutory designated sites for nature conservation. Craig-yr-Hesg / Lan Wood SINC occurs partially within the application site boundary but is beyond the working area and would be complemented by the nature conservation-based site restoration.

The presence of notable habitats i.e., those identified as priorities under Section 7 of the Environment Act and the LBAP, has been identified in peripheral areas (including the identified SINC) (i.e., broadleaved woodland), although no losses would occur and no significant residual impacts are predicted.

The potential presence of roosting bats has been identified although the occurrence of such is considered unlikely. However, the 2010 ROMP set out an approach to review quarry faces during quarry development works. As some face progression would take place, this is considered to remain appropriate and has been included in the EMP.

Common reptile species (adder, common lizard, grass snake and slow worm) have been confirmed, again this relates to peripheral areas that may be subject to minor disturbance during final restoration. An approach to reptile mitigation was set out in the 2010 ROMP which is considered to remain appropriate and is included in the EMP

Peregrine falcon and a range of other breeding bird species occur; this predominantly relates to presence in peripheral habitats that will be retained or subject to minor disturbance during final restoration. Working protocols set out in the 2010 ROMP with regard to peregrine falcon are considered to remain valid and is included in the EMP.

The proposed restoration reflects that approved as part of the 2013 ROMP determination. This will deliver significant habitat gains of biodiversity value for a range of species. The delivery of this restoration was not required to address any specified

predicted impact to habitats or species and so a delay of seven years is not considered significant or in need of any additional ecological / biodiversity compensation.

In terms of the restoration of the new quarry bowl and benches, the principle of the restoration is based on a balance of allowing natural restoration of grassland and scrub/woodland habitats in some areas, while undertaking strategic tree planting in more visually prominent locations. This is considered acceptable in principle, but it is considered that the full details of the restoration should be subject to future review and agreement. It is considered this can be done via a suitably worded condition on long-term restoration.

It is also considered that long-term restoration should seek to provide nesting opportunities for peregrine falcons on inaccessible quarry ledges as part of a design objective of that restoration.

### **Landscape and Visual Amenity**

The Environmental Statement has considered the impact of the development on landscape character and visual impact.

The landscape baseline is set by the LANDMAP Database hosted by Natural Resources Wales. LANDMAP separates landscape character into 5 defining aspects – Visual and Sensory, Geological, Landscape Habitat, Historic Landscape and Cultural Landscape.

The overall evaluation of the site in relation to the five LANDMAP aspect areas is as follows:

Visual and Sensory – Moderate  
Geological Landscape – Moderate  
Landscape Habitats – High  
Historic Landscape – High  
Cultural Landscape – High

The landscape character of the site area is one characterised as hillside and scarp slopes mosaic comprising of an open landscape of rough grazing with conifer plantations, small scale irregular fields, small clumps of deciduous broadleaf woodland.

It is important to note that the quarry has reached its full lateral extent and further disturbance beyond the current excavation limits will be limited to restoration works. Thus, there would be limited alterations to the existing landscape elements/features during working and after restoration, which results in a low degree of change to the overall character of the baseline conditions, the change is discernible but the underlying landscape character as a result of the development would be similar to the baseline conditions.

At a local level, the proposed development would not alter the current classification of the application site as an “active quarry”, followed by its restoration to “sheltered valley (with mixed rocky grassland, scrub, and woodland mosaic)”, albeit over an extended period of time.

The development would be positioned within and would not alter the published key characteristics of the National Landscape Character Area “NLCA37 South Wales Valleys” or LANDMAP units. There would thus be no changes to the principal landscape impacts, with the effects confined to a longer duration to complete the phased extraction programme, and a delay to the implementation of the final restoration strategy. This time extension and delay is considered to represent a slight adverse / neutral landscape effect.

In visual terms, the proposals would not reduce the existing and effective mitigation measures at the site, with existing views anticipated to be largely unchanged. This would ensure that the extended period of quarrying activities would be well integrated into the landscape and the restoration proposals would still add to the overall landscape value (whilst in the interim the site continues to provide for local roadstone requirements).

The development proposals would not cause unacceptable harm to the important landscape character of the nearby Special Landscape Area (SLA). The unspoilt valley slopes and ridges which form a visual backdrop to the settlements of the area would be unaffected by the proposed development. Although the extension of time would delay the final restoration of the site, the existing mineral working would continue to be well integrated into the surrounding landscape, due to the surrounding topography and high woodland cover.

### **Hydrology and Hydrogeology**

The quarry depth is limited to 100m AOD which is above the maximum groundwater level of 97.53mAOD. There is no dewatering being undertaken at the quarry in relation to groundwater as groundwater inflow from perched water tables and effective rainfall discharge through the underlying strata.

Impacts on surface water systems are limited to potential minor impacts on Cefn springs although it is unlikely that there will be any impact given that there appears to be a perched water table between the site and the springs.

### **Highways**

There are no proposals to increase production at the site, which averages 400,000 tonnes per annum and therefore the impact of quarry traffic will be unchanged. However, the impact will be extended for a further 6 years. In recent years’ improvements to the southern access to facilitate two-way movements have allowed

cessation of the use of the northern access as an exit for HGV's. The northern access is retained for emergency use only.

Traffic survey data was collected in November/December 2020. The vast majority of traffic leaving the site turns right at the exit and travels south towards Pontypridd. Daily traffic movements along the B4273 for a 5-day period (Monday to Friday) ranged between 8,663 and 9,728 vehicles per day with the average being 9,142, of which 318 (3.5%) were HGV's. The HGV movements from the quarry over the same survey period averaged 88 per day (<1%). In terms of the design capacity of the B4273 the current peak flows are approximately 67% of the design capacity of the road. Even with predicted traffic growth 20% capacity is predicted to remain by 2029. The road therefore has more than sufficient design capacity to cope with the quarry traffic which is a relatively small percentage of overall traffic movements.

Members will note that the Transportation Section are seeking a financial contribution of 5 pence per tonne to cover road inspections and maintenance. However, it is considered that this matter is more appropriately dealt with by Section 59 of the Highways Act 1980. This deals with recovering expenses due to extraordinary traffic, and gives the Highway Authority powers to recover expenses from site operators where their traffic is causing damage to the highway due to excessive weight or for other "extraordinary reasons".

## **Cultural Heritage**

The Environmental Statement has concluded that there are no proposals to amend the quarry development scheme or the existing footprint of the quarry. Therefore, there would be no additional effect on any potential below ground archaeological features and no change to the effect on the setting of any listed buildings.

## **Other**

Objectors have made a number of comments which are not material planning considerations and cannot therefore be taken into account in the determination of the application:

Questioning the motives of the applicant in submitting the application at this time.

Complaints in relation to the Councils response to complaints made at this site, which are matters for planning enforcement.

Issues relating to the quarry access road construction as the access road is covered by a separate planning permission.

Issues in relation to the condition of the public highway as these are outside of the applicants control

## **PLANNING OBLIGATIONS**



Section 106 of the Town and Country Planning Act (as amended) enables local planning authorities and developers to agree to planning obligations to require operations or activities to be carried out on land (in-kind obligations) or require payments to be made (financial contributions), to mitigate any unacceptable impacts of development proposals.

A planning obligation (under S.106) may only legally constitute a reason for granting planning permission if it is:

necessary to make the development acceptable in planning terms;  
directly related to the development; and,  
fairly and reasonably related in scale and kind to the development.

PPW advises that contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable. Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development Plan and the Council's SPG on Planning Obligations, however it is made clear that this is intended to form the basis of negotiations between all parties.

In this case the Section 106 requirements that meet the legislative requirements are as follows:

Public Health, Protection & Community Services have asked for a contribution towards air quality monitoring for levels of particulate matter in the local community. This is due to acknowledged uncertainties in future particulate matter levels, the variability of prevailing weather conditions, the increased importance of burden reduction and the possible need to gather information to address community concerns. The applicant has indicated their agreement to this.

It is therefore considered appropriate that, if approved, the applicant should enter into a Section 106 Agreement in relation to this application in order to secure a contribution towards the costs of the Council's air quality monitoring within the local community. The sum of £5,975.00 to be paid in the first year with the same amount in subsequent years increased at the RPI rate for each year that the quarry remains operational.

**RECOMMENDATION: APPROVE, SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The extraction and processing of minerals from the site shall cease by 31st December 2028, all residual stocks, fixed plant, and buildings to which this permission relates shall be removed by 31st December 2029 and restoration shall be completed by 31st December 2030.

For a period of 5 years from the date of completion of restoration the site shall be managed in accordance with the approved aftercare scheme submitted under the provisions of Condition 43 below.

The planning permission shall expire following the complete restoration and aftercare of the site in accordance with the approved restoration and aftercare schemes submitted under the provisions of Conditions 41 and 43 respectively.

Reason: The minerals development permitted is temporary in nature.

2. The development shall be carried out strictly in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:

- CYH1 – Site Location Plan
- CYH2 – Application Site Plan
- CYH3 – Aerial Photograph
- CYH4 – Current Topographical Survey
- CYH5 – Interim Quarry Development Plan
- CYH6 – Final Quarry Development Plan
- CYH7 – Restoration Concept Plan
- CYH8 – Sections
- CYH9 – Bench Treatment Sections
- CYH C31 – Additional Tree Screening at Primary Crusher

Reason: Required to be imposed pursuant to Section 71ZA of the Town and Country Planning Act 1990 (as amended).

3. A copy of this permission 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.

4. The operator shall submit detailed survey plans of the site, including levels to Ordnance Datum, every 5 years from the date of commencement until completion of restoration of the site.

Reason: to enable the Local Planning Authority to monitor the achievement of the quarry profiles in each phase of the development.

5. 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 beforehand in writing (including email):

Quarrying operations shall only be carried out between the hours of:

- 0700 hours and 1900 hours Monday to Friday; and
- 0700 hours and 1600 hours Saturdays; and
- not at any time on Sundays or Statutory Public Holidays.

For the purposes of this permission “quarrying operations“ shall mean the stripping of overburden, the development of the quarry faces (including drilling), the loading and transportation of stone to the primary crusher and the operation of the primary crusher or any replacement thereof.

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

6. 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.

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

Reason: the impact of the proposed development on the natural environment has only been assessed to a depth of 100m AOD

8. 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.

9. Except in emergencies, or unless the Local Planning Authority has otherwise agreed beforehand in writing, all HGV's and commercial vehicles must enter and leave the site via the access located to the south of Rogart Terrace

Reason: In the interests of highway safety.

10. No loaded HGVs shall leave the site un-sheeted except those only carrying stone in excess of 75mm.

Reason: In the interests of highway safety.

11. Within 3 months of the date of this permission the developer shall submit for the approval of the Local Planning Authority a scheme indicating the facilities and/or methods to be put in place to ensure deleterious material is not carried onto any part of the public highway, including provision for revision in the event of the scheme being ineffective and any remedial measures to be put in place to clear the highway of any such material. The scheme shall be implemented as approved and utilised during the period of operation of the quarry.

Reason: In the interests of highway safety.

12. The controls set out in Dust Management and Monitoring Plan dated 16 August 2017 shall be implemented from the date of commencement of the development and shall be complied with at all times until the expiry of the permission. The first formal review set out in section 5.2 of the Plan will be due 2 years from the date of this permission.

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

13. 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.

14. 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.

15. 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 14;
  - 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.

16. No mobile crushing or screening equipment shall be operated within 200 metres of the boundary of the curtilage of any residential properties without the prior express permission of the Local Planning Authority unless the equipment is located on land below 180m AOD.

Reason: To protect the amenities of neighbouring residential properties in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

17. The operator of the quarry 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 and retained 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.

18. Unless the Local Planning Authority has otherwise agreed beforehand in writing (including e-mail) drilling operations shall 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 above 180 metres A.O.D. in the existing quarry.

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

19. In any part of the quarry below 180m AOD, 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 the Local Planning Authority has agreed beforehand in writing (including e-mail).

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

20. 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.

For the purpose of this Condition 20, "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.

21. Blasting shall be undertaken in such a manner to ensure that ground vibration at any vibration sensitive building, measured as a maximum of three mutually perpendicular directions taken at the ground surface, does not exceed a peak particle velocity (ppv) of 6mms per second in 95% of all blasts measured over any continuous six-month period, and no single blast shall exceed a ppv of 10mms 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 permission.

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.

22. No secondary blasting shall be carried out on the site.

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

23. All individual blasts shall be designed, managed, and implemented to minimise the extent of air overpressure resulting from blasts. If air overpressure exceeds 120dB at any nearby sensitive residential property (not owned by the applicant) the Local Planning Authority shall be informed within 7 days and the design, management and implementation of the blasts must be reviewed prior to any further blasting being undertaken at the site, with all future blasting being undertaken in accordance with the findings of the review.

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.

24. Each individual blast shall be monitored in accordance with the Blast Monitoring Scheme submitted on 30 July 2018. All monitoring shall be undertaken in accordance with the terms of the approved scheme for the duration of quarrying operations at the site. In addition:

(a) Blasting times shall be clearly advertised at the Quarry;

(b) 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 ensure that the impact of blasts on residents is minimised, and to protect the amenities of local residents in accordance with Policies CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

25. Between the hours of 07:00 and 19:00 the free field Equivalent Continuous Noise Level LAeq (1 hour) resulting from 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. Measurements and assessments shall be made in accordance with BS4142.

Table 1

Receptor	Criteria
No 36 Conway Close	46 dB LAeq
No 3 Pen y Bryn	47 dB LAeq
Flat above shop Garth Avenue	54 dB LAeq
No 1 Rogart Terrace	55 dB LAeq

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.

26. Between the hours of 19:00 and 07:00 the free field Equivalent Continuous Noise Level LAeq (1 hour) due to operations in the site shall not exceed 42 dB LAeq at each selected noise sensitive property specified in Table 1 set out in condition 25 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.



27. Noise levels attributable to operations of a temporary nature within or on the periphery of the site such as the formation, removal or alteration of spoil tips, screening landforms and storage embankments, measured at any noise sensitive property specified in Table 1 in condition 25 above, shall not exceed a level of 67dB LAeq, 1hour (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.

28. The best practicable means shall be used to minimise noise from reversing warning devices which are fitted to mobile plant and vehicles on the site. This may include fitting broadband directional alarms to vehicles.

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.

29. Noise shall be monitored in accordance with the Noise Management Plan approved under planning reference 13/1188/38 on 27th November 2014.

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.

30. 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.

31. 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.

32. Any 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.

33. 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. Any request for prior written approval must identify the impact of the additional lighting on bats and the amenity of nearby residents potentially affected.

Reason: To prevent any unacceptable light pollution and to protect the amenities of local residents in accordance with Policies AW8, CS10 and AW10 of the Rhondda Cynon Taf Local Development Plan.

34. The Wildlife and Protection Plan approved under planning reference 13/1189/38 on 27th November 2014 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.

35. The existing trees, bushes, and hedgerows within the control of the developer (other than those shown as being removed on any of the approved plans) shall be retained and shall not be felled, lopped, topped, or removed in areas outside of the area of mineral working without the prior written consent of the Local Planning Authority. Any such vegetation removed without consent, dying, being severely damaged or becoming seriously diseased shall be replaced with trees or bushes of such size and species as may be specified by the Local Planning Authority, in the planting season immediately following any such occurrences.

Reason: In the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

36. Trees, shrubs, and hedges planted in accordance with the Additional Tree Screening at the Primary Crusher shall be maintained and any plants which within five years of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: In the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

37. All topsoil and subsoil shall be permanently retained on site and used in restoration.

Reason: To prevent loss of soil.

38. All disturbed areas of the site and all topsoil, soil making material and overburden mounds shall be kept free from agricultural weeds until the completion of aftercare.

Reason: To prevent a build-up of harmful weed seeds in soils that are being or will be used for restoration in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

39. Topsoil, subsoil and soil making material shall only be stripped when they are in a dry and friable condition, and no movement of soils shall occur during the months November to March (inclusive), unless otherwise agreed in writing with the Local Planning Authority

Reason: to avoid adverse impacts on soil structure and to ensure soils are suitable for use in restoration

40. Within 6 months of the date of this permission, an Interim Restoration Scheme shall be submitted for the written approval of the Local Planning Authority. The Interim Restoration Scheme shall cover the restoration of final benches located outside active quarrying areas and other land within the quarry boundary not required for operational purposes. The Scheme shall be implemented as approved.

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

41. Not later than 31 December 2028 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, a detailed final restoration scheme, including drawings to illustrate the proposals for the final restoration of the quarry shall be submitted to and approved by the Local

Planning Authority in writing. The final restoration scheme shall be based upon the restoration concept plan CYH7 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,
- (h) the position and design of any ditches and watercourses where all such features shall be designed to achieve maximum ecological diversification;
- (i) 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;
- (j) details of the spreading of soils previously stripped and stored on the site including depths and placement areas;
- (k) the method of soil replacement and soil handling;
- (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.

The restoration works shall be carried out in accordance with the approved restoration scheme and shall be fully implemented within two years of the date of approval of the scheme or by 31st December 2030, whichever is the sooner.

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

42. 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:
- (a) 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.
  - (b) 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.
  - (c) 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.
  - (d) 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 above 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.

43. Not later than 30 December 2028 or the expiry of 24 months following the permanent cessation of the winning and working of minerals and the depositing of mineral waste, whichever is the sooner, an aftercare scheme, for amenity after use that promotes the use of the site for nature conservation shall be submitted for the approval of the Local Planning Authority. The aftercare scheme shall include the following elements:
- (a) A five-year period of aftercare following restoration:
  - (b) 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;

- (c) The steps to be taken and the period during which they are to be undertaken and who shall be responsible for taking those steps;
- (d) 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).
- (e) Cultivation practices for the preparation of soils;
- (f) Fertilising and lime application based on soil analysis, weed control;
- (g) Land management techniques;
- (h) The provision of boundary treatment;
- (i) 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;
- (j) An aftercare habitat management plan which shall include;
- (k) 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);
- (l) Description and evaluation of features to be managed;
- (m) Ecological trends and constraints that may influence management;
- (n) Aims and objectives of management;
- (o) Appropriate management options for achieving aims and objectives;
- (p) Prescription for management actions;
- (q) Work Schedule;
- (r) Personnel responsible for implementation of plan;
- (s) 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.

44. Before 31st March of every year during the aftercare period, 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.

45. Within 6 months of the date of this permission a strategy shall be submitted for communication and engagement with the local community. This shall include measures for the setting up of a Community Liaison Group. The strategy shall be implemented in accordance with the approved details

Reason: In the interests of the amenity of the local residents in accordance with Policy AW5 the Rhondda Cynon Taf Local Development Plan.



## **RHONDDA CYNON TAF COUNCIL PLANNING AND DEVELOPMENT COMMITTEE**

Minutes of the virtual meeting of the Planning and Development Committee held on Thursday, 26 August 2021 at 3.00 pm

### **County Borough Councillors - Planning and Development Committee Members in attendance:-**

Councillor S Rees (Chair)

Councillor G Caple	Councillor J Bonetto
Councillor P Jarman	Councillor D Grehan
Councillor G Hughes	Councillor W Lewis
Councillor W Owen	Councillor S Powderhill
Councillor J Williams	Councillor D Williams

### **Officers in attendance:-**

Mr J Bailey, Head of Planning  
Mr S Humphreys, Head of Legal Services  
Mr A Rees, Senior Engineer  
Mr G Purnell, Pollution Control Officer  
Mr N Pilliner, Environmental Protection and Housing Standards Manager

### **County Borough Councillors in attendance:-**

Councillor R Bevan, Councillor H Fychan, Councillor M Powell and Councillor T Williams

## **41 DECLARATION OF INTEREST**

In accordance with the Code of Conduct, the following declarations of interest were made:

- 1) County Borough Councillor P Jarman declared a personal interest in respect of application 20/1182 Development of five detached dwellings (Approval of reserved matter details pursuant to grant of outline permission 14/1308/13, as extended by 19/0334/15) (Amended Plans received 23/03/2021). FORMER CWMBACH LIBRARY SITE, MORGAN ROW, CWMBACH, ABERDARE  
"The applicant is known to me as a local resident and I have only spoken to him to confirm the details of the site visit held."
- 2) County Borough Councillor D Williams declared a personal and prejudicial interest in respect of Application 21/0720/15 Continuation of quarrying and related operations without complying with conditions 1 – 4 inclusive and conditions 45 & 46 imposed on the Environment Act ROMP schedule of conditions issued by Rhondda Cynon Taf County Borough Council on 24th April 2013 ref: 08/1380/10 Craig Yr Hesg Quarry, Berw Road, Pontypridd. CF37 3BG.  
"I am a Member of the Hanson Quarry Opposition Group."



#### **42 HUMAN RIGHTS ACT 1998 AND DEVELOPMENT CONTROL DECISIONS**

It was **RESOLVED** to note that when Committee Members determine the development control matters before them, they should have regard to the Development Plan and, so far as material to applications, to any other material considerations and when taking decisions, Members have to ensure they do not act in a manner that is incompatible with the convention on Human Rights as incorporated into legislation by the Human Rights Act 1998.

#### **43 WELLBEING OF FUTURE GENERATIONS (WALES) ACT 2015**

It was **RESOLVED** to note that the Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle and to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

#### **44 MINUTES**

It was **RESOLVED** to approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on the 24<sup>th</sup> June 2021 with the following amendment to minute 15 as requested by the Head of Legal Services:

- The Head of Planning presented the report to Committee and following lengthy consideration it was **RESOLVED** to approve the taking of enforcement action in accordance with the recommendation of the Director, Prosperity and Development but subject to reducing the time for compliance recommended from 12 months to 6 months from the day the notice takes effect, as the development intensifies the use of a substandard lane that lacks adequate vision splays, a turning area, suitable carriageway width, passing bays and adequate structural integrity, which would be to the detriment of highway safety and the free flow of traffic on the A4059, consequently, it is considered that the development does not comply with Policies AW5 and NSA12 of the Rhondda Cynon Taf Local Development Plan.

(**Note:** County Borough Councillor P. Jarman wished to have recorded that she abstained from the vote on this amendment as she was not present during the meeting held on 24<sup>th</sup> June 2021.)

#### **45 APPLICATION NO: 21/0720/15**

**Continuation of quarrying and related operations without complying with conditions 1 – 4 inclusive and conditions 45 & 46 imposed on the Environment Act ROMP schedule of conditions issued by Rhondda Cynon Taf County Borough Council on 24th April 2013 ref: 08/1380/10 Craig Yr Hseg Quarry, Berw Road, Pontypridd. CF37 3BG**

In accordance with adopted procedures, the Committee received the following

public speakers who were afforded five minutes to address Members on the above-mentioned proposal:

- Mr G Jenkins (Agent)
- Mr M Hervey (Objector)
- Ms S Griffiths (Objector)
- Mr S Pritchard (Objector)

The Committee noted that Mr R Davies (Objector) who had requested to address Members on the Application was not present to do so.

The Agent Mr G Jenkins exercised the right to respond to the comments made by the objectors.

Non-Committee/ Local Members – County Borough Councillor H Fychan and M Powell spoke on the application and put forward their objections in respect of the proposed Development.

**(Note:** Having earlier declared an interest in the application (Minute No. 41), Committee/ Local Member, County Borough Councillor D. Williams exercised his right to address the Committee under 14(2) of the Code of Conduct on the application and put forward his concerns in respect of the proposed development and left the meeting for its deliberation).

The Head of Planning outlined the contents of a 'late' letter received from Vikki Howells MS in objection of the application. A further 13 'late' letters received from residents were summarised for Committee Members.

The Head of Planning presented the application to Committee and following consideration it was **RESOLVED** to refuse the above-mentioned application contrary to the recommendation of the Director, Prosperity & Development as Members were of the view that it is a detriment to the amenity and well-being of the area. Therefore, the matter would be deferred to the next appropriate meeting of the Planning & Development Committee for a report of the Director, Prosperity & Development, if necessary in consultation with the Director, Legal Services, highlighting the potential strengths and weaknesses of making a decision contrary to the recommendation of an officer or any proposed or possible planning reason for such a decision prior to determining a matter.

#### 46 APPLICATION NO: 20/1182

**Development of five detached dwellings (Approval of reserved matter details pursuant to grant of outline permission 14/1308/13, as extended by 19/0334/15) (Amended Plans received 23/03/2021). FORMER CWMBACH LIBRARY SITE, MORGAN ROW, CWMBACH, ABERDARE**

**(Note:** At this point in the proceedings, County Borough Councillor D. Williams returned to the meeting)

In accordance with adopted procedures, the Committee received the following public speakers who were afforded five minutes to address Members on the above-mentioned proposal:

- Mr R Warren (Agent)
- Ms K Doughton (Objector)

The Agent Mr R Warren exercised the right to respond to the comments made by the objector.

Non-Committee/ Local Member – County Borough Councillor T. Williams spoke on the application and put forward her concerns in respect of the proposed Development.

The Head of Planning outlined the contents of a 'late' letter received from Non-Committee/ Local Member – County Borough Councillor J. Elliott in objection to the application.

The Head of Planning presented the application to Committee and following consideration it was **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development subject to the conditions outlined within the report and to the following additional condition, as requested by the Highways Section to be as follows:

- Condition 11 - Notwithstanding the details shown on the submitted plans, development shall not commence until details of the site boundary fronting the un-named road / Morgan Row set back to maintain a vision splay of 2.4m x 40m from Pond Place have been submitted to and approved in writing by the Local Planning Authority.
- Condition 12 - Prior to the commencement of the development, a report indicating a methodology for undertaking a conditions survey of local roads (that could be affected by the proposed development) shall be submitted to and approved in writing by the Local Planning Authority. The report should include: the timescales for undertaking the surveys and the method(s) of reporting the findings to the Local Planning Authority; comprehensive photographs; and potential compensation arrangements. The development shall not be brought into use until the final survey (on completion of the development hereby approved) and any compensation arrangements have been submitted to and approved in writing by the Local Planning Authority.

**This meeting closed at 4.40 pm**

**CLLR S REES  
CHAIR.**