

No.

PLANNING COMMITTEE

Minutes of a Hybrid meeting held on 15th May, 2025.

The Committee agenda is available [here](#).

The Meeting recording is available [here](#).

Present: Councillor N.C. Thomas (Chair); Councillor M.R. Wilson (Vice-Chair);
Councillors: J. Aviet, G. Bruce, I.R. Buckley, C.A. Cave, C.M. Cowpe, P. Drake,
A.M. Ernest, N.P. Hodges, Dr. I.J. Johnson, I.A.N. Perry, C. Stallard and E. Williams.

Also present: Councillors C.P. Franks, M.J.G. Morgan, J.M. Norman and
R. Sivagnanam (Cabinet Member for Community Engagement, Equalities and
Regulatory Services).

Name of Speaker	Application No. and Details	Reason for Speaking
Mr. H. Kreetzer	2024/01212/FUL - Old Wallace Farm, Dyffryn	For the Applicant or their representative.
Mr. G. John	2024/00246/ENV - Pant-Y-Ffynnon Quarry, Bonvilston	For the Applicant or their representative.

Councillor Morgan spoke in relation to Application No. 2024/01212/FUL – Old Wallace Farm, Dyffryn in his capacity as a Vale of Glamorgan Council Member for Peterston-Super-Ely.

32. ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Chair read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing”. The Chair also advised and apologised to Committee Members that Welsh translation was not available for the meeting on this occasion.

33. APOLOGY FOR ABSENCE –

This was received from Councillor C.E.A. Champion.

34. MINUTES –

In approving the minutes of the meeting held on 10th April, 2025 the Chair requested to add a note to the record that in relation to Agenda Item 6, certain comments were made by the Applicant’s agent which may have related to a Member of the

No.

Committee. It was recorded that the Member in question was not present in the Chamber and could not respond, as they had declared a personal and prejudicial interest, and did not have a right to reply as it would not have been appropriate for the Member to do so in the circumstances.

RESOLVED – T H A T, in noting the statement made concerning the 10th April minutes, the minutes of the meetings held on 27th March and 10th April, 2025 be approved as a correct record.

35. DECLARATIONS OF INTEREST –

No declarations of interest were received.

36. BUILDING REGULATION APPLICATIONS AND OTHER BUILDING CONTROL MATTERS DETERMINED BY THE HEAD OF SUSTAINABLE DEVELOPMENT UNDER DELEGATED POWERS (HSD) –

RESOLVED –

(1) T H A T the passed building regulation applications, as listed in Section (a) of the report, be noted.

(2) T H A T the rejected building applications, as listed in Section (b) of the report, be noted.

(3) T H A T the serving of Notices under Building (Approved Inspectors Etc.) Regulations 2000, as listed in Section (c) of the report, be noted.

37. PLANNING APPLICATIONS DETERMINED BY THE HEAD OF SUSTAINABLE DEVELOPMENT UNDER DELEGATED POWERS (HSD) –

RESOLVED – T H A T the applications as outlined within the report, on pages 12 through 30, under the above delegated powers, be noted.

38. APPEALS (HSD) –

RESOLVED –

(1) T H A T the Appeals received following the refusal of the Council to grant planning permission, as detailed in Section (a) of the report, be noted.

(2) T H A T it be noted that no Enforcement Appeals had been received at the time of the meeting taking place.

(3) T H A T the Planning Appeal Decisions, as detailed in Section (c) of the report, be noted.

No.

(4) T H A T the Enforcement Appeal Decisions as detailed in Section (d) of the report, be noted.

(5) T H A T the statistics relating to appeals for the period April 2024 – March 2025, as detailed in Section (e) of the report, be noted.

39. TREES (HSD) –

(i) Delegated Powers –

RESOLVED – T H A T the applications as outlined within the report, on pages 51 through 54, as determined by the Head of Sustainable Development under delegated powers, be noted.

40. PLANNING APPLICATIONS (HSD) –

RESOLVED – T H A T in pursuance of the powers delegated to the Committee, the following applications be determined as indicated and any other necessary action be taken.

2024/01212/FUL Received on 19 December 2024
(P. 56)

APPLICANT: Greenfield Energy Developments Limited Old Wallace Farm, Dyffryn, Vale Of Glamorgan, CF5 6SU

AGENT: Anna Woodward 69 Carter Lane, London, EC4V 5EQ

Old Wallace Farm, Dyffryn

Construction and operation of a Battery Energy Storage System (BESS) facility including the erection of battery container units, inverters, 132kV substation, 33kV customer switchgear, storage container and welfare container, water tank, new internal access roads, resurfaced compound, installation of perimeter fencing and access gate; associated ground works; and landscaping.

The Chair referred to a typographical error to Condition 14 on Page 118 of the agenda papers, which should have read “Equipment at the site should result in the noise levels not exceeding 30db (for bedrooms) on the specified receptors as indicated on page 9 Table 4 of the accompanying Noise Assessment”. The amendment was agreed by Committee.

Following the matter being addressed at the meeting, a Member put forward a motion to approve the application which was duly seconded. Subsequently, a request was made by another Member for a recorded vote on the motion, with the vote taking place as follows:

No.

Members	For	Against	Abstain
Julie Aviet	✓		
Gillian Bruce		✓	
Ian Buckley			✓
Christine Cave	✓		
Charles Champion			
Marianne Cowpe	✓		
Pamela Drake	✓		
Anthony Ernest			
Wendy Gilligan			
Nic Hodges	✓		
Dr. Ian Johnson	✓		
Helen Payne			
Ian Perry		✓	
Carys Stallard	✓		
Neil Thomas	✓		
Eddie Williams	✓		
Mark Wilson	✓		
TOTAL	10	2	1

RESOLVED – T H A T, subject to the amendment to the typographical error to Condition 14 on Page 118 of the agenda papers,

APPROVED subject to the following condition(s):

1. The development shall begin no later than five years from the date of this decision.

No.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

Edp8591 D006 C Illustrative Landscape Strategy
Grn005 EI 01 Rev01 Contextual Elevations (sheet 1 Of 2)
Grn005 EI 02 Rev01 Contextual Elevations (sheet 2 Of 2)
Grn005 Fs 01 Rev04 Fire Strategy Plan (sheet 1 Of 2)
GF-BESS PL-02 Rev08 Proposed Site Layout Plan
Grn005 PI 04 Rev01 Existing Site Layout Plan
Grn005 Sd 01 Rev01 132kv Substation (plan)
Grn005 Sd 02 Rev01 132kv Substation (section)
Grn005 Sd 03 Rev01 Dno Control Room
Grn005 Sd 04 Rev01 33kv Customer Switchgear
Grn005 Sd 05 Rev01 Battery Unit
Grn005 Sd 06 Rev01 Twin Skid (tx)
Grn005 Sd 07 Rev01 Pcsk Inverter
Grn005 Sd 09 Rev01 40ft Storage Container
Grn005 Sd 10 Rev01 40ft Welfare Container
Grn005 Sd 11 Rev01 240,000L Water Tank And Pump
Grn005 Sd 12 Rev01 Cctv Camera And Post
Grn005 Sd 13 Rev01 Palisade Security Fence And Gate
Grn005 Sd 14 Rev01 Aux Tx
Grn005 Sd 15 Rev01 Battery Interface Cabinet
Grn005 Sp 01 Rev09 Proposed Site Location Plan
Illustrative Sections Edp8591 D010 A
Agricultural Quality of Land at Old Wallace Farm Dyffryn
Alternative Site Assessment
Archaeological Evaluation
Ecological Impact Assessment
Flood Consequence Assessment
Geophysical Survey Report
Green Infrastructure Statement
Heritage Assessment
Landscape and Visual Appraisal
Mineral Resources Assessment
Noise Assessment
Outline Battery Safety Management Plan Issue 3
Planning, Design and Access Statement
Pre-application Consultation Report
Statement of Need
C/DWD/HV/002 Topographical Survey
Transportation Advisory Note
Arboricultural Impact Assessment

No.

Agricultural Quality of Land at Old Wallace Farm Dyffryn Alternative Site Assessment Archaeological Evaluation Ecological Impact Assessment Flood Consequence Assessment Geophysical Survey Report Green Infrastructure Statement Heritage Assessment Landscape and Visual Appraisal Mineral Resources Assessment Noise Assessment Outline Battery Safety Management Plan Issue 3 Planning, Design and Access Statement Pre-application Consultation Report Statement of Need C/DWD/HV/002 Topographical Survey Transportation Advisory Note Arboricultural Impact Assessment

Received 19 December 2024

JP/CTMP/08/24 rev F Construction Traffic Management Plan
edp8591_d012-A-Findings of EDPs Visual Assessment
Environmental Colour Appraisal -edp8591_r005
GF-BESS PL-02_rev09 Proposed Site Colour Finishes

Received 10 March 2025

GF-BESS PL02 rev10 Proposed Site Colour Finishes received 29 April 2025

Reason:

For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.

3. The permission hereby granted shall expire 45 years from the date when electrical power is first stored or distributed to / from the Grid. Written confirmation of the first storage and / or export date (whichever is the soonest) shall be provided to the local planning authority no later than one calendar month after the event.

Reason:

In the interests of the character and appearance of the area in accordance with LDP Policy MG17.

4. No later than 12 months before the end of the 45-year operating period (or within 6 months of the permanent cessation of electricity storage / production) a decommissioning and site restoration scheme ('Decommissioning Scheme') shall be submitted to the local planning authority in writing. The Decommissioning Scheme shall include:
 - i) a method statement detailing the process and extent of removal of all structures and buildings, surface elements and associated development and any foundations, anchor systems, trackways and subsurface cabling and associated works and
 - ii) site restoration measures following all decommissioning operations.

No.

- iii) a decommission environmental management (DEMP) The Decommissioning Scheme, as approved in writing by the local planning authority, shall be carried out in accordance with the approved details and timescales

Reason:

In the interests of the character and appearance of the area in accordance with LDP Policy MG17.

- 5. Notwithstanding the submitted details, a schedule of materials, including all surface materials and detail on colours (in line with the colour palette as indicated on page 11 of the EDP Environmental Colour Appraisal) to be used in the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and shall be retained for the lifetime of the development.

Reason:

To safeguard local visual amenities, as required by Policies SP1 (Delivering the Strategy), Policy MD2 (Design of New Development), SP10 (Built and Natural Environment), MD8 (Historic Environment) of the Local Development Plan.

- 6. No development shall commence until details of existing ground levels, to include any potential bunds, within and adjacent to the site and proposed finished ground and floor levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To ensure that the wider visual amenities are safeguarded, and to ensure the development accords with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Development) of the Local Development Plan.

- 7. No development shall commence until a delivery management plan has been submitted to and approved in writing by the local planning authority. The plan shall include measures/details to prevent larger vehicles accessing the site coming into contact along the length of the rural lane St Lythans Road, deliveries to be kept out of school peak times and the installation of construction matting for passing places. The approved measure in the plan shall thereafter be implemented and monitored by the site for the duration of the construction works.

No.

Reason:

In the interests of highway safety and free flow of traffic along the highway network and to comply with policy SP1 (Delivering the Strategy) of the adopted Local Development Plan.

8. Prior to the commencement of development, further details on the protection of passing places and verges shall be submitted to and approved in writing by the Local Planning Authority. The details shall include measures and further detail on protecting passing places and verges with permeable matting, details on maintenance / inspections of the route / passing places and any information on widening of passing places. The agreed details shall be implemented and retained for the duration of the construction phase of the development.

Reason:

In the interest of highway safety and to comply with policy SP1 (Delivering the Strategy) of the adopted Local Development Plan.

9. Prior to the commencement of any works, a Condition Survey shall be submitted to and approved by the Local Planning Authority / Highway Authority. The Condition Survey shall be carried out at the developers expense and shall be carried out along agreed haulage route (the extent to be agreed with The Councils Highway Network Manager) which shall undertaken by a suitably qualified and experienced an independent Highway Maintenance Consultant.

Reason:

In the interest of highway / Public Safety and to comply with policy SP1 (Delivering the Strategy) of the adopted Local Development Plan

10. The Highway Authority will require at the developers expense a Second Condition Survey along the agreed haulage route (the extent to be agreed with The Councils Highway Network Manager) to be undertaken by the approved independent Highway Maintenance Consultant on completion of the last structure or such time that the Highway Authority instruct. Any remedial works identified along the haulage routes considered necessary will be required to be carried out at the developers expense.

Reason:

In the interest of highway / Public Safety and to comply with policy SP1 (Delivering the Strategy) of the adopted Local Development Plan.

11. No development or site clearance shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The LEMP shall include:

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- > A hedgerow management strategy;
- > A grassland management strategy;
- > Location of wildlife passes in fencing to ensure permeability;
- > A Landscaping Scheme, to include details of new planting, to include species list;
- > A plan showing wildlife and habitat protection zones, if appropriate; > Details of development and construction methods within wildlife and habitat protection zones and measures to be taken to minimise the impact of any works;
- > Details of sensitive site clearance with respect to reptiles and breeding birds;

The approved details shall be carried out in the first planting and seeding seasons following the completion of the development, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

To ensure biodiversity impacts are mitigated and appropriate enhancement and management is secured, in accordance with LDP Policy MD9.

12. No development shall take place, nor any site clearance, until the tree and hedgerow protection measures as indicated on the submitted 'Tree Retention and Removal Plan - BHA_5991_02, contained within the Arboricultural Impact Assessment' has been erected and implemented on site. The protective measures shall be retained throughout the course of the development.

Reason:

In order to avoid damage to trees on or adjoining the site which are of amenity value to the area and to ensure compliance with Policy SP1 (Delivering the Strategy) of the Local Development Plan.

13. No development shall commence, including any works of demolition, until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following details:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) details of site deliveries, plant on site, wheel washing facilities;
- vi) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

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- viii) hours of construction;
- ix) lighting;
- x) management, control and mitigation of noise and vibration;
- xi) odour management and mitigation;
- xii) diesel and oil tank storage areas and bunds;
- xiii) how the developer proposes to accord with the Considerate Constructors Scheme (www.considerateconstructorsscheme.org.uk) during the course of the construction of the development; and
- xiv) a system for the management of complaints from local residents which will incorporate a reporting system.
- xv) Construction methods: details of materials, how waste generated will be managed;
- xvi) General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- xvii) Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.
- xviii) Soil Management: details of topsoil strip, storage and amelioration for re-use.
- xix) Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill.
- xx) Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use
- xxi) Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- xxii) Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details
- xxiii) Ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The construction of the development shall be undertaken in accordance with the approved CEMP.

Reason:

To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan

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14. Equipment at the site should result in the noise levels not exceeding 30db (for bedrooms) on the specified receptors as indicated on page 9 Table 4 of the accompanying Noise Assessment.

Reason:

To protect neighbouring amenities, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), MD2 (Design of New Developments) and MD7 (Environmental Protection) of the Local Development Plan.

15. Construction activities in respect of the implementation of this consent shall not take place outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays.

Reason:

To protect neighbouring amenities, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), MD2 (Design of New Developments) and MD7 (Environmental Protection) of the Local Development Plan.

16. Prior to the erection of any form external lighting, a light mitigation strategy, including measures to reduce light spillage onto foraging habitats for bats shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of ecology and to ensure compliance with Policies SP1 (Delivering the Strategy), MD9 (Promoting Biodiversity), MG19 (Sites and Species of European Importance) and MG20 (Nationally Protected Sites and Species) of the Local Development Plan.

17. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason:

In order to ensure the amenities of nearby occupiers is protected and to ensure accordance with Policies SP1 (Delivering the Strategy), MD2 (Design of New Developments) and MD7 (Environmental Protection) of the Local Development Plan.

18. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken

No.

and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy MD7 of the Vale of Glamorgan Local Development Plan.

19. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason:

To ensure that the safety of future occupiers is not prejudiced in accordance with policy MD7 of the Vale of Glamorgan Local Development Plan

Reason for decision

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026 and Future Wales – the National Plan 2040.

Having regard to Policies SP1 – Delivering the strategy, SP9 – Minerals, SP10 – Built and Natural Environment, MG17 – Special Landscape Areas, MG19 – Sites and Species of European Importance, MG20 – Nationally Protected Sites and Species, MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species, MG22 – Development in Minerals Safeguarding Areas, MD1 - Location of New Development,

No.

MD2 - Design of New Development, MD4 - Community Infrastructure and Planning Obligations, MD7 - Environmental Protection, MD8 - Historic Environment, MD9 - Promoting Biodiversity and MD19 - Low Carbon and Renewable Energy Generation of the Vale of Glamorgan Adopted Local Development Plan 2011- 2026, and the advice contained within the Council's Supplementary Planning Guidance on Biodiversity and Development (2018), Design in the Landscape, Economic Development, Employment Land and Premises (2023), Minerals Safeguarding (2018), Model Design Guide for Wales, Parking Standards (2019), Planning Obligations (2018), Renewable Energy (2019), Sustainable Development - A Developer's Guide and Trees, Woodlands, Hedgerows and Development (2018), Future Wales: The National Plan 2040, Planning Policy Wales 12th Edition (2024), and Technical Advice Note 11 – Noise (1997), 12 – Design (2016), 15 – Development and Flood Risk, 18 – Transport (2007), 23 – Economic Development (2014) and 24 – The Historic Environment (2017), the development is considered acceptable in terms of its principle, visual impact, impact upon highway safety and neighbouring amenities, impact upon the historic environment, ecology and green infrastructure.

Having regard to the Council's duties under the Equality Act 2010 the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.

It is considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

The appropriate marine policy documents have been considered in the determination of this application in accordance with Section 59 of the Marine and Coastal Access Act 2009.

2024/00246/FUL Received on 7 January 2025
(P. 123)

APPLICANT: Seth Hill & Son Ltd Earthmover's House, Unit 16 Llantrisant Business Park, Llantrisant, Pontyclun., CF72 8LF

AGENT: Geraint John Geraint John Planning Ltd, Office 16 (House 1, 2nd Floor), The Maltings, East Tyndall Street, Cardiff, CF24 5EA

Pantyffynnon Quarry / Seth Hill Quarry, Bonvilston

2nd Periodic Review following permissions 97/01084/FUL & 2009/00814/ENV

Committee discussed the production by the Company of a timetable for blasting which would be available for local residents to consult. Officers agreed that could be added as a requirement to blasting conditions through variation.

Following the matter being addressed at the meeting, a Member put forward a motion to approve the application which was duly seconded. Subsequently, a request was made by another Member for a recorded vote on the motion, with the vote taking place as follows:

No.

Members	For	Against	Abstain
Julie Aviet	✓		
Gillian Bruce	✓		
Ian Buckley	✓		
Christine Cave		✓	
Charles Champion			
Marianne Cowpe	✓		
Pamela Drake	✓		
Anthony Ernest			
Wendy Gilligan			
Nic Hodges	✓		
Dr. Ian Johnson	✓		
Helen Payne			
Ian Perry		✓	
Carys Stallard	✓		
Neil Thomas	✓		
Eddie Williams	✓		
Mark Wilson	✓		
TOTAL	11	2	0

RESOLVED – T H A T, subject to a requirement to produce a timetable for blasting times to be advertised at the site entrance which would be available for local residents,

APPROVED subject to the following condition(s):

1. No operations authorised by this permission, with the exception of restoration and after-treatment works approved under these conditions shall take place after 21 February 2042.

No.

Reason:

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. Within six months of the date of this approval a scheme for the working of the area subject of this permission shall be submitted for the approval of the Mineral Planning Authority: the working scheme shall include specific proposals for final quarry face heights, the programme and direction of working and the location, design and treatment of areas for the deposit of waste arising from mineral extraction. The developer shall submit a revised working programme and phasing plans for the approval of the Local Planning Authority every 5 years from the date of this permission until completion of operations at the site, unless otherwise agreed in writing by the local Planning Authority. All working of the area subject of this permission shall be carried out in all respects in accordance with the approved working scheme.

Reason:

In the interests of general amenity and to ensure the eventual beneficial restoration of the site and to meet the objectives of MG25 (Mineral Working) of the Adopted Local Development Plan.

3. Total annual production of stone shall not exceed 250,000 tonnes in any calendar year and the quarry operator shall supply a statement of the quantity of stone produced in the previous calendar year in confidence to the Mineral Planning Authority no later than 31st March in each succeeding year.

Reason:

In the interests of protection of the local environment and the amenity of local residents and to meet the objectives of policies MD2 (Design of New Development), MD7 (Environmental Protection) and MG25 (Mineral Working) of the Adopted Local Development Plan.

4. Unless superseded by details approved under condition 2 of this permission, the working of the area subject of this permission shall be carried out strictly in accordance with the working scheme described on plans refs. PHL-PFQN-1-2-24 to PHL-PFQN-6-2-24 and PHL-PFQ-1-24 to PHL-PFQ-6-24 submitted with the application or any variation thereof that may first be approved in writing by the Mineral Planning Authority.

Reason:

In the interests of general amenity and to ensure the eventual beneficial restoration of the site and to meet the objectives of Policy MG25 (Mineral Working) of the Adopted Local Development Plan.

5. Except with the prior approval of the Mineral Planning Authority, secondary breaking of stone shall be by mechanical means only.

No.

Reason:

To protect the amenities of local residents and users of nearby land or premises from the impact of excessive noise, air blast and airborne debris and to meet the objectives of policies MD2 (Design of New Development), MD7 (Environmental Protection) and MG25 (Mineral Working) of the Adopted Local Development Plan.

6. The quarry shall at all times be surrounded by a fence proof against the passage of persons and livestock, and such fence shall be repaired and maintained as necessary throughout the duration of this permission.

Reason:

In the interests of public safety and general amenity and to meet the objectives of policies MD2 (Design of New Development) and MG25 (Mineral Working) of the Adopted Local Development Plan.

7. No mineral extraction shall take place in the permitted working area north of the public highway dividing the site until full engineering details of the access improvements and Vehicle Restraint System (VRS) have been submitted to and approved by the Minerals Planning Authority and thereafter fully implemented in accordance with the details approved. The details shall include the design of the VRS, improvements to the junction with the A48 to the West, the widening and installation of passing bays on Pantyffynon Lane, and the quarry accesses adjacent to the adopted highway such as visibility splays, junction geometry, signage, construction specifications, and road markings.

Reason:

To ensure the minimum Design and Construction Standards are achieved in the interests of Highway / Public Safety and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

8. No works or site clearance pertaining to the highway improvement works specified in the above condition shall take place until a mitigation plan that outlines the extent of vegetation removal required is submitted to and approved by the Mineral Planning Authority. The plan shall detail a methodology for pre-commencement checks for species including nesting birds, reptiles, badger, hedgehogs and bats, as well as a methodology for a precautionary approach toward the presence of dormouse. In addition, the details shall provide details of proposed compensation (planting volumes, location, and timings for delivery) for any habitat lost in accordance with the requirements of the Council's Biodiversity and Development SPG. The works shall thereafter be undertaken in full accordance with the approved details.

No.

Reason:

To ensure the potential presence or absence of protected species is confirmed, prior to construction and where necessary, remedial measures are implemented for their protection, in the interests of ecology and to ensure compliance with Policies MG19, MG20, MG21 and MD9 (Promoting Biodiversity) of the Adopted Local Development Plan.

9. Within six months of the date of this permission, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Minerals Planning Authority. The Management Plan shall include details of parking for quarry traffic, a route plan for HGV traffic (via the western junction to the A48), parking areas for HGV's on site, and wheel washing facilities. The measures in the approved Management Plan shall be carried out for the duration of quarrying and restoration operations.

Reason:

To ensure that the parking provision and highway safety in the area are not adversely affected by the construction of the development and to meet the requirements of Policies SP1 (Delivering the Strategy), MD2 (Design of New Developments) and MD7 (Environmental Protection) of the Local Development Plan.

10. The public highway dividing the site shall be swept and washed as necessary to keep it free from mud and dust.

Reason:

In the interests of highway safety and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

11. All loaded lorries (with the exception of those carrying stone of 100mm dimension or greater) shall be sheeted before leaving the quarry.

Reason:

In the interests of highway safety and local amenity and to comply with the terms of policies MD2 (Design of New Development), MD7 (Environmental Protection) and MG25 (Mineral Working) of the Adopted Local Development Plan.

12. Other than where their removal is required to comply with the approved plans and conditions of this permission, all trees and hedgerows forming the boundaries of the site at the date of this approval shall be retained throughout the duration of this permission.

No.

Reason:

In the interests of public safety and visual amenity and to meet the objectives of policies MD2 (Design of New Development) and MG25 (Mineral Working) of the Adopted Local Development Plan.

13. Within six months of the date of this approval, details of a scheme to enhance the nesting possibilities for Peregrine falcons shall be submitted in writing for the approval of the Mineral Planning Authority. The approved scheme shall include proposals to identify and/or prepare a minimum of three alternative nesting sites and details of a watching brief to monitor peregrine falcon activity at the site, and shall be implemented within six months of its approval.

Reason:

In order to mitigate any adverse impact of quarrying operations on this species that is protected under the Wildlife & Countryside Act 1981 and to ensure compliance with Policies MG20 and MD9 (Promoting Biodiversity) of the Adopted Local Development Plan.

14. Any operations for the removal or storage of turf, topsoil or subsoil, other than those done in accordance with permitted development rights, shall be carried out only in accordance with a scheme to be first submitted in writing to and approved in writing by the Mineral Planning Authority.

Reason:

To ensure the availability of material for use in the restoration of the site and to meet the objectives of policies MD2 (Design of New Development) and MG25 (Mineral Working) of the Adopted Local Development Plan.

15. All turf, subsoil and topsoil shall be retained for the eventual restoration of the site and shall not be removed or sold from the site.

Reason:

To ensure the availability of material for use in the restoration of the site and to meet the objectives of policies MD2 (Design of New Development), and MG25 (Mineral Working) of the Adopted Local Development Plan.

16. Except in emergencies, the circumstances of which shall be notified in writing to the Mineral Planning Authority within 48 hours of their occurrence, no operations other than water pumping, servicing, maintenance and testing of plant shall take place outside the hours of 7.00 a.m. to 7.00 p.m. Mondays to Fridays or 7.00 a.m. to 1.00 p.m. Saturdays.

No.

Reason:

In the interests of amenity and to meet the objectives of policies MD2 (Design of New Development), MD7 (Environmental Protection) and MG25 (Mineral Working) of the Adopted Local Development Plan.

17. No servicing, maintenance, or testing of plant shall be carried out outside the hours of 7.00 a.m. to 10.00 p.m. Monday to Saturday, and none whatsoever shall be carried out on Sundays and Public Holidays.

Reason:

In the interests of amenity and to meet the objectives of policies MD2 (Design of New Development), MD7 (Environmental Protection) and MG25 (Mineral Working) of the Adopted Local Development Plan.

18. Any vehicular operations at the site shall be carried out in accordance with the submitted Emissions Management Plan.

Reason:

In the interests of highway safety, environmental protection and general amenity and to meet the objectives of policies MD2 (Design of New Development), MD7 (Environmental Protection) and MG25 (Mineral Working) of the Adopted Local Development Plan.

19. Within three months of the date of this permission, a Noise and Dust Management Plan shall be submitted to and approved by the Mineral Planning Authority. The plan shall include measures to suppress noise and dust arising from quarrying activity, processing, and plant within the area of this permission. These measures shall include all vehicles and plant being fitted with effective silencers, treatment of the working faces, haul roads and stockpiles with water, and the fitting of all drilling equipment shall with efficient noise and dust suppression devices. Site operations shall be carried out in full accordance with the approved plan.

Reason:

In the interests of environmental protection and general amenity and to meet the objectives of policies MD2 (Design of New Development), MD7 (Environmental Protection) and MG25 (Mineral Working) of the Adopted Local Development Plan.

20. Notwithstanding Condition No. 19 above, noise from quarrying operations shall be monitored at a minimum of six-monthly intervals throughout any periods of mineral extraction or processing at or as close as practicable to 'Pantffynnonau', Bonvilston in accordance with a specification to be first submitted in writing to and approved in writing by the Mineral Planning Authority: the results of each survey shall be forwarded in writing to the Mineral Planning Authority within one month of the date of the survey.

No.

Reason:

In the interests of residential amenity and to meet the objectives of policies MD2 (Design of New Development), MD7 (Environmental Protection) and MG25 (Mineral Working) of the Adopted Local Development Plan.

21. Notwithstanding Condition Nos. 19 and 20 above, quarrying operations between the hours of 7.00 a.m. and 7.00 p.m. on Mondays to Fridays or 7.00 a.m. and 1.00 p.m. on Saturdays shall be designed so as not to exceed a maximum noise level of 55 dB(A) at the dwellings known as 'Pantyffynnonau' or 'Ashleigh', with any operations outside those hours not exceeding 42 dB(A).

Reason:

In the interests of residential and general amenity and to meet the objectives of policies MD2 (Design of New Development), MD7 (Environmental Protection) and MG25 (Mineral Working) of the Adopted Local Development Plan.

22. All reversing sirens on mobile plant, machinery or vehicles shall be of the self-attenuating type with a variable sound power level, automatically adjusted dependent on background noise levels such that the sound power level of the units does not exceed 10 dB above background noise levels.

Reason:

In the interests of local amenity and to meet the objectives of policies MD2 (Design of New Development), MD7 (Environmental Protection) and MG25 (Mineral Working) of the Adopted Local Development Plan.

23. All blasting in the area of this permission shall be carried out as follows:
- (a) Each blast shall be designed so that the peak particle velocity of ground vibration in any of three mutually-orthogonal directions shall not exceed 6 millimetres per second in 95% of all blasts over any six-month period at any dwelling, with the remainder not to exceed 10 millimetres per second.
 - (b) Each blast in the area of this permission shall be monitored for the effects of ground vibration and air overpressure at or as close as practicable to at least one of:
Pantyffynnonau;
Ashleigh;
West Rise; and/or
Parkside, Bonvilston,

with the results of each monitoring exercise being retained at the quarry for inspection by officers of the Mineral Planning Authority on request.

No.

- (c) Blasting times shall be clearly advertised at the Quarry site entrance and a warning siren shall be sounded prior to each blasting operation and again when the operation is complete.
- (d) Unless in the event of an emergency, no blasting shall take place outside the hours of 10.00 a.m. to 4.00 p.m. on Mondays to Fridays; and.
- (e) A copy of the requirements shall be deposited with the quarry manager for inspection at any time by any person requiring access to such information in the course of their duties and shall be brought to the attention of every shotfirer who undertakes blasting operations at the quarry.

Reason:

In the interests of residential amenity and to meet the objectives of policies MD2 (Design of New Development), MD7 (Environmental Protection) and MG25 (Mineral Working) of the Adopted Local Development Plan.

24. The site operations shall be carried out in full compliance with the measures set out in the Environmental Management Plan, document ref: EMP001.

Reason:

In order to minimise and mitigate risk to the Carboniferous limestone aquifer and groundwater resources and to meet the objectives of policies MD7 (Environmental Protection) and MG25 (Mineral Working) of the Adopted Local Development Plan.

25. No mineral extraction shall take place in the permitted working area north of the public highway dividing the site until a management plan detailing strategies for the management and mitigation for the control of any unsuspected groundwater inflow features which may be encountered during works has been submitted to and approved in writing by the Minerals Planning Authority. The plan will need to include the management of different potential flow rates and set out how inflows will be managed. The plan will also need to include the emergency contact details of the persons/bodies responsible should any unsuspected groundwater inflow features be encountered. The operation of the site shall thereafter be carried out in accordance with the approved details.

Reason:

To ensure necessary groundwater protection measures are agreed prior operation and implemented to protect groundwater resources and to meet the objectives of policies MD2 (Design of New Development), MD7 (Environmental Protection) and MG25 (Mineral Working) of the Adopted Local Development Plan.

26. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of

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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 interconnected tanks, plus 10%.

Reason:

In order to protect groundwater resources and to comply with the terms of and to meet the objectives of policies MD7 (Environmental Protection) and MG25 (Mineral Working) of the Adopted Local Development Plan.

27. The drainage ditches adjoining the public highway shall be kept free of debris at all times so as to allow the free flow of water.

Reason:

In the interests of highway safety and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

28. Notwithstanding the submitted plans, within 12 months of the date of this approval a scheme showing the general principles of restoration of the site shall be submitted to and approved by the Mineral Planning Authority. This Interim Restoration Scheme shall indicate the proposed after-uses of the areas of the site to the north and south of the highway bisecting the site, details of progressive restoration where appropriate, and provisions for its regular review throughout the duration of mineral extraction at the site.

Reason:

In order to ensure the beneficial restoration of the site when quarrying is completed, to meet the objectives of In order to ensure the beneficial restoration of the site when quarrying is completed, to meet the objectives of MG25 (Mineral Working) of the Adopted Local Development Plan.

29. Not later than 21st February 2041, or the expiry of six months following the permanent cessation of the winning and working of minerals, whichever is the sooner, a detailed scheme of restoration shall be submitted in writing for the consideration of the Mineral Planning Authority: the approved scheme shall embody the general principles of the Interim Restoration Scheme approved under Condition No. 28 above and shall have specific regard to

- (a) final landforms;
- (b) phasing of progressive restoration;
- (c) location of bunds and screening to mitigate environmental impact;
- (d) areas of existing planting to be retained and new planting;
- (e) proposals for safety measures around water bodies;
- (f) proposals for the removal of all plant, machinery, buildings, and foundations;

No.

- (g) measures to be undertaken in the interests of biodiversity enhancement;
- (h) details of any composition of any made ground, including the source and composition of any imported materials; and
- i) details of surface water drainage proposals.

Reason:

In order to ensure the beneficial restoration of the site when quarrying is completed, to meet the objectives of In order to ensure the beneficial restoration of the site when quarrying is completed, to meet the objectives of MG25 (Mineral Working) of the Adopted Local Development Plan.

30. The Detailed Restoration Scheme approved under condition 29 above, with the exception of any continuing after-care requirements, shall be implemented and completed within five years of its approval.

Reason:

In order to ensure the beneficial restoration of the site when quarrying is completed, to meet the objectives of In order to ensure the beneficial restoration of the site when quarrying is completed, to meet the objectives of MG25 (Mineral Working) of the Adopted Local Development Plan.

31. An aftercare scheme, covering a period of 15 years, specifying such steps as may be necessary to bring the quarry to a condition fit for the proposed nature conservation after use shall be submitted for the written approval of the Local Planning Authority not later than 6 months prior to the date when the restoration of the site is timetabled for completion. The scheme shall include details of :

- a) Tree planting and landscaping works.
- b) Cultivation, under drainage, seeding and management of the restored land.
- c) Fertilizer and lime applications based on soil analysis
- d) Land management techniques
- e) The creation, management and maintenance of any paths, tracks or roads.
- f) Arrangements whereby at least once a year the site operator will facilitate a formal review with the Local Planning Authority to consider the aftercare operations that have taken place on the land during the previous year and the programme of management for the following year.

Aftercare of the site shall be carried out in accordance with the aftercare scheme, as approved.

No.

Reason:

In order to ensure the beneficial restoration of the site when quarrying is completed, to meet the objectives of In order to ensure the beneficial restoration of the site when quarrying is completed, to meet the objectives of MG25 (Mineral Working) of the Adopted Local Development Plan.

32. Notwithstanding Part 19 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no buildings, fixed plant or machinery shall be erected or placed within the area of this permission without the prior grant of planning permission by the Mineral Planning Authority.

Reason:

To ensure adequate control in the interests of visual and local amenity and to comply with the terms of Policy MG25 (Mineral Working) of the Adopted Local Development Plan.

33. Without the prior written approval of the Mineral Planning Authority, no further stone extraction beyond a depth of 65m AOD shall take place in that part of the permitted area to the north of the public highway dividing the site.

Reason:

In order to precisely define the area to which this permission relates and in the interests of the amenity of local residents and to ensure compliance with Policy MG25 (Mineral Working) of the Adopted Local Development Plan.

34. Without the prior written approval of the Mineral Planning Authority, no excavation shall take place below a level of 55 metres above Ordnance Datum.

Reason:

In order to protect groundwater and to enable the eventual restoration of the quarry to a beneficial use and to ensure compliance with Policy MG25 (Mineral Working) of the Adopted Local Development Plan.

The decision to recommend amended conditions has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining an application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026 and Future Wales – the National Plan 2040.

Having regard to Policies SP1 (Delivering the Strategy), SP7 (Transportation), SP9 (Minerals), SP10 (Built and Natural Environment), MG19 (Sites and Species of European Importance), MG20 (Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats

No.

and Species), MG21 (Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species), MG22 (Development in Minerals Safeguarding Areas), MG23 (Buffer Zones), MG25 (Mineral Working), MD1 (Location of New Development), MD2 (Design of New Development), MD7 (Environmental Protection), MD8 (Historic Environment), MD9 (Promoting Biodiversity) of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, Future Wales – the National Plan 2040, PPW 12, Technical Advice Notes 5, 11, 18 and 24, MTAN1, MTAN11, MPG14, the Council's SPG on Biodiversity and Development, Design in the Landscape, Minerals Safeguarding, Parking Standards, and Trees, Woodlands, Hedgerows and Development, Minerals Planning revised background paper (2014), The Regional Technical Statement for the North Wales and South Wales Regional Aggregates Working Parties – 2nd Review (Sept 2020), Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management, Welsh Office Circular 11/99 – Environmental Impact Assessment, the proposed development is considered acceptable in principle and in respect of noise, vibration, air quality, hydrology and hydrogeology, environmental impacts, parking, highway safety, traffic, residential amenity, green infrastructure, ecology and biodiversity, heritage and landscape impact. It is recommended that the application be APPROVED having regard to all the submitted environmental information in accordance with Section 25(1) of the 2017 EIA Regulations, and subject to conditions, that include monitoring provisions.

Having regard to the Council's duties under the Equality Act 2010 the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.

It is considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

The appropriate marine policy documents have been considered in the determination of this application in accordance with Section 59 of the Marine and Coastal Access Act 2009.