

Julie James AS/MS  
Y Gweinidog Newid Hinsawdd  
Minister for Climate Change



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref: qA1537523

SLR Consulting  
Fulmar House  
Ocean Way  
Cardiff. CF24 5PB

11 October 2022

Dear Mr

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78.  
APPEALS BY HANSON UK LTD AT CRAIG YR HESG QUARRY, BERW ROAD,  
PONTYPRIDD:**

**APPEAL A:** The construction of a landscape screening landform around the eastern and northern margins of the extension area; construction of a screen mound along the western boundary of the extension area; the extension of Craig yr Hesk Quarry via the phased extraction of some 10 million tonnes of Pennant Sandstone; extraction of the remaining reserves of some 5.7 million tonnes of sandstone within the existing quarry; retention of existing aggregate crushing screening plant to process sandstone from the existing quarry and extension site together with related access roads and infrastructure; use of existing approved quarry access road to the public highway; and implementation of a comprehensive restoration scheme for the application site to establish amenity grassland, woodland and nature conservation uses.

Appeal Reference : APP/L6940/A/20/3265358.

Planning Application Reference: 15/0666/10

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

**APPEAL B:** Continuation of quarrying and related operations without complying with conditions 1-4 inclusive and conditions 45 and 46, imposed by Rhondda Cynon Taf County Borough Council on 24 April 2013 (Ref 08/1380/10) via an application under Section 96 (Review of Old Minerals Permissions) and Paragraph 9 of Schedule 13 to the Environment Act 1995.

Appeal Reference : APP/L6940/A/21/3282880.

Planning Application Reference: 21/0720/15

1. Consideration has been given to the report of the Inspector, regarding your client's appeals.
2. In accordance with section 79 and paragraph 3(1) of Schedule 6 to the Town and Country Planning Act 1990 ("the 1990 Act"), the appeals were recovered for determination by the Welsh Ministers. Under the provisions of the Government of Wales Act 2006 the power to determine applications under section 79 of the 1990 Act has been transferred to the Welsh Ministers, these functions have been exercised by me as Minister for Climate Change.
3. In August, the Inspector provided a report, which addresses both appeals, for consideration by the Welsh Ministers. A copy of the Inspector's report ("IR") is provided with this letter. All references to paragraph numbers, unless otherwise stated, relate to the IR.

#### Late Representations

4. I have given due regard to representations received after the Inquiry closed. However, I do not consider any new evidence or new matter of fact has been raised which would materially affect my conclusions on the appeals.

#### Main Considerations

5. I agree with the Inspector the main consideration in the determination of the appeals is:
  - Whether the proposal is in accordance with the Development Plan and if not whether there are any material considerations that when taken together and weighed against any disadvantages of the proposal, are sufficient to outweigh the presumption in favour of determining planning applications in accordance with the Development Plan.
6. The Inspector confirms, based on the evidence presented, there are no objections or concerns relating to landscape, visual impact, ecology, hydrology, cultural heritage, or agricultural land quality impacts. Therefore, the Inspector's consideration of the impact of the proposals are primarily focused on air quality, noise, blasting and ground vibration, and highway safety. (IR 312)

#### **Planning Policy**

7. The Inspector sets out the relevant development plan framework in IR 313 -315, noting Rhondda Cynon Taff County Borough Council ("RCTBC") has commenced preparation of a revised Local Development Plan ("LDP"), although it is at an early stage and therefore carries little weight. (IR 316)

## Need for the mineral

8. LDP Policy CS10(1) confirms that the RCTCBC will contribute to local, regional and national demand for a continuous supply of minerals by maintaining a minimum 10-year landbank of rock aggregate reserves. In recognition of this, LDP Policy SSA25 states that the “Land adjacent to Craig yr Hesg Quarry, Pontypridd is identified as a Preferred Area of Known Mineral Resource.” The supporting text to this Policy at paragraph 6.185 also establishes that, “The Regional Technical Statement identifies the need to allocate additional rock reserves in Rhondda Cynon Taf, to ensure a supply of general hardstone resources over the period of the LDP and given the requirement to take a share of the production presently derived from the Brecon Beacons National Park.” (IR 317)
9. Planning Policy Wales (“PPW”) sets out a similar requirement to maintain a minimum landbank of 10 years throughout the entire plan period. Paragraph 5.14.10 of PPW states, “Ensuring the sustainable supply of minerals is a strategic issue which plays a fundamental underpinning role in supporting non-minerals development. Each mineral planning authority should ensure that it makes an appropriate contribution to meeting local, regional and UK needs for primary minerals which reflects the nature and extent of resources in the area and their best and most appropriate use, subject to relevant environmental and other planning considerations. For aggregates this should be done under the aegis of the North and South Wales Regional Aggregates Working Parties, whose role is to provide a regional overview of supply and demand and through the framework provided by the Regional Technical Statements for Aggregates.” (IR 318)
10. The Inspector notes the Regional Technical Statements for the North Wales and South Wales Regional Aggregate Working Parties 2nd Review, September 2020 (“RTS2”) provide a sustainable approach to mineral development in Wales to ensure that an adequate and steady supply of aggregates can be maintained throughout Wales (and beyond, in the case of materials that are exported). (IR 319)
11. RTS2, including the Regional Technical Statements for Aggregates 2<sup>nd</sup> Review - Clarification Letter, indicates an annual requirement for RCTCBC of 0.765m tonnes of crushed rock, which for the 25-year provision period of RTS2 (15 years plus a minimum 10-year landbank at the end of the period), requires a minimum provision for RCTCBC of 19.125 million tonnes. With permitted reserves of 9.83 million tonnes as at the RTS2 base date of 31 December 2016, this equates to a residual requirement to make an allocation for 9.295 million tonnes of new crushed rock reserves in a review of the RCTCBC LDP (if a 15-year replacement LDP were to have commenced from January 2017). The Inspector notes these figures assume the availability of the permitted reserves in existing quarries, including the remaining 2.5 million tonnes of permitted reserves in Craig yr Hesg Quarry (“CYHQ”). If Appeal B were to be dismissed, this remaining reserve would be effectively sterilised. (IR 320 - 321)
12. The Inspector notes the Pennant Sandstone reserve at CYHQ is of national importance, due to its very high skid resistance (polished stone value (“PSV”)) properties. (IR 322)
13. The Inspector has considered representations and submissions and concludes no evidence was presented to demonstrate there is no need for continued extraction on the site or that a sustainable supply could be found elsewhere. Therefore, the Inspector affords significant weight to the regional and UK need for such minerals and the requirement to maintain a 10 year minimum landbank. (IR 323 - 328)

## **Living conditions of local residents**

14. The Inspector sets out the relevant planning policy framework relating to potential impacts on health and amenity, regarding mineral extraction. (IR 329 – 331)
15. The Inspector is satisfied the assessments and conclusions in the Environmental Statement (“ES”) and the Supplementary Environmental Statement (“SES”) can be considered reliable. (IR 332)

### The buffer zone

16. As PPW notes, buffer zones should be used to provide areas of protection around permitted and proposed mineral workings where new development which would be sensitive to adverse impact should be resisted. Further advice is provided in Minerals Technical Advice Note (Wales) 1: Aggregates (“MTAN1”), which advises that for hard rock quarries the minimum buffer distance should be 200 metres and states, “minimum distances should be adopted unless there are clear and justifiable reasons for reducing the distance. An example may be that, because of other means of control, there is very limited impact from the mineral extraction site.” (IR 333)
17. LDP Policy AW14 point 5 states “The limestone and sandstone quarries at Forest Wood and Craig yr Hesg, will be further safeguarded from development that would adversely affect operations by 200 metre buffer zones as shown on the proposals maps.” The Inspector notes a 200 metre buffer zone is currently extant at CYHQ. (IR 334)
18. The Inspector notes the Appeal A proposal would impinge on the buffer zone, which the Inspector considers should be measured from the property boundary. The Inspector takes these matters into account when assessing whether there are clear and justifiable reasons for reducing the buffer zone distance. (IR 335)

### Perception of harm

19. The Inspector acknowledges that public perceptions of harm can be a material consideration. However, the weight to be attached to such submissions in the planning balance should be determined by the extent of the evidence advanced on that particular issue, which is a matter of planning judgement. (IR 336-337)

### Well-being of Future Generations (Wales) Act 2015 (“WFG Act”)

20. The Inspector notes the WFG Act places a duty on all public bodies to carry out sustainable development, it sets out a number of well-being goals and is embedded in PPW. (IR 338 – IR 340)
21. The Inspector notes a key element of RCTCBC’s case is that impacts of dust, noise and blasting resulting from the proposals will adversely affect the mental well-being of local communities and, therefore, the well-being goal of a healthier Wales would not be achieved. Whilst the Inspector does not dispute the information acquired from observations made by the local community, the information is considered anecdotal and is not supported by objective, independent evidence. (IR 341-342)
22. However, the Inspector accepts that stress/fear/anxiety is caused by the quarry and continuation of quarrying will add to these health issues. The Inspector notes this is a

consideration that fall within the scope of the WFG Act and LDP policy AW 10, “Environmental Protection and Public Health”. (IR 343)

23. Based on the evidence provided, the Inspector considers the stress and anxiety felt by the local community is somewhat justified. However, the Inspector’s assessment seeks to establish whether there would be/is an actual harm to health and well-being. (IR 343 – 349)

#### Air Quality

24. The Inspector is satisfied the technical evidence to the inquiry clearly shows PM<sub>10</sub> (particulate matter of 10 µm or less) would remain below relevant air quality limits, and there was no objection on this matter from statutory consultees, including Public Health Wales and Cwm Taf University Health Board. Also, RCTCBC agreed a Dust and Particulate Management and Monitoring Plan, which would be reviewed every 2 years in order to be updated in agreement between the operator and RCTCBC. (IR 350 - 357)
25. RCTCBC does not dispute the air quality evidence, regarding PM<sub>10</sub> or below. However, it does dispute the appellant’s conclusions in respect of nuisance or dis-amenity dust and provided evidence through the representations made by local residents and past complaints. (IR 358)
26. The Inspector considers given the scale and nature of the proposed works local anxiety regarding air pollution and any health related implications are reasonable. The proposed works would have the potential to contribute to dis-amenity dust. (IR 359)
27. Dust deposition monitoring has been undertaken, as set out in IR 360 – 361. A number of properties have the potential to be affected by dust, however the Inspector considers there would be a fair degree of distance, even accounting for the reduction in the buffer zone, separating sensitive receptors from site workings. (IR 362)
28. The Inspector notes dust and poorer air quality might at times affect areas close to the mining operation, however, technical evidence presented to the inquiry shows clearly that PM<sub>10</sub> and dis-amenity dust levels would remain below relevant limits. Therefore, regarding air quality, the Inspector finds there would be no conflict with LDP Policies AW 10, AW 5 “New Development” and CS 10 “Minerals”. Also, given mitigation measures, the Inspector is satisfied the proposals would not exacerbate or create poor air quality. (IR 363 – 365)

#### Noise

29. Although the Statements of Common Ground for both Appeal A and B consider any noise issues can be dealt with by condition, and current noise limits are being adhered to, there is local concern regarding noise from the quarrying operations. (IR 366 – 368)
30. The Inspector notes all the calculated reasonable worst case site activity noise levels, without any additional mitigation, have shown compliance with suggested site noise limits. This indicates site noise is at an acceptable level to avoid a significant effect at noise sensitive properties. The Inspector also notes at some locations the noise limits are more stringent than those set out in MTAN 1. (IR 369 – 373)
31. The Inspector recognises blasting operations can have unacceptable noise impacts if not conducted correctly. Environmental effects may arise from the blast itself and from

the secondary effects of air overpressure. MTAN 1 states, “Because air overpressure is transmitted through the atmosphere, meteorological conditions such as wind speed and direction, cloud cover and humidity will all affect the intensity of the impact. In view of this unpredictability, planning conditions to control air overpressure are unlikely to be enforceable. This is not a reason for doing nothing and careful blast design should be able to resolve excessive levels of air overpressure. Such details are controlled by quarry regulations which impose requirements relating to health and safety at quarries.” (IR 374 – 375)

32. Whilst the control of air overpressure is not supported by MTAN 1, the appellant proposes a condition to design and monitor blasts to minimise the extent of air overpressure. The Inspector considers this is a practical approach to the management of air overpressure. (IR 376 – 378)
33. The Inspector considers the proposed screening bund on the eastern and northern sides of the proposed operation (Appeal A) would significantly reduce noise emissions from the site over the lifetime of the operation. Intrusive vehicle noise could be restricted by conditions, although the Inspector notes there would be limited occasions when particular activities would result in noise affecting sensitive receptors located close to the quarry. (IR 379)
34. The Inspector is satisfied noise controls would avoid the proposal having a significant adverse impact on health and the living conditions of local residents, even with a reduction in the buffer zone and, in terms of noise impacts, the proposals comply with relevant development plan policies. With the mitigation measures, the Inspector considers the proposals would not exacerbate or create a poor quality soundscape. (IR 380 – 381)

#### Blast vibration

35. The Inspector has considered the impact of blasting operations on local residents with reference to guidance and limits recommended in MTAN1 and notes blasting operations will continue to be required at the appeal site. The Inspector is satisfied, subject controls, including public liaison, the proposal would not have an unacceptable effect on local amenity in terms of blasting and vibration. (IR 382 – 386)

#### Highway Safety

36. The Inspector acknowledges local concerns, regarding the impact of the proposals on highway safety. However, no technical evidence has been presented to show that the existing road network could not reasonably accommodate the traffic generated or that the proposals would result in unacceptable harm to highway safety. The Inspector finds no conflict with relevant LDP policies and, therefore, no reason to dismiss the appeal on highway safety grounds. (IR 387 – 388)

#### Living conditions conclusions

37. The Inspector considers the possibility of a combination of impacts in some places and cumulative effects, given the history of quarrying in the area. (IR 389)
38. Whilst the Inspector does not doubt the experiences of local residents and their concerns relating to health and well-being, this is not corroborated or substantiated by the technical evidence presented. (IR 390)

39. Overall, the Inspector considers the proposals would not cause unacceptable adverse amenity impact and any impact on local communities can be minimised to an acceptable level. Therefore, the proposals would accord with LDP Policies AW10, AW5 and CS 10. (IR 391-392)

## **Benefits of the proposed developments**

### Supply and Demand

40. It is expected that some 15 million tonnes of aggregate would be extracted as a result of these appeals. The Inspector notes there is no dispute that sufficient market demand exists to make full use of the material even if alternative sources of supply were to come on-stream. Alternative forms of road surfacing materials may be available in the longer term, however, these are unlikely to impact on demand for the high PSV aggregate from the quarry for the duration of site operations. (IR 393)
41. The Inspector notes PPW Paragraph 5.14.48 states, “The presence of an existing quarry should be a material consideration when considering a proposal for an extension. There may be benefits to extending a site in terms of shared infrastructure, for instance, as opposed to working a new greenfield site.” (IR 394)
42. Having regard to all these factors, the Inspector considers the projected supply of High Specification Aggregate (“HSA”) should be taken to represent a national benefit carrying significant weight, in accordance with its status within PPW as a mineral of national importance. (IR 395)

### Economic benefits

43. The Inspector considers the proposals would deliver/continue to deliver considerable benefit in relation to both the local and wider economy. (IR 396 – 399)

### Access to countryside

44. The Inspector notes the parties agree the development would provide rights of way improvements, a local benefit of substantial value. (IR 400 – 401)

### Biodiversity enhancements

45. I note PPW and FW Policy 9 both reflect the Section 6 duty in Part 1 of the Environment (Wales) Act 2016 and require development proposals to maintain and enhance biodiversity. The Inspector is satisfied the proposals would result in biodiversity benefits, which should be accorded moderate weight. (IR 402 – 406)

### Community Liaison

46. The Inspector notes the intention to re-establish a residents’ liaison group, however, this is given little weight in the planning balance as it would be necessary as a direct consequence of the development. (IR 407 – 408)

## **Planning Balance and Overall Conclusion**

47. The Inspector acknowledges there is considerable local opposition to the proposed developments, however, the applications should be determined on their planning merits. The Inspector also notes paragraph 5.14.42 of PPW states, “Any effects on local communities and the environment must be minimised to an acceptable standard”. (IR 409 – 410)
48. The Inspector notes it is common ground there would be no material harm in respect of landscape character and appearance of the area. The Inspector also finds no significant harm in terms of road safety or blasting and vibration, and is satisfied proposed conditions would limit any impacts on local amenity to an acceptable standard. (IR 411 – 412)
49. The Inspector affords moderate weight to the biodiversity benefits of the proposals with substantial weight given to increased access to the countryside and the provision of Public Rights of Way. (IR 413)
50. The Inspector gives significant weight to the need for the stone available at the quarry, which is one of the highest quality sources of skid resistance surfacing aggregate in the UK. (IR 414)
51. The Inspector considers the proposals and associated mitigation measures would comply with the development plan, WFG Act, PPW and MTAN1. For the reasons given in the IR and having regard to all matters raised in evidence, the Inspector recommends the appeals be allowed, subject to conditions. (IR 415 – 416, 418)
52. In reaching these conclusions the Inspector has taken account of the WFG Act. (IR 417)

## **Conditions and Obligations**

53. I am satisfied, subject to minor amendments, the conditions for both appeals, as recommended by the Inspector, meet the relevant tests in Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management.
54. I note signed Section 106 (“S106”) agreements for both appeals were presented to the Inspector. The S106 agreements provide that, if planning permission is granted and implemented, from the date of commencement of works the owner will not carry out further winning and working of minerals on the site pursuant to the existing mineral planning permissions on the site. The S106 agreements also provide for an air quality monitoring contribution.
55. The Inspector is satisfied the obligations in the S106 agreements directly relate to the proposed development, are fairly and reasonably related to it and are necessary to make it acceptable in planning terms. The Inspector also considers the S106 agreements are sufficiently precise and enforceable. I have no reason to disagree with the Inspector and am satisfied the S106 agreements meet the statutory requirements of the Community Infrastructure Levy Regulations 2010 (as amended).



## Formal Decision

56. Subject to the comments above I agree with the Inspector's reasoning and conclusions as detailed in IR 311 – 419. Therefore, in exercise of the power referred to in paragraph 2 of this decision letter:

**(a) I hereby allow planning appeal reference APP/L6940/A/20/3265358, subject to the conditions set out in Appendix A of this letter.**

**(b) I hereby allow planning appeal reference APP/L6940/A/21/3282880, subject to the conditions in Appendix B of this letter.**

57. In reaching these decisions I note the Welsh Ministers must, in accordance with the WFG Act, carry out sustainable development. I have taken into account the ways of working set out at section 5(2) of the WFG Act and 'SPSF1: Core Guidance, Shared Purpose: Shared Future – Statutory Guidance on the WFG Act'. My assessment against each of the ways of working is set out below.

### Looking to the long-term

58. The decisions take account of the need to assist in ensuring the supply of a valuable mineral resource, which is used on road surfacing construction and maintenance in Wales and across the UK.

### Taking an integrated approach

59. I have considered the impacts from the development proposals on the Welsh Government's well-being objectives, which incorporate the well-being goals set out in section 4 of the WFG Act. Where an objective is not set out, the effect of the decisions is neutral.

Impact on well-being objectives:

- Build an economy based on the principles of fair work, sustainability and the industries and services of the future – positive effect
- Make our cities, towns and villages even better places in which to live and work – positive effect

### Involving people/Collaborating with others

60. Within the framework of a statutory decision-making process, which is governed by prescribed procedures, the appeals were subject to publicity and consultation, providing the opportunity for public and stakeholder engagement. Representations received through these procedures have been considered and taken into account in making a determination on the appeals.

### Prevention

61. The decisions would prevent an undersupply of a valuable aggregate, which has a limited geographical distribution, and is important economically through its use on roads and similar surfaces in Wales and throughout the UK.

62. I consider my decisions accord with the sustainable development principle set out in the WFG Act. Therefore, I consider the decisions are a reasonable step towards meeting the Welsh Government's well-being objectives.
63. I have taken the Environmental Statements and all other environmental information provided into account in the consideration of these appeals, as required by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017.

Yours sincerely

A handwritten signature in blue ink that reads "Julie James". The signature is written in a cursive, flowing style.

**Julie James AS/MS**  
Y Gweinidog Newid Hinsawdd  
Minister for Climate Change

## APPENDIX A

### Schedule of Recommended Planning Conditions - Appeal A.

Appeal Reference: APP/L6940/A/20/3265358

Planning Application Reference : 15/0666/10

1. The development hereby permitted shall be commenced before the expiration of five years from the date of this permission. The developer shall give the Local Planning Authority not less than 14 days prior written notice of the 'date of commencement of development'. This shall be taken as the date of commencement for monitoring purposes.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended)

2. The extraction and processing of minerals from the site shall cease by 31st December 2047, restoration shall be completed by 31st December 2049 and all residual stocks, fixed plant and buildings to which this permission relates shall be removed by 31st December 2049. 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 54 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 52 and 54 respectively.

Reason: the minerals development permitted is temporary in nature.

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

- Planning Application Statement (May 2015)
- CYH/E1A – Application Site Plan – Aerial
- CYH/E2A – Application Site Plan
- CYH/E3A – Block Phasing
- CYH/E4/B – Initial Works
- CYH/E5/B – Cross Section - Screening Landform
- CYH/E6/B – Countryside/Amenity Enhancement
- CYH/E7 – Current Situation
- CYH/E8/B – Quarry Phase 1
- CYH/E9/B – Quarry Phase 2
- CYH/E10/B – Quarry Phase 3
- CYH/E11/B – Cross Sections – Quarry Phases
- CYH/E12A – Quarry Restoration Concept
- CYH/E13A – Cross Sections – Quarry Bench Treatments
- CYH/E14A – Concept Restoration – Aerial

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

4. 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.

5. 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 in accordance with Policies CS10 and AW5 of the Rhondda Cynon Taf Local Development Plan.

6. Prior to the commencement of mineral extraction within Phase 1 of the extension area as indicated on Plan CYH/E3A, the construction of the screen bunds B1 and B2 and the erection of the palisade security fence at the locations shown on CYH/E4B shall be completed in accordance with the approved plans.

Reason: To protect the amenities of neighbouring residential properties in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

7. Prior to the commencement of mineral extraction within Phase 1 of the extension area as indicated on Plan CYH/E3A, a detailed scheme of seeding and woodland planting of the Northern Screening Landform and preparation of the Western Screen Bund to promote natural regeneration shall be submitted for the written approval of the Local Planning Authority. The scheme shall include details of:

- (i) Purpose, aim and objectives of the scheme;
- (ii) A statement of the plans ecological potential and any ecological constraints;
- (iii) Details of the landscaping schemes, including;
  - a) species composition,
  - b) source of material (all native planting to be of certified British provenance),
  - c) techniques and methods of vegetation establishment (including natural regeneration)
  - d) method statements for site preparation and establishment of target habitat features;
  - e) extent and location of proposed works;
  - f) aftercare and long term management;
  - g) personnel responsible for the work;
  - h) timing of the works;
  - i) monitoring;

The scheme shall be implemented as approved.

Reason: To protect the amenities of neighbouring residential properties in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

8. 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):
- a) Quarrying operations shall only be carried out between the hours of: 0700 hours and 1900 hours Monday to Friday; 0700 hours and 1600 hours on 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.

- b) No operations for the formation of the Northern Screening Landform, the Western Screen Bund or the formation and subsequent removal of material from designated soil storage areas shall be carried out at the site except between the following times: 0800 to 1700 hours Mondays to Fridays; 0900 to 1300 hours on Saturdays; and not at any time on Sundays or Statutory Public Holidays.

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

9. No vehicles other than those associated with the manufacture of coated road stone, the production of readymix concrete or the servicing, maintenance and testing of plant and machinery shall enter/leave the Quarry except between the hours of 0700 and 1900 on Mondays to Fridays and 0700 and 1600 on Saturdays.

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

10. 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 in accordance with Policy CS10 of the Rhondda Cynon Taf Local Development Plan

11. 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 in accordance with Policies AW5 and CS10 of the Rhondda Cynon Taf Local Development Plan

12. No loaded HGV's shall leave the site un-sheeted except those only carrying stone in excess of 75mm.

Reason: in the interests of highway safety and public amenity in accordance with Policies AW5 and CS10 of the Rhondda Cynon Taf Local Development Plan.

13. 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 in accordance with Policies AW5 and CS10 of the Rhondda Cynon Taf Local Development Plan.

14. Following the completion of the construction of the Northern Screening Landform no quarry plant and machinery, other than those required for planting and maintenance, shall travel along the strip of land to the north of the Landform.

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

15. Prior to the construction of the permissive path between Orchard Drive and Darren Ddu Road shown on Plan CYH/E6/B, details of the construction, including access on to the existing Public Right of Way along Darren Du Road and timescale for implementation, completion and retention, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To ensure the pathway is suitable for use and does not allow inappropriate access on to the existing Public Right of Way, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

16. 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 commencement of the development.

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.

17. No mobile crushing or screening equipment shall be operated within 200 metres of the boundary of the curtilage of any residential properties or within 200 metres of the boundary of the playing fields at Cefn Primary School without the prior express permission of the Local Planning Authority unless the equipment is located on land:

- (a) below 180 metres A.O.D. in the existing quarry (shaded pink on Plan CYH/E7);
- (b) below 170 metres A.O.D. for the western extension approved by this planning permission (shaded green on Plan CYH/E7).

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

18. 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.

19. Unless the Local Planning Authority has otherwise agreed beforehand in writing (including e-mail), drilling operations above 180 metres A.O.D. within the existing quarry (shaded pink on Plan CYH/E7) shall only be carried out between the hours of 1000 and 1600 Monday to Friday, and not at any time on Saturdays, Sundays or Statutory Public Holidays.

Unless the Local Planning Authority has otherwise agreed beforehand in writing (including e-mail) drilling operations above 170 metres A.O.D. within the western extension approved by this planning permission (shaded green on Plan CYH/E7) shall only be carried out between the hours of 1000 and 1600 Monday to Friday, and not at any time on Saturdays, Sundays or Statutory Public Holidays.

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

20. At depths below those specified in condition 19, drilling operations shall only be carried out between the hours of 0700 and 1800 on Mondays to Fridays, 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.

21. Except in the case of emergency to maintain safe quarry working (which shall be notified to the Local Planning Authority as soon as practicable), no blasting shall take place at the site except between 1000 and 1600 on Mondays to Fridays, and there shall be no blasting on Saturdays, Sundays and Public Holidays.

For the purpose of this condition, "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.

22. 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.

23. Each individual blast referenced in Condition 22 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.

(c) Blasting times shall be clearly advertised in a prominent location on the operator's website, at least 24 hours in advance of the blasting occurring.

(d) Blasting times should also be advertised in advance through appropriate social media channels, at least 24 hours in advance of the blasting occurring. The details of which social media channels will be used will be submitted to and approved in writing by the local planning authority, within 3 months of the date of this permission.

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.

24. Blasting shall be undertaken in such a manner to ensure that ground vibration at the site of any Dwr Cymru Welsh Water apparatus, measured as a maximum of three mutually perpendicular directions taken at the ground surface, does not exceed a peak particle velocity (ppv) of 50 mms per second for any blast. The measurement is to be taken at the closest point of the blast to any DCWW apparatus.

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

25. 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.

26. 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.



27. Prior to the firing of a blast the shotpile area shall first be dampened down, provided that it is accessible and safe to do so.

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.

28. Between the hours of 0700 and 1900 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

<b>Receptor</b>	<b>Criteria</b>
Cefn Heulog	45 dB LAeq
Cefn Primary School	45 dB LAeq
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.

29. Between the hours of 1900 and 0700 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 28 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.

30. 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 28 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.

31. Prior to the commencement of any soil stripping operations within the area shaded green on Plan CYH/E7 a revised Noise Management scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The operation of the approved scheme shall commence on the commencement of soil stripping within the area shaded green and thereafter all site operations within the quarry site shall be monitored in accordance with the approved scheme. The submitted scheme shall:

(a) specify that monitoring shall be undertaken biannually for the following two years at the properties listed in Table 1 above, and thereafter the frequency of monitoring shall be agreed between the operator and the Local Planning Authority;

(b) include the provision of measures to reduce noise levels from site operations and specify the exact locations and methodology for monitoring;

(c) provide for the results of monitoring to be submitted to the Local Planning Authority within 1 month of the monitoring being undertaken, together with confirmation of action required and/or undertaken to remedy any breach of the noise limits set out in Table 1; and,

(d) specify the steps to be taken on receipt of a complaint of noise nuisance, including the commencement or continuation of the noise monitoring programme to assist in the investigation of any relevant complaint.

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.

32. 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 will 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.

33. Any facilities for the storage of oils, fuels or chemicals on the site shall be sited on 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.

34. 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. 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.

35. Any settlement ponds at the site shall be kept clear of mud and silt as necessary 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.

36. 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.

37. No development shall take place within the area shaded green on Plan CYH/E7 until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The programme of work shall be carried out in accordance with the approved details. The programme should include the requirement that an archaeological watching brief be conducted during ground disturbing activities; and also specify suitable contingency arrangements to ensure that sufficient time and resources are made available to fully investigate and record any archaeological features that are discovered. The results of all the mitigation and fieldwork and any post excavation work shall be contained in a report to be submitted for the approval of the Local Planning Authority.

Reason: In order that the archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

38. Within 6 months of the date of this permission a Species Protection, Habitat Management and Tree & Woodland Protection/Management Plan for all the land in the ownership of the developer within and surrounding the quarry, shall be submitted for the written approval of the Local Planning Authority. The plan shall include:

- (a) An appropriate scale plan showing 'Species, Habitat and Tree/Woodland Protection Zones' where development activities are restricted and / or where protective measures will be installed or implemented;
- (b) Details of any protective measures (both physical measures and sensitive working practices) necessary to avoid impacts on species, habitats and trees during development;
- (c) Details of specific species and habitat mitigation measures;
- (d) A plan showing the location of areas of habitat management, mitigation and monitoring;
- (e) Details of a habitat management, creation and monitoring programme;
- (f) Details of site management, and habitat creation.
- (g) Details of arrangements for the review and updating of the Plan;
- (h) Details of habitat monitoring;
- (i) That no cultivation, drainage, fertiliser or herbicide application will take place to habitat management areas without prior agreement of the Local Planning Authority;
- (j) Invasive plant treatment and eradication;
- (k) Preparation of a work schedule.

The works shall be implemented in accordance with the approved details.

Reason: To ensure the protection and management of wildlife and habitats, in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

39. 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.

40. Any replacement planting planted under condition 39 above 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

41. All disturbed areas of the site and all topsoil, soil making material and overburden mounds shall be kept free from injurious 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.

42. All topsoil and subsoil shall be stripped from operational areas prior to those areas being brought into use and shall be used either directly for restoration of completed areas and/or permanently retained on site for use in restoration.

Reason: To ensure the appropriate use of soil resources on the site in accordance with Policies AW8 and CS10 of the Rhondda Cynon Taf Local Development Plan.

43. No plant or vehicles shall cross any area of un-stripped topsoil except where such trafficking is essential and unavoidable for purposes of undertaking permitted operations. Essential trafficking routes shall be marked in such a manner as to give effect to this condition. No part of the site shall be excavated or traversed or used for a road or for the stationing of plant or buildings, or storage of subsoil or overburden or waste or mineral deposits, until all available topsoil and subsoil has been stripped separately from that part. The exception is that topsoils may be stored on like topsoils and subsoils may be stored on like subsoils.

Reason: To prevent the unnecessary compaction of soils and damage to soil structure in accordance with Policies AW8 and CS10 of the Rhondda Cynon Taf Local Development Plan.

44. The Local Planning Authority shall be notified in writing at least 14 days before each of the following stages:

- (a) Before each phase of soil stripping is due to commence;
- (b) Where areas have been prepared ready for soil replacement;
- (c) On completion of soil replacement.

Reason: To ensure that the Local Planning Authority is given opportunity to check that soil operations do not occur under unsuitable conditions and to provide sufficient notice for site inspection in accordance with Policies AW8 and CS10 of the Rhondda Cynon Taf Local Development Plan.

45. Soil stripping shall not commence in any phase until any standing crop or vegetation has been cut and removed.

Reason: To avoid incorporation of concentrations of decaying vegetation in soil in accordance with Policies AW8 and CS10 of the Rhondda Cynon Taf Local Development Plan.

46. 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 October to March (inclusive), unless otherwise agreed in writing with the Local Planning Authority.

Reason: To prevent the unnecessary damage to soil structure in accordance with Policies AW8 and CS10 of the Rhondda Cynon Taf Local Development Plan.

47. All topsoil, subsoil not immediately placed for restoration purposes shall be stored in separate mounds which shall:

- (a) Not exceed 3 metres in height in the case of topsoil, or exceed 5 metres in height in the case of subsoil;
- (b) Be constructed with only the minimum amount of soil compaction to ensure stability and shaped so as to avoid collection of water in surface undulations;

- (c) Not be subsequently moved or added to until required for restoration, unless the Local Planning Authority has otherwise agreed beforehand in writing;
- (d) Have a minimum 3.0 metre stand-off, undisturbed around each storage mound;
- (e) Comprise topsoils on like texture topsoils and subsoils on like texture subsoils;
- (f) In the case of continuous mounds, ensure that dissimilar soils are separated by a third material, which shall have previously been agreed in writing by the Local Planning Authority.

Reason: To prevent the loss of soil and minimise damage to soil structure during storage in accordance with Policies AW8 and CS10 of the Rhondda Cynon Taf Local Development Plan.

48. Soils will be stored at the locations shown on Plans CYH/E8/B, CYH/E9/B and CYH/E10/B or at such alternative locations as may be previously agreed in writing with the Local Planning Authority.

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

49. Prior to soil stripping and formation of soil storage mounds, a scheme for grass seeding and management of all storage mounds that will remain in situ for more than three months shall be submitted for the written approval of the Local Planning Authority. Seeding and management of the storage mounds shall be carried out in accordance with the approved details.

Reason: To protect mounds from soil erosion, prevent build-up of weeds in the soil and remove vegetation prior to soil replacement in accordance with Policies AW8 and CS10 of the Rhondda Cynon Taf Local Development Plan.

50. Within three months of completion of soil handling operations in any calendar year, the Local Planning Authority shall be supplied with a plan showing:
- (a) The area stripped of topsoil and/or subsoil;
  - (b) The location of each soil storage mound; and
  - (c) The quantity and nature of material therein.

Reason: To facilitate soil stock taking and monitoring of soil resources in accordance with Policies AW8 and CS10 of the Rhondda Cynon Taf Local Development Plan.

51. 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 of the Rhondda Cynon Taf Local Development Plan.

52. Not later than 31 December 2047 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 in writing by the Local Planning Authority. The final restoration scheme shall be based upon the restoration concept plan CYH/E12 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.

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 2049, whichever is the sooner.

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

53. 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 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 desktop study and walk over survey shall be submitted to the Local Planning Authority upon completion.
- (b) Unless the report supplied under (a) 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 (b) 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 (c) 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 of the Rhondda Cynon Taf Local Development Plan.

54. Not later than 30 December 2049 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;

The aftercare scheme shall contain an aftercare habitat management plan which shall include:

- a) The details of the provision of areas to be restored to nature conservation and their application to local biodiversity objectives (to include nesting sites for peregrine falcon and raven, roosting and hibernation areas for bats, native woodland restoration, natural species-rich grassland and heath land restoration);
- b) Description and evaluation of features to be managed;
- c) Ecological trends and constraints that may influence management;
- d) Aims and objectives of management;
- e) Appropriate management options for achieving aims and objectives;



- f) Prescription for management actions;
- g) Work Schedule;
- h) Personnel responsible for implementation of plan;
- i) Monitoring and remedial/contingency measures triggered by monitoring.

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

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

55. 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 of the Rhondda Cynon Taf Local Development Plan.

56. Within 6 months of the date of this planning permission or prior to the commencement of preparatory construction/excavation works in relation to the eastern landform, whichever is the sooner, 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 of the Rhondda Cynon Taf Local Development Plan

57. The average annual output of aggregates from the site shall not exceed 400,000 tonnes when calculated over any period of three consecutive calendar years.

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

### **Notification of initiation of development and display of notice**

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties include the following:

#### Notice of initiation of development

Before beginning any development to which this planning permission relates, notice must be given to the local planning authority in the form set out in Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form

substantially to the like effect. The form sets out the details which must be given to the local planning authority to comply with this duty.

### Display of notice

The person carrying out development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details the person carrying out development must display to comply with this duty.

The person carrying out development must ensure the notice is:

- a) firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- b) legible and easily visible to the public without having to enter the site; and
- c) printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.

## APPENDIX B

### Schedule of Recommended Planning Conditions - Appeal B.

Appeal Reference: APP/L6940/A/21/3282880

Planning Application Reference: 21/0720/15

1. The development hereby permitted shall be commenced before the expiration of five years from the date of this permission. The developer shall give the Local Planning Authority not less than 14 days prior written notice of the 'date of commencement of development'. This shall be taken as the date of commencement for monitoring purposes.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended)

2. 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 41 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 39 and 41 respectively.

Reason: The minerals development permitted is temporary in nature.

3. 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 71A of the Town and Country Planning Act 1990 (as amended).

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

4. 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.

5. 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 in accordance with Policy CS10 of the Rhondda Cynon Taff Local Development Plan.

6. 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.

7. No vehicles other than those associated with the manufacture of coated road stone, the production of readymix concrete or the servicing, maintenance and testing of plant and machinery shall enter/leave the Quarry except between the hours of 0700 and 1900 Mondays to Fridays and 0700 and 1600 on Saturdays.

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

8. 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 in accordance with Policy CS10 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 in accordance with Policies AW5 and CS10 of the Rhondda Cynon Taf Local Development Plan.

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 and public amenity in accordance with Policies AW5 and CS10 of the Rhondda Cynon Taf Local Development Plan.

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 in accordance with Policies AW5 and CS10 of the Rhondda Cynon Taf Local Development Plan.

12. The controls set out in Dust Management and Monitoring Plan dated May 2021 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. 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.

14. 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.

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

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

16. In any part of the quarry below 180m AOD, drilling operations shall only be carried out between the hours of 0700 and 1800 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.

17. Except in the case of emergency to maintain safe quarry working (which shall be notified to the Local Planning Authority as soon as practicable), no blasting shall take place at the site except between 1000 and 1600 on Mondays to Fridays, 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.

18. 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.

19. Each individual blast referenced in Condition 18 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.

(c) Blasting times shall be clearly advertised in a prominent location on the operator's website, at least 24 hours in advance of the blasting occurring.

(d) Blasting times should also be advertised in advance through appropriate social media channels, at least 24 hours in advance of the blasting occurring. The details of

which social media channels will be used will be submitted to and approved in writing by the Local Planning Authority, within 3 months of the date of this permission.

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.

20. 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.

21. 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.

22. Prior to the firing of a blast the shotpile area shall first be dampened down, provided that it is accessible and safe to do so.

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.

23. Between the hours of 0700 and 1900 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.

24. Between the hours of 1900 and 0700 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 23 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.

25. 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 23 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.

26. 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 will 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.

27. 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.

28. Any facilities for the storage of oils, fuels or chemicals on the site shall be sited on 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.



29. 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. 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

30. Any settlement ponds at the site shall be kept clear of mud and silt as necessary 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.

31. No floodlighting other than that in existence at the date of this permission, 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.

32. The Ecological Management Plan (May 2021) included at Appendix 7.3 to the EIA 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.

33. 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.

34. Any replacement planting planted under condition 33 above 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.

35. Trees, shrubs, and hedges planted in accordance with the Additional Tree Screening at the Primary Crusher as shown on plan CYH-C31 (at Appendix 11.6 of the ES) 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.

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

Reason: To prevent loss of soil in accordance with Policies AW5, AW6, AW8 of the Rhondda Cynon Taf Local Development Plan.

37. All disturbed areas of the site and all topsoil, soil making material and overburden mounds shall be kept free from injurious 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 Policies AW5, AW6, AW8 of the Rhondda Cynon Taf Local Development Plan.

38. 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 of the Rhondda Cynon Taf Local Development Plan.

39. 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 respreading 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 respreading 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 of the Rhondda Cynon Taf Local Development Plan.

40. 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 (a) 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 (b) 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 (c) 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 of the Rhondda Cynon Taf Local Development Plan.

41. 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 to and approved in writing by 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;

The aftercare scheme shall contain an aftercare habitat management plan which shall include:

- (a) The details of the provision of areas to be restored to nature conservation and their application to local biodiversity objectives (to include nesting sites for peregrine falcon and raven, roosting and hibernation areas for bats, native woodland restoration, natural species –rich grassland and heath land restoration);
- (b) Description and evaluation of features to be managed;
- (c) Ecological trends and constraints that may influence management;
- (d) Aims and objectives of management;
- (e) Appropriate management options for achieving aims and objectives;
- (f) Prescription for management actions;
- (g) Work Schedule;
- (h) Personnel responsible for implementation of plan;
- (i) Monitoring and remedial/contingency measures triggered by monitoring.

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

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

42. 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 of the Rhondda Cynon Taf Local Development Plan.

43. 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 of the Rhondda Cynon Taf Local Development Plan.

44. The average annual output of aggregates from the site shall not exceed 400,000 tonnes when calculated over any period of three consecutive calendar years.

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

### **Notification of initiation of development and display of notice**

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties include the following:

#### Notice of initiation of development

Before beginning any development to which this planning permission relates, notice must be given to the local planning authority in the form set out in Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details which must be given to the local planning authority to comply with this duty.

#### Display of notice

The person carrying out development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details the person carrying out development must display to comply with this duty.

The person carrying out development must ensure the notice is:

- a) firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;

b) legible and easily visible to the public without having to enter the site; and  
c) printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.