

MERTHYR TYDFIL COUNTY BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
The Town and Country Planning (Development Management Procedure)
(Wales) Order 2012 (as amended)

FULL PLANNING PERMISSION

To: Hanson Quarry Products Europe Limited c/o SR Consulting Ltd F.a.o. Mr G Jenkins Fulmar
House Beignon Close Ocean Way

WHEREAS you submitted an application on the 14th August 2013 to develop: Gelligaer Quarry Gelligaer
Road Trelewis Treharris short particulars of the application being as follows:-

Name of the Applicant	Description of Proposed Development
Hanson Quarry Products Europe Limited Hanson House 14 Castle Hill Maidenhead SL6 4JJ	Consolidation of two existing planning permissions for quarrying (ref 52/82/0773 and P/97/0120), including extension of the end date for quarrying and deepening of quarry within existing footprint (Amendment to Chapter 12 (Transportation) of the Environmental Statement to assess the highway safety implications of the traffic movements associated with a maximum annual output of 400,000 tonnes of material) (Full)

The Council in pursuance of its powers under the above mentioned Act and Order hereby **GRANTS PERMISSION** for the carrying out of the proposed development as described above and in accordance with the application and plans (if any) submitted with the application subject to compliance with the following conditions.

CONDITIONS

Please see attached.

Date: 9th December 2015

Signed:



(Head of Town Planning)

**IT IS IMPORTANT THAT YOU READ
THE NOTES ATTACHED TO THIS FORM**

CONDITIONS

- 1 The winning and working of minerals and the deposit of mineral waste at the site shall cease not later than 2 April 2076. The site shall be restored progressively in accordance with the drawings contained in Volume 4 and in accordance with the Restoration Strategy contained in Chapter 4, Volume 1 of the Environmental Statement accompanying the application, unless amended by any of the following conditions. The quarry site shall be finally restored no later than 2 April 2077 or 18 months from the permanent cessation of quarrying at the site whichever is the earlier. For a period of five years from the date of completion of the restoration on any part of the quarry that area shall be managed in accordance with an approved aftercare scheme. The planning permission shall expire following the complete restoration and aftercare of the site in accordance with the approved restoration and aftercare schemes.

Reason: Mineral working is considered to be a temporary operation.

- 2 The development hereby permitted shall be carried out strictly in accordance with the plans contained in Volume 4 and in accordance with Chapter 3, Volume 1 of the Environmental Statement accompanying the application unless amended by any of the following conditions.

Reason: To enable the Local Planning Authority to manage the development and to minimise its impact on the amenities of the local area.

- 3 The developer shall submit a detailed 5 year Quarry Development Scheme for the approval of the Local Planning Authority not later than five years from the date of this permission and every five years thereafter until the expiry of the planning permission. The approved scheme shall be implemented as approved unless amendments of the scheme are agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to manage the development and to minimise its impact on the amenities of the local area.

Condition 3 discharged on 09.02.22 App No. P/21/0026 in so far as it relates to the relevant 5 year period

- 4 The Quarry Development Scheme referred to in Condition 3 above shall include plans and details of the following
 - i. Survey plans of the site to Ordnance Datum
 - ii. Phasing and direction of quarry working
 - iii. Configuration and heights of quarry faces
 - iv. Location and design of haul roads
 - v. Location of sites to be used for the storage of soils or soil forming material and for the disposal of overburden and/or quarry waste
 - vi. Details of proposals for the progressive restoration and/or treatment of waste deposits or quarry benches which achieve their final profile within the 5 year period of the scheme together with proposals for the five year aftercare of any such restored areas.

Reason: To enable the Local Planning Authority to manage the development and to facilitate progressive restoration in order to minimise the impact of the development on the amenities of the local area.

- 5 Until such time as operations at the quarry permanently cease or this permission is superseded, copies of this decision notice and any other documents referred to in it as well as the current Quarry Development Scheme shall be kept available at the site office for inspection during permitted working hours. The existence and contents of these shall be made known to all operatives who are responsible for the matters referred to in the documents.

Reason: To ensure that the developer and the site operatives are aware of the working programme and the conditions within which the site must operate.

- 6 Except in emergencies to maintain safe quarry working (which shall be notified to the Local Planning Authority as soon as practicable), or with the prior written approval of the Local Planning Authority:-

- No operations, other than, water pumping, maintenance and testing of plant or other similar work, shall be carried out except between the hours of 07:00 and 19:00 hours on Mondays to Fridays and 07:00 and 13:00 on Saturdays

- No servicing or maintenance and testing of plant shall be carried out between the hours of 22:00 and 07:00 hours on any day.

Reason: To safeguard the amenity of local residents.

- 7 The output of mineral from the site shall not exceed a level of 400,000 tonnes per calendar year.

Reason: In the interests of highway safety and the minimisation of noise and disturbance as a result of traffic movements.

- 8 For the duration of the permission, the operator shall maintain records of the monthly output of all the products leaving the quarry site and shall make the records available to the Local Planning Authority at any time upon request.

Reason: In order that the Local Planning Authority can monitor the output from the site

- 9 No extraction shall take place below 234 metres Above Ordnance Datum (AOD).

Reason: For the avoidance of doubt as to the development hereby permitted.

- 10 **BEFORE** any excavations take place below 280m Above Ordnance Datum (AOD) the developer must submit a revised hydrogeological impact appraisal for the approval of the Local Planning Authority. The Appraisal shall use the data collected from a minimum of 12 months groundwater monitoring in accordance with a Groundwater Monitoring Scheme submitted to and approved by the Local Planning Authority and shall include proposals for the mitigation of any predicted impacts. Any mitigation identified shall be implemented as approved.

Reason: To protect groundwater resources.

- 11 All vehicles leaving the site loaded with crushed aggregates shall be securely sheeted. This shall not apply to the loading of single sized graded material which is above 75mm.

Reason: In the interests of highway safety and safeguarding the local environment.

- 12 **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. The scheme shall include provision for revision in the event of the scheme becoming ineffective and shall be implemented as approved and utilised during the period of operation of the quarry.

Reason: In the interests of highway safety.

Condition 12 discharged on 23.06.17 App No. P/17/0141.

- 13 **Within 3 months** of the date of this permission, a scheme and programme of measures for the suppression of dust from the site shall be submitted for the written approval of the Local Planning Authority. The scheme shall include inter alia:

- (i) The suppression of dust caused by the moving and storage of soil and overburden, stone and other materials within the site
- (ii) Dust suppression on access and haul roads
- (iii) Provision for monitoring the effectiveness of dust control measures utilised at the site.
- (iv) Provision for review of the scheme

Such scheme shall be implemented as approved and complied with at all times.

Reason: To protect the amenities of the locality from the effects of any dust arising from the development.

Condition 13 discharged on 23.06.17 App No. P/17/0141.

- 14 Except in the case of emergency, blasting operations shall only be carried out between 1000 hours and 1600 hours Monday to Friday and not at any time on Saturdays, Sundays or Public Holidays.

Reason: In the interests of amenity and in accordance with guidance contained in MTAN1.

- 15 Ground vibration as a result of blasting shall not exceed a peak particle velocity of 6mm/sec in 95% of all blasts measured over any 6 month period, and no individual blast shall exceed a peak particle velocity of 10 mm/sec measured at any vibration sensitive residential property. The measurement shall be the maximum of three perpendicular directions taken at the ground surface taken at or near the foundations of the vibration sensitive property.

Reason: In the interests of amenity and in accordance with guidance contained in MTAN1

- 16 Each individual blast shall be monitored by the site operator, to include provision for recording the details and location of the monitoring station; the location of the blast holes within the site; weather conditions; specification of the blast in terms of MIC; and total charge weight. Records of blast monitoring shall be made available to the Local Planning Authority upon request within 5 working days of the request. In the event that monitoring indicates that the vibration levels set in condition 16 above have been exceeded then the operator shall inform the Local Planning Authority within 10 working days together with written confirmation of the steps to be taken to ensure compliance with the vibration limits.

Reason: To ensure compliance with the vibration limits and any exceedences are identified and addressed in the interests of the amenity of the locality.

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

Reason: To protect the amenities of the surrounding environment.

- 18 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 occupied residential property the Local Planning Authority shall be informed within 7 days and the design, management and implementation of the blasts must be reviewed and revised in accordance with the findings of such review prior to any further blasting being undertaken at the site.

Reason: In the interests of the amenity of the locality.

- 19 During the approved hours of operation, the noise level attributable to operations at the site, measured at any noise sensitive property, shall not exceed 42 dB LAeq (1 hour) (free field). 'Noise sensitive property' means occupied residential property or public buildings.

Reason: To protect the amenity of local residents.

- 20 **Within 3 months** of the date of this permission, a scheme for monitoring noise levels arising from the site shall be submitted for the written approval of the Local Planning Authority. The scheme shall provide for

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| (i) | Noise monitoring locations and frequency of monitoring |
| (ii) | Details of equipment proposed to be used for monitoring |
| (iii) | Recording the details of plant and machinery working at the time of monitoring |
| (iv) | Logging of all weather conditions and wind direction |
| (v) | Presentation of results |
| (vi) | Review of the Monitoring Scheme |
| (vii) | The procedures to be adopted in the event of noise levels being exceeded. |

Such scheme shall be implemented as approved and complied with at all times.

Reason: To ensure compliance with noise limits in the interests of the amenity of the local area.

Condition 20 discharged on 23.06.17 App No. P/17/0141.

- 21 All vehicles, plant and machinery operated within the site shall, at all times, be fitted with silencers in accordance with the manufacturer's recommendations and be so operated to minimise noise emissions. Save for the purpose of maintenance, no machinery shall be operated with the covers open or removed.

Reason: In the interests of the amenity of the local area.

- 22 The best practical means shall be used to minimise noise from reversing warning devices which are fitted to mobile plant and vehicles on site. This may include the fitting of 'smart' alarms to vehicles.

Reason: In the interests of the amenity of the local area.

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

Reason: To prevent pollution of the water environment.

- 24 A comprehensive drainage and lagoon system must be installed to intercept and treat any contaminated surface water run-off from this area. Detailed plans of these proposals must be submitted to the Local Planning Authority within 12 months of the date of this permission and shall be fully implemented as approved.

Reason: To prevent pollution of the water environment.

Condition 24 discharged on 23.06.17 App No. P/17/0141.

- 25 Details of the location, height, design, sensors and luminance of any floodlighting to be installed (which shall be designed to minimise the potential nuisance of light spillage on adjoining properties and highways) shall be submitted to and approved by the Local Planning Authority prior to its installation.

Reason: In the interests of the amenity of the local area.

- 26 The stripping, movement and re-spreading of soil shall be restricted to occasions when material is dry and friable and the ground is sufficiently dry to allow the passage of heavy machinery and vehicles over it without damage to the soils.

Reason: To prevent damage to the structure of soils.

- 27 The developer shall notify the Local Planning Authority at least 48 hours prior to the formation of finished ground profiles and the re-spreading of soils on any part of the site.

Reason: To ensure the proper restoration of the site in accordance with approved restoration details and the prevention of damage to soils.

- 28 Throughout the working life of the quarry the site shall be managed in order to maximise biodiversity and nature conservation. The management shall include the following:-

(i) areas where no quarrying activity (excavation, soil stripping, waste tipping, soil storage, siting of plant, equipment and offices) is to take place shall remain undisturbed to enable the natural colonisation of bare surfaces;

(ii) once excavations have reached the finished contours in any part of the site no further disturbance shall take place without the prior written approval of the Local Planning Authority;

(iii) artificial features such as good ledges shall be created in quarry faces once excavations have reached the finished contours, for use by birds.

Reason: In the interests of maximising the restoration benefits of the site and to ensure a beneficial after-use.

- 29 Not later than 31 December 2068, or the expiry of 6 months following the permanent cessation of the winning and working of minerals as defined in paragraph 3 of Schedule 9 of the Town & Country Planning Act 1990, the operator shall submit for the written approval of the Local Planning Authority a detailed final restoration scheme, including drawings to illustrate the proposals for the final restoration of the quarry site. The final restoration scheme shall be based upon the conceptual restoration strategy plan Ref GQ9 and build upon the progressive restoration undertaken during each of the 5 year Quarry Development Schemes. It shall provide for the restoration of the mining site to a lake with marginal profiles to encourage the establishment of diverse flora and fauna and the restoration treatment of benches and faces above the rest water level of the lake. It shall also provide for the remainder of the quarry site to be cleared of all plant, machinery, buildings and apparatus within 12 months of 2 April 2076 or the date of permanent cessation of the winning and working of minerals and shall also include details of the final reprofiling of the quarry site, the soil/soil forming material profiles to be established, tree and shrub planting schedules, seeding, fencing and drainage, and a programme and timetable for the implementation of the works.

Reason: To ensure the site is restored in a condition capable of beneficial afteruse in the interests of the environment and the amenity of the local area.

- 30 An aftercare scheme, covering a period of 5 years, specifying such steps as may be required to bring the quarry site to a condition fit for the proposed after use shall be submitted for the approval of the Local Planning Authority not later than six months prior to the date when the restoration works are timetabled for completion. The scheme shall include details of:

- i. Tree planting and landscaping works.
- ii. Cultivations, under drainage, seeding and management of the restored land.
- iii. ~~Fertiliser and lime applications based on soil analysis.~~
- iv. Land management techniques

- v. The creation, management and maintenance of any paths, tracks, and roads.
- vi. Creation, maintenance and management of drainage features, ponds and wetlands.
- vii. At least once a year the site operators shall arrange a formal review to consider the restoration and aftercare operations which have taken place on the land during the previous year, and the programme of management for the following year.
- viii. At least four weeks before the date of each annual review the operator shall provide the Mineral Planning Authority with a record of the management and operations carried out on the land during the period covered by the review.

Reason: To ensure the restoration promotes a habitat conducive to nature conservation and biodiversity.

NOTES

Your attention is drawn to the following:-

Appeals to the Planning & Environment Decisions Wales:

- If you are aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Planning & Environment Decisions Wales under Section 78 of the Town and Country Planning Act 1990 (as amended).
- If you want to appeal, then you must do so within **six months** of the date of this notice, using a form which you can get from Planning & Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ. Alternatively you can use Planning & Environment Decisions Wales website (www.gov.wales/planningappeal) to complete your appeal.
- The Planning & Environment Decisions Wales can allow a longer period of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Planning & Environment Decisions Wales need not consider an appeal if it seems that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any Development Order and to any directions given under a Development Order.
- In practice, the Planning & Environment Decisions Wales does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

Purchase Notices:

- If either the Local Planning Authority or Planning & Environment Decisions Wales refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).

PLEASE NOTE: THIS NOTICE RELATES ONLY TO A PLANNING DECISION AND DOES NOT RELATE TO OTHER LEGISLATION INCLUDING ANY LEGISLATION UNDER:

BUILDING REGULATIONS
LISTED BUILDING LEGISLATION
HIGHWAY LEGISLATION

~~IF PLANNING PERMISSION HAS BEEN GRANTED IT IS ADVISABLE TO ESTABLISH
WHETHER ANY OTHER FORM OF CONSENT IS REQUIRED AND TO OBTAIN SUCH CONSENT
BEFORE COMMENCING DEVELOPMENT~~

Please quote the application number in all correspondence.