

TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING GENERAL PERMITTED DEVELOPMENT ORDER 1995
PERMISSION FOR DEVELOPMENT

To: Miller Argent (South Wales) Limited c/o Mr R Leek Leek & Weston Ltd 29 Gelliwastad Road
Pontypridd

WHEREAS you did on the 25th day of February 2008 make application in writing for permission to develop:
Cwmbargoed Disposal Point Fochriw Road Cwmbargoed short particulars of the application being as follows:-

Name of the Applicant

Miller Argent (South Wales) Limited
C/o Agent

Description of Proposed Development

Continuation of use of Cwmbargoed Disposal Point for the duration of related operations at the Ffos-y-Fran land reclamation scheme and the provision of additional facilities (mineral processing and preparation plant, coal washing plant, coal haulage vehicle workshop, water storage tank, information and advertisement hoardings, coal stacking and preparation facilities and other ancillary works) (Full)

MERTHYR TYDFIL COUNTY BOROUGH COUNCIL as the Local Planning authority hereby PERMIT the proposed development to be carried out in accordance with the plans submitted with the said Application, subject to the development being begun on a date which is not later than **five years** from the date of this permission and subject to compliance with the condition(s) specified below:

CONDITIONS

Please See Attached

Date: - 3 SEP 2008

Signed:.....

(Head of Town Planning)

CONDITIONS

- 1 This consent shall cease to have effect and shall expire on the 31st December 2024.

Reason - To retain control over the future use of the site.

- 2 Upon the expiration of this consent, or the earlier cessation of the use, all plant, structures, buildings, fencing and roads shall be removed and the site restored in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, within one month of such cessation. The approved scheme shall be implemented in the first planting season following the cessation of the use of the site unless otherwise agreed in writing with the Local Planning Authority.

Reason - To ensure the satisfactory restoration of the site.

- 3 No stockpiles shall exceed 5m in height, as measured above adjoining ground level.

Reason - To safeguard amenity interests.

- 4 Prior to the commencement of development, a scheme to prevent mud and other detritus being deposited on the public highway shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the scheme, as approved.

Reason - In the interests of highway safety.

- 5 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping. Where applicable it shall indicate all existing trees and/or hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development. Such details shall also be accompanied by a schedule of landscape maintenance for a minimum period of five years.

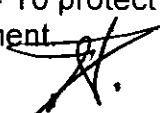
Reason - To protect the amenities of the local area from the effects of dust arising from the development.

- 6 The landscaping scheme as approved shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of five 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 other of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason - To protect the amenities of the local area from the effects of dust arising from the development.

- 7 The dust suppression measures detailed in the supporting statement accompanying this planning application dated February 2008 shall be implemented and complied with at all times, unless variations are agreed in writing with the Local Planning Authority.

Reason - To protect the amenities of the local area from the effects of dust arising from the development



CONDITIONS (Continued)

8 The following activities at the site shall be carried out only during the hours specified below:

a. Mineral processing and coal preparation/handling:

Monday - Friday 0600 - 2200 hours;
Saturdays 0600 - 1300 hours.

b. Hours for coal haulage from the Ffos-y-Fran Land Reclamation Scheme into the site from the authorised crossing points are along Bogey Road:

Monday - Friday 0700 - 1900 hours;
Saturdays 0700 - 1300 hours.

No work with regard to any of the activities detailed above shall be undertaken on Sundays nor Public Holidays.

Reason - To protect residential amenity.

9 If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for an amendment to the remediation strategy dealing with how this unsuspected contamination shall be dealt with.

Reason - Given the size of the site, it is considered possible that there may be unidentified areas of contamination on site which could pose a risk to controlled waters if they are not remediated.

10 Prior to commencement of development on site, a scheme for the drainage of land and surface water shall be submitted to and approved in writing by the Local Planning Authority. All works which form part of the agreed scheme shall be carried out before any part of the development is occupied.

Reason - To ensure the development is served by an appropriate means of drainage.

11 Prior to the commencement of the development hereby approved, a noise assessment on the likely impact of noise from the proposed external fixed machinery equipment on the existing background noise levels at the nearest residential properties shall be submitted and approved in writing with the Local Planning Authority. It shall include nighttime background noise levels should the plan be operational 24 hours. The general methodology shall follow the principles of BS41 42. It shall also include measures for noise mitigation.

Reason - In the interests of residential amenity.

