

Annex C to National Assembly for Wales letter dated 19 January 2005
Ref: A-PP146-07-025

TOWN AND COUNTRY PLANNING ACT 1990:SECTION 77
APPLICATION BY HANSON QUARRY PRODUCTS EUROPE LIMITED
EXTENSION TO THE SOUTH OF EXISTING WORKING AREA AT ST GEORGE'S
QUARRY, NANT DU ROAD, ST GEORGE, ABERGELE

PLANNING CONDITIONS ATTACHED TO PLANNING PERMISSION OF 19
JANUARY 2005 IN RESPECT OF PLANNING APPLICATION REF. 0/26569 DATED
27 SEPTEMBER 2002

Interpretation

1. In this schedule of conditions:

“Ancillary Mining Land”:	means the area annotated as “processing plant area” on Approved Drawing No. A121/14, but excluding the areas annotated as “Tarmac lease area” on Approved Drawing No. A121/12.
“Application Site”:	means the area edged red on Drawing No. A121/12.
“Approved Drawing”:	relate to each of the drawings identified in condition (4).
“Approved Restoration Scheme”:	means the restoration details (including planting proposals) specified in Approved Drawings numbered A121/14, A121/15, A121/16, A121/17, A121/18, A121/49 and A121/50 and in page nos. 38 – 42 (inclusive) of the submitted application document except as otherwise required or amplified by this schedule of conditions
“Bund”	means the land along the north-west boundary of the extension area, shown with brown vertical hatching on Approved Drawing No. A121/14.
“Dinorben Landraising Area”:	means the land to the north of the dwelling at Dinorben Farm, shown with brown vertical hatching on Approved Drawing No. A121/14.
“Extension Area”:	means the area annotated as “extraction area” on Approved Drawing No. A121/13.
“Landraising Areas”:	means both the Dinorben Landraising Area and the Western Landraising Area referred to jointly.
“Management Scheme”	means the scheme submitted to the mineral planning authority on 14 th June 2004 in respect of aftercare / management of the areas restored under the Approved Restoration
“Phase”:	means each numbered phase for the sequential working of the quarry shown on Approved Drawing Nos. A121/14 – A121/17).
“Planting Season”:	means the period between 1 st November and 31 st March of the following year.
“Planning Application”	means the planning application dated 27 September 2002 and the accompanying plans described in Condition 4 below
“Substantial Completion”:	means when the extraction of permitted mineral reserves has reached the point when there are no

longer any reasonable prospects of their future working.

“Waterbody”: means the proposed water feature in the area coloured blue on Approved Drawing No. A121/17.

“Western Landraising Area”: means the land to the west of the extension area, shown with pink vertical hatching on Approved Drawing No. A121/14.

Commencement of the Development

- The development hereby permitted shall commence within 5 years from the date of this permission.

Completion of the Development

- The development hereby permitted shall cease by 31st December 2035, except for any outstanding restoration or aftercare requirements of this permission.

Compliance with Plans

- The development hereby permitted shall be carried out strictly in accordance with the submitted plans, details and particulars listed below, and such other details as may be subsequently approved in writing by the mineral planning authority, pursuant to this schedule of conditions, unless otherwise approved in writing by the mineral planning authority.

Drawing no:	Drawing Title	Date received by mineral planning authority
A121/24	Location Plan for geological cross sections A –C	11 October 2002
A121/25	Geological cross sections A-C	11 October 2002
A121/26	Location plan for geological Cross Sections D-H	11 October 2002
A121/8	Geological cross sections D- H	11 October 2002
A121/13	Proposed extension Initial Establishment Phase	11 October 2002
A121/14	Proposed Extension Phase 1	11 October 2002
A121/15	Proposed Extension Phase 2	11 October 2002
A121/16	Proposed Extension Phase 3	11 October 2002
A121/17	Proposed Extension Phase 4	11 October 2002
A121/18	Working and Restoration Restoration Concept Plan	11 October 2002
A121/43	Location Plan for cross sections A –C Existing and Restored	11 October 2002
A121/20	Cross Sections A – A'	23 December 2002
A121/21	Cross Sections B - B'	23 December 2002
A121/22	Cross Sections C- C'	11 October 2002
A121/45	Location Plan for Cross Sections 1a – 3b	23 December 2002

A121/46	Cross Sections 1a-1a' and 1b –1b' Proposed North Eastern Landraising	23 December 2002
A121/47	Cross Sections 2a-2a' and 2b-2b' Proposed Western Landraising	23 December 2002
A121/48	Cross Section 3a-3a' and 3b-3b' Proposed Dinorben Landraising	23 December 2002
A121/49	Restoration Cross Sections	19 February 2003
A121/50	Restoration Cross Sections Location Plan	19 February 2003

Pegging of Boundaries

5. Soil stripping on each Phase or the operational development on each Landraising Area shall not commence, until the boundaries of the respective Phase or Landraising Area have been pegged out and have been inspected and approved in writing by the mineral planning authority. The pegs shall remain *in situ* until the completion of those operations.

Prior Notification

6. The operator shall give written notice to the mineral planning authority at least 14 days before the commencement of:
 - i) Soil stripping (on each Phase, Landraising Area and Bund);
 - ii) Mineral extraction (on each Phase);
 - iii) Construction of each Landraising Area and Bund;
 - iv) Restoration (of each Landraising Area and Bund);
 - v) Planting (during each Planting Season); and
 - vi) Reinstatement of each Landraising Area.

Notice of Completion

7. The operator shall give written notification to the mineral planning authority within 14 days of the Substantial Completion of:
 - i) Soil stripping (on each Phase, Landraising Area and Bund);
 - ii) Mineral extraction (on each Phase);
 - iii) Construction of each Landraising Area and Bund;
 - iv) Restoration (of each Landraising Area and Bund);
 - v) Reinstatement of each Landscaping Area;
 - vi) Construction of the Waterbody.

Working Hours

8. Except in the case of emergencies affecting safety, or unless otherwise agreed in writing beforehand by the mineral planning authority:
 - I. Blasting operations shall not be carried out other than between 1000 hours and 1600 hours Monday to Friday inclusive. There shall be no blasting on Saturdays, Sundays and Public Holidays.

- II. Drilling operations shall not be carried out other than between: 0730 hours and 1730 hours Monday to Friday inclusive, and 0730 hours and 1200 hours Saturdays.
There shall be no drilling on Sundays and Public Holidays.
- III. Plant maintenance work in the Application Site and Ancillary Mining Land shall not be carried out other than between: 0700 hours and 1900 hours Monday to Friday inclusive, 0700 hours and 1600 hours Saturdays, and 0700 hours and 1600 hours Sundays and not at all on Public Holidays.
- IV. The haulage of limestone from the Application Site or Ancillary Mining Land shall not be carried out other than between: 0700 hours and 1800 hours Monday to Friday inclusive, and 0700 and 1300 hours on Saturdays and not at all on Sundays and Public Holidays.
- V. The operations hereby permitted within the Dinorben Landraising Area shall not be carried out other than between 0800 and 1700 hours Monday to Friday inclusive. No such operations shall be carried out on Saturdays or Sundays or on Public Holidays.
- VI. The operations hereby permitted, (other than those specified in I –V above), shall not be carried out other than between 0700 hours and 1800 hours Monday to Friday inclusive and 0700 hours and 1300 hours on Saturdays. No such operations shall be carried out on Sundays or on Public Holidays.

Permitted Development Rights

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no buildings, fixed plant, fixed machinery, any crushers or lagoon areas shall be erected, altered or replaced on any part of the Application Site or Ancillary Mining Land without the prior written approval of the mineral planning authority.

Dust

10. Within 6 months of the date of this permission a scheme for dust suppression within the Application Site and Ancillary Mining Land shall be submitted in writing to the mineral planning authority for written approval. The submitted scheme shall include provision for dust monitoring, remediation measures and a timetable for implementation. The scheme shall be implemented as approved.

Noise Best Practice

11. The best practical means shall be employed at all times to minimise the emission of noise arising from the development hereby permitted.

Noise Limits

12. Without prejudice to the generality of condition (11), noise levels shall not exceed $48\text{dB(A)}_{\text{Leq, 1hr}}$ when measured free field 3.5 m from the façade of any noise sensitive property, except:
- a) during drilling operations, which shall not take place for more than 8 weeks (48 operational days) in any 12 months period, when noise levels shall not exceed $52\text{dB (A)}_{\text{Leq,1hour}}$;
 - b) during the construction and reinstatement of the Dinorben Landraising Area and Western Landraising Area and Bund and soil stripping operations, which similarly shall not take place for more than 8 weeks (48 operational days) in any 12 months period, when noise levels shall not exceed 67 dB Leq,1hr ; and
 - c) as may otherwise be approved in writing by the mineral planning authority,

Measurements taken to verify compliance shall have regard to the effects of extraneous noise and shall be corrected for such effects.

Blasting Best Practice

13. The best practical means shall be employed at all times to minimise ground vibration and air overpressure from blasting operations.

Blasting Limits

14. Without prejudice to condition (13) above, ground vibration as a result of blasting operations shall not exceed a Peak Particle Velocity in any plane of 6mm/second in 95% of all blasts measured over a 6 months period, and no individual blast shall exceed a Peak Particle Velocity of 10 mm/second in any plane, as measured at the nearest residential or other vibration sensitive property.

Blast Monitoring

- 15.
- (i) Unless otherwise previously agreed in writing by the mineral planning authority, every blasting operation shall be monitored.
 - (ii) The monitoring shall record Peak Particle Velocity on the longitudinal, transverse and vertical planes, the frequency of the vibration in each plane, the resultant Peak Particle Velocity and Air Over-pressure.
 - (iii) Monitoring shall take place at locations previously approved in writing by the mineral planning authority, and in the case of the Extension Area, shall include a site at the Dinorben Farm dwelling.
 - (iv) The results of the monitoring under the terms of this condition and the details of blast design shall be made available for inspection by the mineral planning authority upon request.

Blast Design

16. Blast designs shall be calculated with the aid of regression line analysis determined from a logarithmic plot of Peak Particle velocity against scaled distance. The regression line analysis shall be regularly updated using the blast monitoring information collected in accordance with condition 15 above. The regression lines shall be made available to the mineral planning authority upon request.

RESTORATION

Soil Stripping

17. The construction of the Landraising Areas and the Bund shall not be carried out until the existing topsoil and subsoil in each respective area has been stripped. The topsoil and subsoil shall be stored separately pending its use as cover material in the Landraising Areas and Bund and in due course be used in restoration works in the Application Site, with the subsoil overlying the overburden, and the topsoil overlying the subsoil. A layer of topsoil at least 300mm in depth shall be provided between the overburden and the surface topsoil layer. No turf or soil shall be removed from the Application Site.

Construction of Landraising Areas & Bund

18. The construction of each of the Dinorben and Western Landraising Areas and the Bund shall be carried out in the following sequences respectively:
 - i) Dinorben Landraising Area – Commence at the south-west extremity and proceed in easterly and north-easterly directions;
 - ii) Western Landraising Area – Commence along the western boundary and proceed in an easterly direction;
 - iii) The Bund – Commence at the north-east end and proceed in a south-westerly direction.

Timing of Planting and Restoration Works

19. Unless otherwise previously agreed in writing by the mineral planning authority, the planting and restoration scheme shall not be carried out otherwise than progressively within the timescales stated in page nos. 38 – 42 (inclusive) and Approved Drawing Nos. A121/14 – A121/18 (inclusive) of the Planning Application, and more specifically:
 - i) The Landraising Areas shall each be graded and restored as agricultural pasture within 9 months following the commencement of landraising operations in each respective area.
 - ii) The Bund along the north-western edge of the Extension Area shall be graded and restored as pasture within 9 months following the commencement of its construction, and the hedge shall be planted during the first Planting Season thereafter.
 - iii) The hedgerows (other than as indicated in (ii) above) and the two woodland areas to the west of the Extension Area shall be planted

during the first Planting Season following the commencement of soil stripping in Phase 1.

- iv) The Landraising Areas shall each be reinstated to their original profiles and restored as agricultural pasture, and the final stage of the restoration, planting and seeding in the Extension Area shall be carried out within a timescale of:
 - a) 12 months following the Practical Completion of mineral extraction, or
 - b) 30th September 2036;whichever is the sooner.

Planting Density

20. Notwithstanding the planting density set out in section 7.2 of the application statement, the planting distances between the trees and shrubs shall not be as stated in the application, but shall be as follows:

Woodland trees (hawthorn, blackthorn and hazel):	1.5 metres
Woodland trees (other species):	2 metres
Hedgerow shrubs:	300mm
Hedgerow trees:	20 –30 metres

If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub is removed, uprooted or destroyed or dies, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Root and Ground Preparation

21. No trees shall be planted unless they have previously been dipped in Broadleaf P4 root dip immediately after their lifting at the nursery, and shall be retained in polythene bags, secured at the stems, until they are ready for planting. The depth of soil cover beneath the woodlands and hedgerows shall not be less than 350mm.

Handling of Soil

22. The stripping, movement and grading of topsoil and subsoil shall only be carried out during dry conditions and when the topsoil is in a friable condition and the subsoil is sufficiently dry to withstand handling without smearing, unless the mineral planning authority agrees otherwise in writing, in advance of soil movement.

Implementation of Restoration Works

- 23(A) That part of the Approved Restoration Scheme shown on Approved Drawing A121/14 shall be completed by the end of the first planting season following the commencement of mineral extraction from Phase 2 unless previously approved in writing by the Mineral Planning Authority and shall be maintained/managed in accordance with the Approved

- Restoration Scheme and the Management Scheme for a period of 5 years from completion.
- 23(B) That part of the Approved Restoration Scheme shown on Approved Drawing A121/15 shall be completed by the end of the first planting season following the commencement of mineral extraction from Phase 3 unless previously approved in writing by the Mineral Planning Authority and shall be maintained/managed in accordance with the Approved Restoration Scheme and the Management Scheme for a period of 5 years from completion.
- 23(C) That part of the Approved Restoration Scheme shown on Approved Drawing A121/16 shall be completed by the end of the first planting season following the commencement of mineral extraction from Phase 4 unless previously approved in writing by the Mineral Planning Authority and shall be maintained/managed in accordance with the Approved Restoration Scheme and the Management Scheme for a period of 5 years from completion.
- 23(D) The Approved Restoration Scheme (including all land restoration and planting proposals shown on drawings A121/17 and A121/18) shall be completed within 12 months following the Substantial Completion of mineral extraction or by 31 March 2037 whichever shall be the sooner, and shall be maintained/managed in accordance with the Approved Restoration Scheme and the Management Scheme for a period of 5 years from the completion of the Approved Restoration Scheme.

Trees, Shrubs and Hedgerows

24. All existing trees, shrubs and hedgerows in that part of the Application Site lying to the south, west and east of the Extension Area and not affected by mineral excavation or landraising shall be retained, and they shall be maintained/managed in accordance with the Approved Drawings and the Management Scheme for the period from the date of the approval of the Management Scheme until 5 years after the completion of the Approved Restoration Scheme. Within that same area, the two proposed new woodlands together with all proposed new and enhanced hedgerows shall be completed in accordance with the Approved Restoration Scheme details during the first Planting Season following the commencement of soil stripping in Phase 1 and shall thereafter be maintained/managed in accordance with the Approved Restoration Scheme and the Management Scheme until 5 years after the completion of the Approved Restoration Scheme.

The Waterbody

25. No development shall be carried out in Phase 4 until details of the Waterbody (including measures to ensure water retention at a stable level) have been submitted to, and approved in writing by, the mineral planning authority. The details shall include:
- i) a detailed plan and sectional drawings of the Waterbody; and
 - ii) details of planting around the margins of the Waterbody, including aftercare and the replacement of failed species over a period of 2 years from the date of completion of planting.

The Waterbody (including the related planting) shall be completed within 12 months following the completion of Phase 4 or by 31st December 2036, whichever is the sooner.

Importation of Soils

26. No soils or soils forming materials shall be imported to the site without the prior written approval of the mineral planning authority.

HYDROLOGY

Groundwater and Surface Water Monitoring

27. Within 3 months of the date of the grant of this permission, a scheme of surface and ground water monitoring shall be submitted to the mineral planning authority. That scheme shall include the monitoring of surface and ground water drainage patterns and flows within one kilometre of the Extension Area boundary, at least every 3 years, by means of empirical survey during the summer and the winter periods. The results of that monitoring shall be assessed against the baseline survey data set out in section 9 of the Environmental Statement. The results shall be reported to the mineral planning authority within 6 months of completion of each monitoring exercise, together with an assessment of the significance of changes that have occurred in terms of hydrological, hydrogeological and ecological interests.

The scheme to be submitted shall make provision for addressing the derogation of any water supply as a consequence of the influence on the permitted operations.

Excavation below Goundwater Levels

28. No excavation below 76 metres A.O.D. shall take place within the Extension Area until the Mineral Planning Authority has given its written approval thereof (with or without conditions) based upon the assessment of the significance of monitored change and likely future impacts upon hydrological and ecological interests. In any event, no excavation shall occur within any part of the Application Site below the level of 58 metres A.O.D. nor below the cross profiles indicated on Drawing Nos. A121/8 and A121/25.

Bunding of Fuel & Oil Tanks

29. 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 the banded 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 pipe outlets should be details to discharge downwards into the bund.

Surface Water Discharge

30. There shall be no discharge to the public highway of any surface water from drainage ditches or pipes within the Application Site or Ancillary Mining Land.

Archaeological Programme

31. The development hereby approved shall not commence in the Extension Area until a programme of archaeological investigation and works has been secured in accordance with the Phase 2 Archaeological Evaluation (Ref: NAA 03/16) dated January 2003 and implemented.

Notification of Archaeological Finds

32. The mineral planning authority shall be notified immediately of any:
 - (i) Archaeological finds within the Application Site of such significance that would be likely to merit their designation as scheduled monuments;
 - (ii) Other finds within the Landraising Areas or the site of the Bund that would be likely to merit their preservation *in situ*, together with details for the approval of the mineral planning authority of measures for their protection.

Buffer Zone

33. Notwithstanding the details of the submitted quarry development scheme and the provisions of Condition (4), no quarrying shall take place within 200 metres of the residential property at Dinorben Farm. Within 12 months of the date of this permission, a revised development scheme for Phases 2-4 shall be submitted to the mineral planning authority, and the revised scheme shall be implemented as approved. The revised scheme shall make provision for phased extraction and restoration in accordance with the principles of the originally submitted scheme but incorporating a 200 metres buffer zone to Dinorben Farm.