

Reference A-PP 185-07-014

**EXTENSION OF EXISTING OPENCAST COAL SITE, WITH ON-SITE WASHERY, FOLLOWED BY RESTORATION AND AFTERCARE MANAGEMENT (REVISION OF PREVIOUS APPLICATION REF NO P2001/0943) AT EAST PIT EAST REVISED OCCS, GWAUN CAE GURWEN, NEAR AMMANFORD**

**PLANNING CONDITIONS ATTACHED TO PLANNING PERMISSION OF 2004 IN RESPECT OF PLANNING APPLICATION REF. P/2002/917 DATED 31 JULY 2002**

1. Unless otherwise agreed with the local planning authority the development hereby permitted shall commence before the expiration of 1 year from the date of this permission.
  2. At least fourteen days notice of the intended date of commencement of the development shall be given in writing to the local planning authority.
  3. The development is permitted for a temporary period only and, with the exception of restoration and aftercare requirements, shall cease not later than 7 years and 6 months after the commencement of the development as notified to the local planning authority.
  4. Restoration and reinstatement works as approved under Condition 61 and Schedule B shall be completed within 2 years and 6 months of the cessation of coaling or 10 years of the commencement of operations, whichever is the sooner.
  5. Permission is granted for the winning & working of coal by opencast methods, the ancillary operation of an on-site coal washery and the stocking of coal within the boundary indicated in red on Plan 07A02636 (the Site Area Plan) and, except with the prior approval of the local planning authority, such development shall be carried out, strictly in accordance with the approved plans & documents, or as otherwise modified by other conditions of this consent. The development hereby approved shall be entirely contained within the boundary indicated in red on Plan 07A02636. The plan referred to is Plan A2.
  6. The development hereby approved, and referred to in condition 5, shall be carried out in accordance with the following documents & plans, or as otherwise modified by other conditions of this consent or schemes subsequently approved under any other conditions:
    - Planning Application dated 31st July 2002.
    - Environmental Statement - July 2002.
    - Plan 07A02636 - Site Area Plan.
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- Plan 07A02600 - Site Development Details.

The second plan is Figure 18 in the Environmental Statement.

7. Unless otherwise approved by the local planning authority the working of the site shall be carried out in accordance with the working programme under sections 4.3 to 4.7 & the phasing plans, Figures 14, 15 & 16, of the Environmental Statement accompanying the application.
8. The western overburden mound shall only be extended with additional overburden to those levels set out on Plan 07A02600 and at no time shall such tipping be placed at a level greater than 256 metres AOD.

The plan is Figure 18 in the Environmental Statement.

9. Within the first 18 months of the commencement of operations and every 6 months thereafter until coal mining is complete, a topographical survey of all overburden mounds, topsoil & subsoil mounds shall be provided to the authority for its records.
  10. Unless otherwise approved in writing by the local planning authority the location of the proposed on-site washery shall remain within that area indicated on Plan 07A02600 and shall be constructed in accordance with the dimensions & layout as set out in Figure 17 of the Environmental Statement.
  11. Notwithstanding the provisions of Parts 19, 20 and 21 of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order amending or re-enacting that Order) and except as detailed in the application hereby approved, no fixed plant or machinery, buildings, structures, erections and waste deposits above the height of 5m shall be erected, extended, installed or replaced at the site complex without the prior approval of the local planning authority.
  12. Unless otherwise approved by the local planning authority the external walls and roof of buildings and the external surface of structures shall be dark green in colour and shall be maintained as such for the duration of operations.
  13. Prior to the commencement of operations the operator shall erect new fencing to the extension area and maintain all existing fences and hedges around the perimeter of the site in a stock-proof condition throughout the period of working, restoration and aftercare.
  14. Water treatment areas shall be individually fenced so as to prohibit stock or unauthorised personnel from entering.
  15. The stocking of coal or coal products shall only occur within the area identified in orange on Plan 07A02600 and, unless otherwise approved in writing by the local planning authority, the height of any stockpiles shall not exceed 6 metres in height above ground level.
  16. The permission hereby granted relates only to the use of the access road and access point shown on Plan 07A02600 by vehicles gaining access to or egress from the site, and no other access or access point shall be used without the prior written approval of the local planning authority.
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17. Before entering onto the public highway the wheels, undersides and bodies of all vehicles travelling from the site shall be cleaned, and their loads shall be secured and fully covered by sheeting and in such a condition as to avoid the deposit of slurry, mud, coal or other material upon the public highway.
  18. Prior to the commencement of any development hereby approved, a scheme shall be submitted to the local planning authority for its approval indicating the arrangements for the transportation of coal produced at the site. The scheme shall be implemented as approved.
  19. Notwithstanding the details submitted with the application, prior to the commencement of the development a scheme for the provision of a turning facility at Ochr y Waun shall be submitted to the local planning authority for its approval, and the said approved facility shall be provided prior to the demolition of any properties within the site and within the terms of such approval.
  20. The drainage system for the access road shall be maintained in such a condition as to prevent any slurry or water run-off from entering onto the public highway.
  21. Unless otherwise approved in writing by the local planning authority, heavy goods vehicles with the capacity of carrying coal or minerals shall not enter or leave the site, except between the following hours:
    - (a) - 07.00 hours to 08.20 hours, 09.00 hours to 14.55 hours, and 15.30 hours to 18.00 hours on Mondays to Fridays.  
- 07.00 to 13.00 hours on Saturdays.
    - (b) - No movements of such heavy goods vehicles shall occur on Sundays, Bank or Public Holidays.
  22. Except in an emergency or when otherwise approved in writing by the local planning authority, operations, other than water pumping, servicing, environmental monitoring or maintenance of plant, shall not be carried out at the site except between the following times: 0600 hours to 22.00 hours Monday to Friday, and 0600 hours to 1300 hours Saturdays. The term "emergency" means any circumstances in which the operator has a reasonable cause for apprehending injury to persons or serious damage to property or the environment.
  23. No operations other than environmental monitoring, servicing, maintenance of plant and water pumping at the site shall take place on Sundays, Bank or Public Holidays.
  24. Notwithstanding the provision of Condition 22, operations involving the formation or subsequent removal of baffle mounds and soil mounds and the stripping and replacement of soils shall not be carried out except between the following times: 0800 hours to 1800 hours Mondays to Fridays, and 0800 hours to 1300 hours Saturdays.
  25. Notwithstanding the provisions of Condition 22, operations involving the on-site washery and operations relating to reclamation of the site and the haulage of overburden on to the western overburden mound and its spreading and removal shall not be carried out except between the following times: 07.00 to 19.00 hours Mondays
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to Fridays, and 07.00 to 13.00 hours on Saturdays. No such operations shall be carried out on Sundays, Bank or Public Holidays.

26. Prior to the commencement of any operations hereby permitted a scheme shall be submitted for the approval of the local planning authority for the control and monitoring of noise generated directly or indirectly as the result of any operations on the site. The scheme, which shall include the following, shall be implemented as approved:

(i) noise monitoring locations;

(ii) frequency of measurement;

(iii) presentation of results;

(iv) modelling procedures;

(v) procedures to be adopted if noise limits go above a certain level;

(vi) procedures and methods to reduce noise emissions from the site to the lowest possible level; and

(vii) measures to ensure that efficient silencing equipment is fitted to and used by all vehicles and machinery on the site.

27. During the hours of work specified in Condition 22, except for operations such as the construction and removal of soil/screening mounds & water treatment areas and for periods that may be previously approved in writing by the local planning authority the free field noise levels attributable to operations involving the use of plant, machinery or other equipment on the development site as measured at the boundary of the curtilage of any residential or noise sensitive property shall not exceed 50dB(A)Leq 1 hour. Outside these hours, where maintenance, water pumping, servicing and environmental monitoring takes place, noise levels measured at the boundary of the curtilage of any residential or noise sensitive property shall not exceed 42 dB(A)Leq 1 hour.

28. Except at such locations and for such periods as may be approved in writing by the local planning authority, the free field noise levels attributable to the construction and removal of baffle mounds, topsoil/subsoil mounds and water treatment areas, as measured at the boundary of the curtilage of any residential or noise sensitive property, shall not exceed 60dB(A)Leq over 15 minutes.

29. Prior to the commencement of any operations, a scheme shall be submitted to and approved by the local planning authority for the control of dust which may arise directly or indirectly as the result of any operations including the movement of vehicles and plant anywhere on the site. The scheme shall be implemented in accordance with the approval and shall include provision to ensure that:-

(i) a sufficient number of spraying units are provided and maintained in efficient working order so as to ensure that haul routes and other areas traversed by vehicles are kept damp during dry weather;

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- (ii) spraying units have an adequate water supply at all times;
  - (iii) the exhausts and through-body exhaust systems of plant and vehicles are such as to prevent exhaust gases being emitted downwards;
  - (iv) effective dust collection systems are fitted to all blast hole drilling machines before such machines are operated;
  - (v) prior to blasting, all arisings from blast hole drilling are bagged and disposed of safely;
  - (vi) one or more wind socks are provided and maintained so as to indicate wind direction and strength;
  - (vii) details of the arrangements ensuring that the tipping of overburden would cease or be relocated within the overburden storage area when wind strength and direction could cause dust nuisance to arise;
  - (viii) a sufficient number of vapour masts are provided and maintained so as to ensure that an effective vapour can be produced at any point in the site, including the top of spoil mounds, to dampen operational areas during dry weather; and
  - (ix) all spoil mounds and soil storage areas are seeded to grass as soon as practicable during or after their construction and a grass cover maintained until their disposal.
30. Prior to the commencement of the development a scheme shall be submitted to and approved by the local planning authority for the monitoring of dust. The scheme shall include provision for the measurement of fugitive dust particles and PM10 particulates. The monitoring scheme shall be carried out in accordance with the terms of such approval.
31. Any facilities for the storage of oils, fuels or chemicals shall be on impervious bases and surrounded by 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, vents, 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 pipes should be detailed to discharge downwards into the bund.
32. Prior to the commencement of the development a scheme shall be submitted to and approved by the local planning authority for a detailed drainage and lagoon system for the site. The details shall include the design and nature of all cut-off ditches, their locations and the size, structure and height of the water treatment areas. The approved system shall be installed prior to the commencement of coaling.
33. All surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details
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compatible with the site being drained, prior to discharge into any watercourse. Roof water shall not pass through the interceptor.

34. Drainage ditches, settling ponds and lagoons shall be regularly desilted and maintained in such condition that they are able to perform effectively and efficiently the purpose for which they have been provided.
  35. Prior to the commencement of the development, a scheme shall be submitted to and approved by the local planning authority for the monitoring, collation and assessment of groundwater levels to the north and east of the extraction area. The scheme shall be implemented as approved prior to the commencement of coaling.
  36. Within 4 years of the date of the commencement of operations as notified to the local planning authority under condition 2, a scheme shall be submitted to the local planning authority for its approval for the additional monitoring of groundwater levels and groundwater quality during the restoration period. Such a scheme shall be structured with the following requirements:-
    - (i) the provision for a minimum of two years monitoring data prior to the cessation of mineral working;
    - (ii) the frequency of the collection of the water level and water quality data from the boreholes at the site;
    - (iii) the frequency of the reporting of the information of the data to the local planning authority (including the provision for the interpretation of the data by a qualified hydrogeologist);
    - (iv) the review of the monitoring network to ensure that it is adequate in addressing any future relevant concerns regarding recovering minewater;
    - (v) the consideration of suitable mitigation measures should the monitoring data collected indicate that there will be an impact on nearby controlled surface/groundwater from recovering minewater.
  37. Except in the case of emergency for health and safety reasons or with the written consent of the local planning authority, blasting shall not be carried out except between the following times: 10.00 to 12.00 and 14.00 to 16.00 hours on Mondays to Fridays, and 10.00 to 12.00 hours on Saturdays. Blasting shall not be carried out on Sundays, Bank or Public Holidays.
  38. At all times, blasting shall be designed so that the ground vibration measured as peak particle velocity (ppv) in any one of three orthogonal planes shall not exceed 6 mm per second at any residential or similarly sensitive property at the boundary of the site. However, within this design limit, the ground vibration for at least 95% of all blasts in any 20 week period shall not exceed a ppv of 4 mm per second.
  39. Prior to the commencement of the mining operations hereby permitted, a scheme shall be submitted to and approved by the local planning authority for the measurement and monitoring of blasting. The scheme shall be implemented as approved, and shall include:
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- (i) blast monitoring locations and frequency of monitoring;
  - (ii) the monitoring equipment to be used;
  - (iii) the presentation of results; and
  - (iv) procedures to be adopted if vibration goes above a certain level.
40. There shall be no secondary blasting carried out on the site except with the prior written approval of the local planning authority.
41. The operator shall make every effort to reduce the effects of air blast over-pressure arising from blasting. Such effort shall have regard to blast design, methods of initiation and the weather conditions prevailing at the time of initiation.
42. Prior to the commencement of the development a scheme for a system of warning techniques to be carried out and notices to be placed around the site boundary shall be submitted to and approved by the local planning authority to warn the public of blasting at the site. The scheme shall be implemented as approved.
43. Prior to the commencement of development a scheme shall be submitted to and approved by the local planning authority to maximise foraging potential for badgers and maintain their movement within undisturbed areas of land around the opencast site. The scheme shall be implemented as approved.
44. Unless otherwise approved by the local planning authority, vegetation clearance shall not take place between the 14th March and 31st July in any year.
45. Prior to the commencement of operations a scheme shall be submitted to and approved by the local planning authority for the management of all areas that will not be disturbed by opencast operations. These shall include the fencing off of areas of ecological sensitivity and the provision of works to protect habitats that may be affected by adjacent works. The scheme shall be implemented in accordance with the terms of the approval.
46. In accordance with details, which shall be submitted to and approved by the local planning authority, prior to the commencement of coaling at the site a sign shall be erected and maintained at the site/quarry complex exit, advising lorry drivers of vehicle routes approved by the local planning authority.
47. From the commencement of development to its completion, a copy of this permission including all documents hereby approved and any other documents subsequently approved in accordance with this permission shall be maintained and available for inspection at the site office.
48. Prior to the commencement of operations a scheme shall be submitted to and approved by the local planning authority for the setting up, operating and regular convening of a Site Liaison Committee, and the scheme shall be implemented as approved.
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49. Prior to the commencement of operations, a scheme shall be submitted to and approved by the local planning authority for the setting up of a Technical Working Party, and the scheme shall be implemented as approved.
  50. Except as may be otherwise agreed by the local planning authority, the only coal to be prepared, treated and stocked at the site shall be that extracted from the site, and no other mineral or other material shall be imported into the site for preparation, treatment, stocking or deposition.
  51. Unless otherwise approved in writing by the local planning authority, no overburden material shall be removed from the site.
  52. Prior to the commencement of development a landscaping scheme, for the treatment of the side-slopes of excavations and areas of fill, topsoil, subsoil and soil-forming material dumps, screening bunds and overburden mounds and any other parts of the site not disturbed or affected by the operations, shall be submitted to the local planning authority for approval. The scheme shall be implemented in accordance with the terms of the approval.
  53. Prior to the commencement of development a scheme shall be submitted to and approved by the local planning authority for the lighting of all areas, buildings, plant and machinery. All lighting shall be subject to health and safety requirements and be angled so as to reduce light pollution to a minimum. The scheme shall be implemented in accordance with the terms of the approval.
  54. Access to the site shall be afforded at all reasonable times to officials of the Royal Commission on Ancient and Historical Monuments in Wales, the Glamorgan-Gwent Archaeological Trust and to any archaeologist nominated by the local planning authority, and such personnel shall be allowed to investigate features, building and ruins on site, prior to and during initial site operations in accordance with the Confederation of British Industry, Archeological Investigations Code of Practice for Mineral Operators. When excavation is underway the operator shall inform the local planning authority of any features of archaeological or historic interest which may be discovered, and afford the bodies named above reasonable opportunity for an inspection, recording and, where appropriate, removal from the site of such features of interest.
  55. No development shall take place 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.
  56. Prior to the commencement of the development details of the proposed alternative routes to be created in place of the proposed suspended Rights of Way shall be submitted to and approved by the local planning authority. Such details shall indicate the gradients, crossings and surfacing of such routes, which shall be provided in accordance with the approved details.
  57. Throughout the period of working, restoration and aftercare, the developer shall protect and support any ditch, watercourse, or culvert passing through the site, or
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satisfactorily divert it, and shall not impair the flow or render less effective drainage onto and from adjoining land.

58. The developer shall ensure that any flow of water used for agricultural purposes that is adversely affected by the development is reinstated in a satisfactory manner, including the provision of alternative supplies during the course of operations.
59. Unless otherwise agreed with the local planning authority no material or machinery shall be stored within the area identified in yellow on Plan No. 07A02600 other than within the building occupying that area.
60. Soil stripping, handling and management shall be carried out in accordance with the attached Schedule A.
61. Restoration and reinstatement shall be carried out in accordance with the attached Schedule B.
62. Aftercare shall be carried out in accordance with the attached Schedule C,
63. All schemes approved under the terms of any conditions attached to this permission shall be implemented in accordance with the terms of such approvals for the duration of the development and, where appropriate, the aftercare period.
64. Where any species listed under Schedules 2 or 4 of The Conservation (Natural Habitats, &c.) Regulations 1994 is present on the site in respect of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the local planning authority.
65. No coaling operations shall take place before a new railpad facility, to be located on land to the south of the site hereby granted consent, is constructed and operational in accordance with a planning consent in the same or similar terms to the planning application for a railpad to which that land is currently subject.
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## **SCHEDULE A**

### **SOIL STRIPPING, HANDLING AND STORAGE OF SOILS**

A1. All soils and soil-forming materials identified in the Environmental Statement dated July 2002 Section 3.6 shall be stripped and stored on the site in the allocated areas on Plan No. 07A02600, or as otherwise approved in writing by the local planning authority following the submission of revised proposals.

A2. The local planning authority shall be given a minimum of 48 hours prior notice in writing of any soil stripping operation.

A3. Soil stripping shall only be carried out when the soil is in a dry and friable condition and between the months of May and September inclusive, unless otherwise approved by the local planning authority.

A4. In order to minimise compaction of soils, only those vehicles involved in loading soils shall be permitted on unstripped areas and then only restricted to the minimum necessary to recover the soils. Vehicles used in transporting soils shall only travel over areas of ground that have previously been stripped of topsoil, subsoil and shallow soil-forming material.

A5. Areas of all haulage roads, temporary access roads, hardstandings, office and workshop accommodation, lagoon sites, drainage channels and all other areas likely to be disturbed by any subsequent operations shall be stripped of topsoil, and where appropriate, soil-forming material and the materials then placed in appropriate dumps.

A6. In order to maintain soil structure and minimise soil compaction all stripping operations shall be by truck and shovel. The only equipment permitted on areas of unstripped soils are 360 degree track laying excavators involved in the soil loading operations. Vehicles to be used in transporting and discharge of recovered soils shall only be those that discharge their load at the rear extremity of the vehicle. Any alternative methods shall be approved by the local planning authority prior to commencement of any such operation.

A7. No turf, topsoil, subsoil or soil-forming materials shall be removed from the site.

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A8. Any additional soils or soil-forming material found and identified during the general excavation shall be stored at locations to be approved in writing by the local planning authority for the subsequent restoration of the site.

A9. Prior to placing subsoil and soil-forming material into mounds, the site of the mound shall first be stripped of topsoil which shall be incorporated in the topsoil mound.

A10. All topsoil, subsoil and soil-forming material identified for use in the restoration of the site shall be stored in separate dumps without overlapping and shall be sited, constructed and managed to prevent loss or contamination by any other material, liquid or compound.

A11. All completed soil dumps shall be surveyed and mapped within 3 months of the date of their completion and copies of these plans shall be deposited with the local planning authority to serve as a record of location, soil type and quantity.

A12. Sufficient soil-forming material shall be recovered to ensure that the restored soil profile (comprising topsoil and/or soil-forming material) is no less than 0.5m (settled) in depth over the whole of the site, except where otherwise approved by the local planning authority. Prior to its storage the developer shall demonstrate to the local planning authority the suitability of this material to perform satisfactorily within an agricultural soil profile.

A13. All storage mounds of topsoil, subsoil and soil-forming material, and their margins shall be seeded to grass within the first planting season following their formation and maintained to encourage a dense sward to develop. All vegetation growing on soil storage bunds & peripheral areas within the site shall be maintained by cutting at least once during the growing season. All noxious weed growth shall be controlled by cutting and/or herbicide spraying to prevent weed seed contamination of the soil resource on site or on surrounding land.

A14. Unless otherwise approved by the local planning authority, any humus-rich topsoil of the type encountered on this site shall be stored in dumps not exceeding 3 metres in height.

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## SCHEDULE B

### RESTORATION

B1. Unless otherwise approved by the local planning authority or as modified by other conditions & schemes under this permission, the restoration of the site shall be carried out in accordance with the principles of the Restoration Strategy Proposals as contained in the submitted Environmental Statement dated July 2002 Section 6 and Figure 30 of the same document.

B2. Not later than 5 years after the commencement of coaling at the site, or in the event of a cessation of winning and working of minerals which in the opinion of the local planning authority constitutes a permanent cessation within the terms of paragraph 3 of schedule 9 of the Town & Country Planning Act 1990, a detailed restoration and contour plan along with a written statement shall be submitted to the local planning authority for its approval. The scheme and plan shall include details of the following:

(i) the removal of buildings, plant and machinery and the reinstatement of the site and access roads by clearing plant, buildings, machinery, roadbase, concrete or brickwork;

(ii) details of the respreading of overburden, subsoil and topsoil previously stripped from the site, specifying the areas, soil type, depths and placement;

(iii) the ripping of any compacted layers of final cover to ensure adequately drainage and aeration, such ripping normally to take place before placing the topsoil;

(iv) the machinery to be used in soil respreading operations and the method of soil replacement;

(v) the detailed final levels of the reclaimed land and the gradient of the slopes, graded to prevent ponding and erosion by surface water and designed to conform to the surrounding landform;

(vi) the drainage of the reclaimed land including the formation of suitably graded contours to promote natural drainage and the installation of artificial drainage where necessary, and the position and design, including longitudinal and transverse cross sections, of main outflow, field and carrier ditches and water courses;

(vii) the position, design and erection of fencing, hedge or bank constructions, gates, walls, cattle grids, ditches and water supplies in order to show field layout and field enclosure details;

(viii) the creation of any attenuation ponds or water features including farm ponds;

(ix) the distribution and area of woodland, reedbeds and conservation areas;

(x) provision of and position of any highway, footpaths/bridleways to be reinstated or linked with existing Public Rights of Way, including the crossing and surfacing of such routes; where ditches or streams cross the route of any road, track or right of way, they shall be piped or culverted beneath it, unless otherwise approved by the local planning authority.

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The restoration of the site shall be carried out in accordance with the terms of such approval.

B3. All natural topsoil found to be covering or otherwise within any soil dump previously identified as subsoil or soil-forming material shall be carefully separated from the main bulk and treated separately in the restoration. Where such material is contaminated by Japanese Knotweed, this shall be controlled by a course of treatment the details of which shall be submitted to the local planning authority for approval prior to the placement of the contaminated material.

B4. The local planning authority shall be given a minimum of 48 hours prior written notice of any soil replacement operation including the dismantling of soil dumps.

B5. All soils or soil substitute materials shall be placed by the "narrow bed, loose tipping" technique unless otherwise approved by the local planning authority. The following general rules shall apply:

(i) the soils shall be as dry as possible before any attempt is made to move them;

(ii) no wheeled dumped trucks shall be allowed across laid soils;

(iii) the final topsoil, or subsoil used as topsoil substitute, surface shall be placed and levelled by backactor machine and not by bulldozer;

(iv) any ripping or other soil loosening operation thought necessary within the loose laid soils shall only be carried out with the prior approval of the local planning authority;

(v) stone removal from topsoil, or subsoil used as topsoil substitute, shall be carried out to achieve an acceptable seedbed;

(vi) the final surface shall only be traversed by agricultural machinery suitably adapted to reduce ground pressure to the minimum.

B6. All plant and buildings, shall be removed from the site on completion of mining and/or restoration works, unless otherwise approved in writing by the local planning authority.

B7. Unless otherwise approved by the local planning authority, all settlement ponds or lagoons shall be retained under the restoration plan for the site, be emptied of water and slurry, their impounding banks be breached, and the voids be filled with dry inert material originating from the site and then be graded to approved levels.

B8. Following the satisfactory replacement of overburden to approved contours, the resultant base material shall be comprehensively ripped to a minimum depth of 300 mm to break up surface compaction before any soil material is spread. Special attention shall be given to areas of excessive compaction, such as haul/access roads, where deeper ripping may be necessary. All larger stones and boulders, wire rope and other foreign material arising shall be removed.

B9. In circumstances where the developer has been unable to secure sufficient soil-forming material to satisfy condition A12 above, the overburden shall be ripped to 500mm depth in the manner as identified under B8 above followed by further cultivation and de-stoning of the top 300mm to remove all stones greater than 150mm side dimension.

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## SCHEDULE C.

### AFTERCARE

C1. Not later than 5 years after the commencement of coaling at the site an aftercare scheme setting out in detail the requirements necessary to bring the land to the required standard for use for agriculture and amenity (i.e. when it is reasonably fit for those uses) shall be submitted for the approval of the local planning authority. The scheme shall include details of the following:

(i) the timing and pattern of vegetation establishment including species to be planted, grass seeding mixtures, stock type and size, spacing, method and position of planting;

(ii) cultivation practices for the preparation of the soils, sub-soil or colliery shale;

(iii) secondary treatments such as moling, sub-soiling, discing, stone picking as necessary;

(iv) drainage including timing of installation work, maintenance works or temporary drainage measures;

(v) fertilizer and weed control to improve soil fertility and control of weeds to be based on soil/shale sampling, the results of which shall be submitted to the local planning authority;

(vi) the provision of a minimum of 6 hectares of new Purple Moor grass & Rush Pasture habitat;

(vii) provision of water supplies and land drainage facilities, including watercourses, field ditch systems and piped field underdrainage where appropriate;

(viii) a detailed annual programme for the first and subsequent years for the aftercare of the site, which shall include the following information:

(a) identity of the person(s) responsible for the succeeding year's programme;

(b) vegetation establishment and layout;

(c) secondary treatments such as further moling, subsoiling or fertilizing requirements;

(d) field drainage requirements and maintenance;

(e) tree and hedge establishment for the year including maintenance such as beating-up, weed control, fertilizer application, cutting or pruning.

C2. Following approval of the regrading works and the replacement of any soil-forming material, subsoils and topsoils, aftercare of the land shall be carried out for a period of five years.

C3. Land subject to aftercare provisions shall be enclosed by adequate stock-proof fencing and shall be maintained in stock-proof condition for the duration of the aftercare period.

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C4 Notwithstanding the details submitted in the application and the restoration strategy in the Environmental Statement July 2002, the details set out in paragraphs 6.2.3 to 6.2.10 and tables 10-13 inclusive shall be amended and modified within any such terms as approved under the scheme to be submitted under C1 above.

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