

HENDY QUARRY



ENVIRONMENT ACT ROMP REVIEW APPLICATION STATEMENT

November 2013



Environment Act 1995

Schedule 14

First Periodic Review

HENDY QUARRY

APPLICATION STATEMENT

Document Verification
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Project: Hendy Quarry
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1.0 INTRODUCTION

This statement has been prepared in support of an Environment Act First Periodic Review of the conditions controlling quarrying operations at Hendy Quarry near Miskin.

The application has been submitted to Rhondda Cynon Taf County Borough Council (RCT) by the owners and operators of the quarry, Lafarge Tarmac Ltd. The purpose of the statement is to formalise the submission in confirming:

- (i) The details of the quarry development scheme upon which the proposed updated planning conditions are based; and
- (ii) The required schedule of planning conditions for consideration by RCT.

The Statement also includes the completed application forms which constitute the formal application made under the provisions of paragraph 6 of Schedule 14 of the Act.

In procedural terms, an Initial Review of the mineral planning permissions at Hendy Quarry was completed in May 1998 (reference T/97/2165/10), as an update of the planning conditions imposed on the 1950, 1963 and 1982 planning permissions. Based upon a requirement for a First Periodic Review to take place 15 years after an Initial Review, it has been agreed with RCT that the First Periodic Review application needs to be submitted to RCT by 29th November 2013. This statement and supporting application fulfils this requirement.

The application is supported by an Environmental Impact Assessment (EIA) the results of which are set out in an Environmental Statement (ES). The ES is produced as an accompanying Volume 1, with appendices to the ES produced as Volume 2. A Non Technical Summary of the ES is produced as Volume 3, and figures in support of a landscape and visual impact assessment are produced as Volume 4.

A full description of the Quarry development scheme is included as Chapter 3.0 of the ES (Volume 1). The development scheme comprises an update of the currently approved quarry development scheme in terms of the exploitation of the remainder of the permitted reserves within the north eastern area of the quarry. The quarry development scheme does not seek to amend the currently approved limits of quarry.

The description of the quarry development scheme is not duplicated in this statement, but it should be read in conjunction with quarry development plans which accompany this statement, and which confirm the details of the development scheme.

It is important to note that the Review relates to the mineral planning permissions at Hendy Quarry. It is conventional practice in undertaking a review of mineral planning permissions to prepare a quarry restoration scheme, and for the implementation of that scheme to be controlled by planning conditions. This was the approach taken at the time of the Initial Review of the Hendy Quarry planning permissions in 1998, when conditions were imposed requiring the submission of the scheme detailing the general principals of restoration, and requiring proposals for the aftercare of the site to be submitted for the approval of the MPA, based upon a restoration strategy and outline aftercare provision details which accompanied the Initial Review application.

These requirements were superseded by a planning permission granted in September 2001 for the progressive restoration of the quarry using inert infill materials (reference T/01/2376/10). The infill planning permission includes detailed conditions relating to restoration; the submission of an updated final restoration scheme in advance of completion

of infilling, and a requirement for a detailed programme of aftercare management. These controls and requirements include inbuilt flexibility to respond to changes in circumstances associated with infill volumes and the final restoration profiles which are achieved.

The separate landfill restoration planning permission does not form part of the mineral planning permission Review. However, the ES considers the extent to which the proposed quarry development scheme might impact upon the restoration scheme, and any consequential restoration issues which might be relevant. The underlying conclusion is that no changes are required to the restoration concept at this stage, and that the restoration of the quarry does not need to be addressed further as part of the Periodic Review of the mineral planning permissions.

The purpose of the First Periodic Review is to reconsider the conditions imposed via the Initial Review, and assess the extent to which the conditions should be revised and updated.

The initial onus is on the applicant to prepare an updated schedule of planning conditions. The EIA and ES is intended to assist this exercise by identifying the environmental and amenity effects of the updated quarry development scheme, the measures which are required to mitigate the identified effects, and the way in which these can be enforced by planning conditions or other regulatory regimes. The ES also includes a review of planning policy guidance, which provides a further context for issues which should be regulated by planning conditions and which, in certain cases, provides specific guidance on the content of conditions (e.g. noise and blast vibration).

RCT is not obliged to accept the planning conditions proposed by the applicant, and they are entitled to impose different conditions or additional conditions. However, where a Mineral Planning Authority determines conditions different from those submitted by the applicant, and the effect of the conditions, other than restoration or aftercare as compared to the effect of the existing conditions is to impose a restriction on working rights, then applicants whose interests have been adversely affected by the restrictions will be entitled to claim compensation (reference Schedule 14, paragraph 13 of the Environment Act 1995).

The conditions proposed by the applicant are set out in Section 4.0 of this statement, and the rationale behind the proposed conditions is summarised in Chapter 14.0 of the ES. This highlights the key findings of the respective environmental impact studies, the mitigation measures which have been recommended, and the way in which the recommendations can be translated into planning conditions. The schedule of proposed planning conditions is in turn based upon the framework provided by ES Chapter 14.0.

The updated quarry development scheme is considered to represent a positive and constructive approach to devising an environmentally sensitive operation and to regulating the development by modern, up to date planning controls. In these terms, the exercise associated with the EIA has been of positive value in preparing specific conditions which reflect the conclusions and recommendation of the EIA.

Subject to these introductory comments, and the cross references to the supporting ES and related documents, the remainder of this statement comprises:

- Section 2.0: Completed Application Forms and Certificates
- Section 3.0: Application Plans
- Section 4.0: Schedule of Proposed Planning Conditions

2.0 APPLICATION FORMS AND CERTIFICATES

OFFICIAL FORM FOR APPLICATION FOR DETERMINATION OF CONDITIONS TO WHICH A MINERAL SITE/MINING SITE IS TO BE SUBJECT

APPLICATION FOR DETERMINATION OF CONDITIONS FOR ~~MINERAL SITE/MINING SITE~~ - Environment Act 1995 (Section 96 and ~~paragraph 9 of Schedule 13/paragraph 6 of Schedule 14~~)

Name of mineral planning authority: Rhondda Cynon Taf

3 copies of the completed form and accompanying plans, documents and certificates should be returned to:

Planning Services, Rhondda Cynon Taf,
Sardis House, Pontypridd, CF37 1DU

Section 1. The Applicant and the Owners

1.1. Applicant

Name: Lafarge Tarmac Ltd

Address: Millfields Road
Ettingshall
Wolverhampton
WV4 6JT

Phone No. 01902 382692

1.2. Agent (if any) to whom all letters are sent

Name: SLR Consulting Ltd

Address: Fulmar House, Beignon Close
Ocean Way
Cardiff
CF24 5PB

Phone No. 02920 491010

1.3 Please specify the land or minerals comprised in the site of which the applicant is the owner or in which the applicant is entitled to an interest

Land at Hendy Quarry comprising the mining site
shown outlined in red on accompanying plan HQ ROMP 1

1.4 Please identify, and give an address for, each other person that the applicant knows or, after reasonable inquiry, has cause to believe to be an owner of any land, or entitled to any interest in any mineral, comprised in the site

1.4.1. The surface land owners 1.4.2. The mineral owners

Name: N/A

Name: N/A

Address:

Address:

Phone No.

Phone No.

1.5. Address/Location of Site to which the Application Relates

Hendy Quarry, School Lane, Miskin B75 5S2

Planning permissions illustrated on plan HQ ROMP 2

(ATTACH:

Ordnance Survey base plans showing location of site and distinguishing the area(s) to which each permission relates.)

1.6. Type of Application

Please state whether this application is made in connection with an initial review or a periodic review. If made in connection with a periodic review, please state which review - ie first, second, third etc.

First Periodic Review

1.7 Planning Permissions Relating to the Site

Please list all planning permissions for development consisting of the winning and working of minerals or involving the depositing of mineral waste.

2209 10 May 1950

6467 24 May 1963

56/77/1050 2nd October 1982

Section 2. Current Use of the Land covered by the Permission(s)

2.1. Please give a general description of the land covered by the permission(s):

Operational quarry area comprising quarry faces, benches, haul roads, and infill restoration area.

2.2.1. Total area of the land covered by the permission(s) (in hectares):

21.46

2.2.2. Total area to be excavated (in hectares):

Quarry area 14.09 hectares of which some 4.4 hectares comprises the remaining quarry development area.

2.2.3. Total area to be used for the depositing of mineral waste (in hectares):

All quarry waste disposed of within quarry void.

2.3. Please describe the present uses of the land:

Section 3. Details of any land adjoining the permission area owned or controlled by the applicant

3.1. Give the particulars of the applicant's interest in adjoining land (outline in blue on ordnance survey base plan):

N/A

3.2. Give details of any other planning permission relating to the land covered by the permission or to any land specified in 3.1 above:

Landfill restoration

Please give planning permission reference number(s):

T/01/2376/10

Section 4. Nature of intended future development at site

Give details of any intended:-

4.1. Lateral extension of existing working:

N/A

4.2. Deepening of existing working:

N/A

4.3. Extension of existing operations for depositing mineral waste:

N/A

4.4. Re-opening of a disused working:

N/A

4.5. Re-activation of operations for the depositing of mineral waste:

N/A

Section 5. Proposed Conditions

5.1. Please set out in an attached schedule, the conditions to which you propose the permission(s) should be subject. The conditions should cover:

- # Duration of the permission(s);
- # Access, Traffic and Protection of the Public Highway;
- # Working Programme;
- # Environmental Protection; Please refer to section 4.0 of Application Statement
- # Landscaping;
- # Restoration;
- # After-use;
- # Aftercare (where appropriate).

Section 6. Plans and Drawings

In addition to the location plan, plan showing the area of the permission(s) (and adjoining areas in the applicant's ownership or control, where appropriate), attach plans showing the following:-

- 6.1. The existing surface levels over the area of extraction and/or depositing and land in the immediate vicinity. Plan HQ ROMP 3
- 6.2. The general method of working, including details of direction and phasing. Plan HQ ROMP 4
- 6.3. The proposed final levels of the worked out areas prior to restoration. Plan HQ ROMP 5
- 6.4. The proposed surface area, height and location of mineral stockpiles; topsoil; subsoil; overburden mounds; and, mineral waste deposits. N/A
- 6.5. Details of the access to the site, parking, loading, unloading areas etc. Plan HQ ROMP 1
- 6.6. Details of landscaping and restoration including the final levels of the restored site. Covered by separate landfill planning permission
- 6.7. Details of services crossing or adjacent to the site - eg drainage, gas or electricity supplies. N/A
- 6.8. Details of land to remain unworked within the area of application. Plan HQ ROMP 2

Section 7. Voluntary Agreements

7.1. Please indicate the need for any agreements to achieve environmental acceptability and after-use identified in pre-application discussions.

N/A

(ATTACH:

Outline or draft agreements.)

Section 8. Notification and Certification of Application

The application must be accompanied by the appropriate certificates and notices required by the Town and Country Planning Act 1990, as if it were an application for planning permission.

(ATTACH:

appropriate certificates and notices)

Article 10 Certificate A, and agricultural holdings certificate

I/we hereby apply for approval of the conditions as described in the application and accompanying schedule and plans.

Signed .G.Jenkins.....

Date: 20th November 2013

On behalf of: Lafarge.Tarmac.Ltd

-insert applicants name if
signed by agent.

NOW CHECK that you have enclosed

- i. 3 copies of the location plan with the permission area(s) accurately marked (and, where relevant, showing any areas of adjoining land owned or under the control of the applicant accurately marked in blue);
- ii. 3 copies of the plans specified in section 7 of the application form;
- iii. 3 copies of the schedule of proposed operating and restoration conditions;
- iv. 3 copies of the appropriate certificates and notices required.

AND THAT ALL FORMS AND CERTIFICATES ARE SIGNED AND DATED

25. Ownership Certificates

One Certificate A, B, C, or D, must be completed, together with the Agricultural Holdings Certificate with this application form

Certificate of Ownership – Certificate A

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) of any part of the land or building to which the application relates.

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

G Jenkins

20/11/2013

Certificate of Ownership – Certificate B

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

I certify/ The applicant certifies that I have/the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) of any part of the land or building to which this application relates.

Name of Owner	Address	Date Notice Served

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

20/11/2013

Certificate of Ownership – Certificate C

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

I certify/ The applicant certifies that:

- Neither Certificate A or B can be issued for this application
- All reasonable steps have been taken to find out the names and addresses of the other owners (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) of the land or building, or of a part of it, but I have/ the applicant has been unable to do so.

The steps taken were:

Name of Owner	Address	Date Notice Served

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

25. Ownership Certificates (continued)

Certificate of Ownership – Certificate D

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

I certify/ The applicant certifies that:

- Certificate A cannot be issued for this application
- All reasonable steps have been taken to find out the names and addresses of everyone else who, on the day 21 days before the date of this application, was the owner (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) of any part of the land to which this application relates, but I have/ the applicant has been unable to do so.

The steps taken were:

--

Notice of the application has been published in the following newspaper
(circulating in the area where the land is situated):

--

On the following date (which must not be earlier
than 21 days before the date of the application):

--

Signed - Applicant:

--

Or signed - Agent:

--

Date (DD/MM/YYYY):

--

26. Agricultural Holdings

Agricultural Holding Certificate

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

Agricultural Land Declaration - You Must Complete Either A or B

(A) None of the land to which the application relates is, or is part of, an agricultural holding.

Signed - Applicant:

--

Or signed - Agent:

G Jenkins

Date (DD/MM/YYYY):

20/11/2013

(B) I have/ The applicant has given the requisite notice to every person other than myself/ the applicant who, on the day 21 days before the date of this application, was a tenant of an agricultural holding on all or part of the land to which this application relates, as listed below:

Name of Tenant	Address	Date Notice Served

Signed - Applicant:

--

Or signed - Agent:

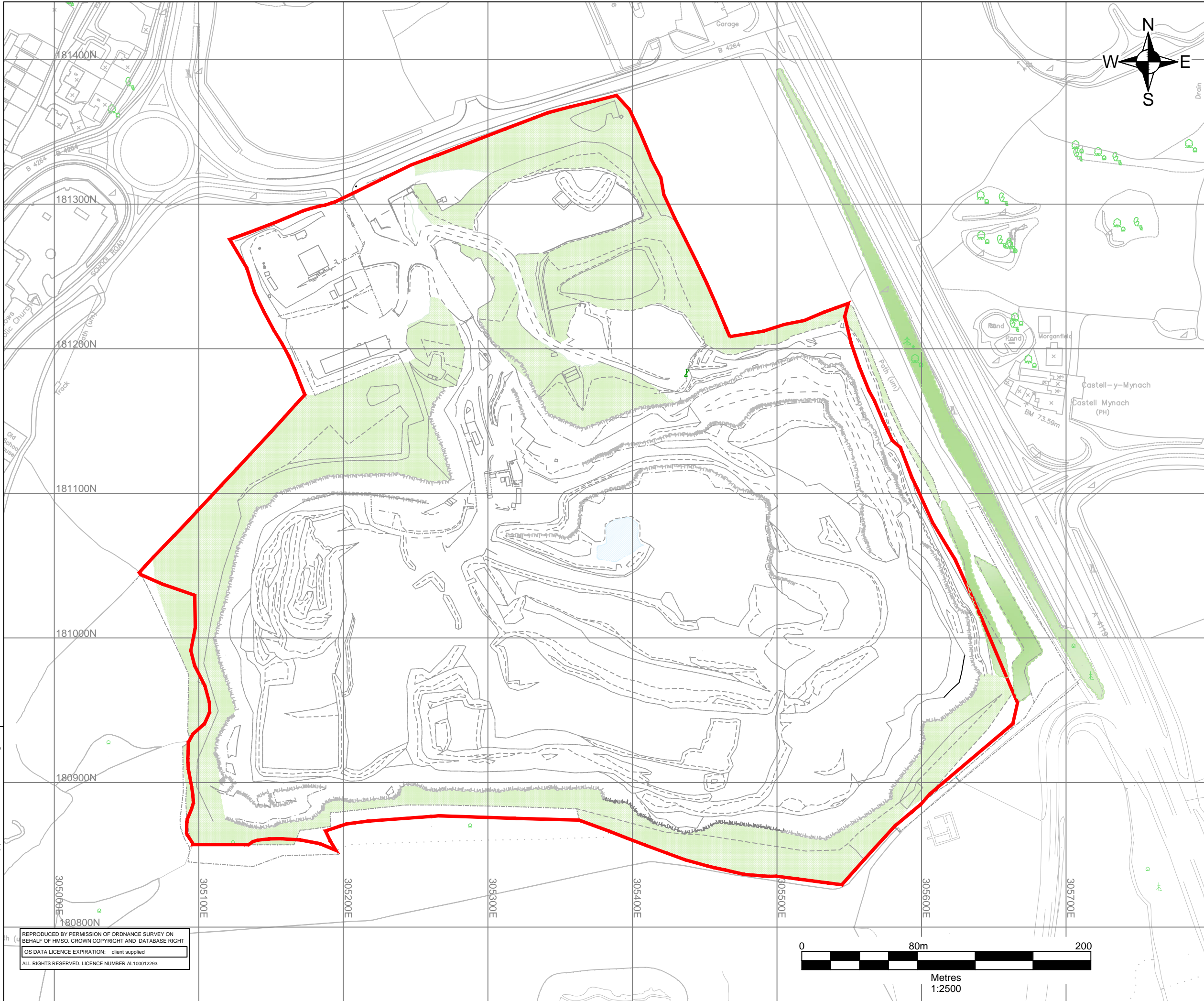
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Date (DD/MM/YYYY):

--

3.0 APPLICATION PLANS

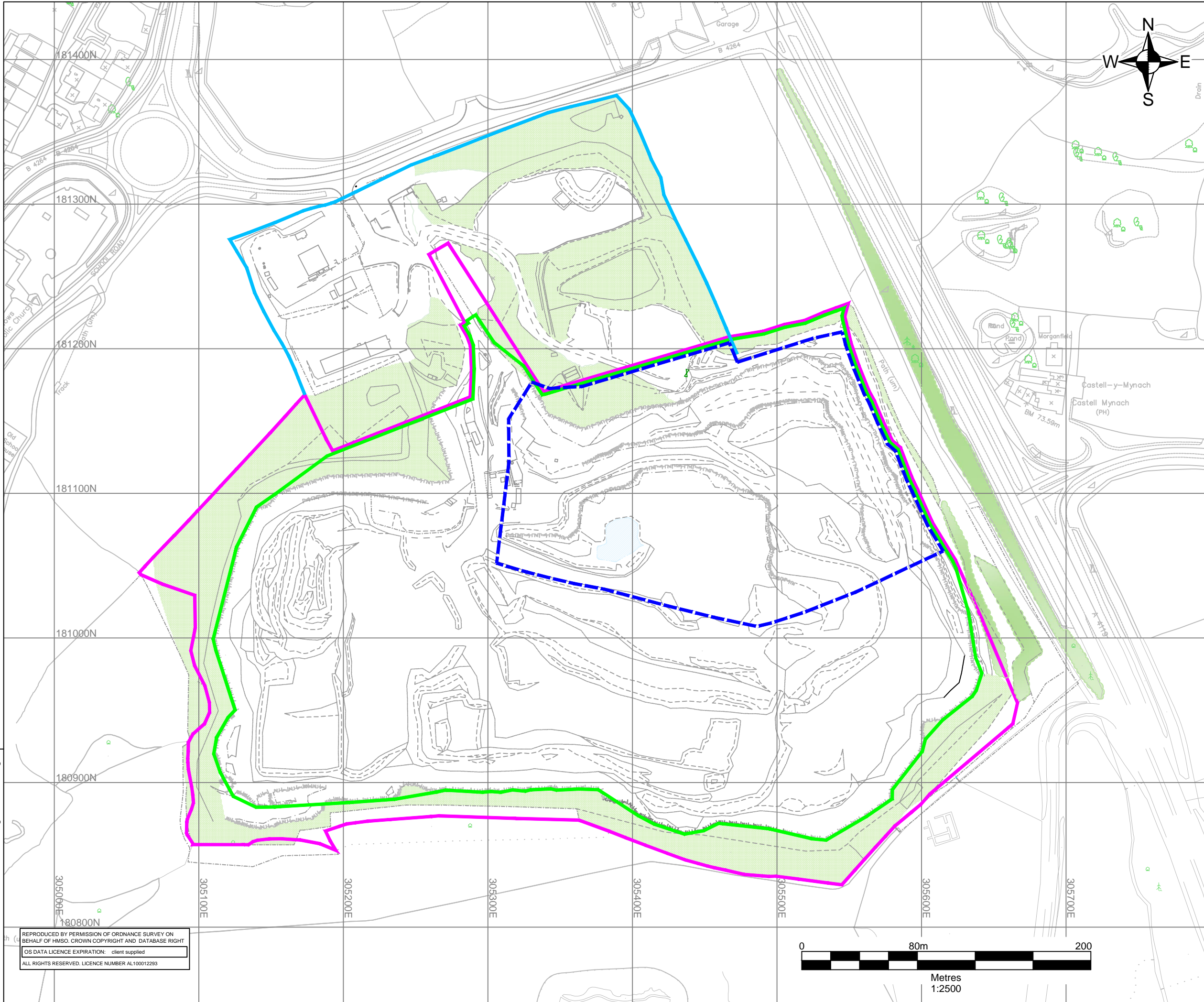
00088.00270.18.HQ ROMP 1.0 Application Site Plan.dwg



NOTES QUARRY SURVEY TAKEN FROM TARMAC, H74-HENDY, TOPOGRAPHIC PLAN, REF H74 2012-06 QU, DATED 18-06-2012	
LEGEND <div><div></div> SITE BOUNDARY</div>	
<div><div>FULMAR HOUSE BEIGNON CLOSE OCEAN WAY CARDIFF. CF24 5PB T: 0292 049 1010 F: 029 2048 7903 www.slrconsulting.com</div></div>	
<div>HENDY QUARRY</div> <div>ROMP REVIEW</div> <div>APPLICATION BOUNDARY</div> <div>HQ ROMP 1</div>	
Scale 1:2500 @A3	Date NOVEMBER 2013

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ALL RIGHTS RESERVED. LICENCE NUMBER AL100012293

00086.00270.18.HQ ROMP 2.0 Planning Context.dwg



NOTES

QUARRY SURVEY TAKEN FROM TARMAC,
H74-HENDY, TOPOGRAPHIC PLAN, REF H74
2012-06 QU, DATED 18-06-2012

LEGEND

- BOUNDARY OF 1963 AND 1982 QUARRY PERMISSIONS
- QUARRY DEVELOPMENT LIMITS ACCOMPANYING 1998 ROMP INITIAL REVIEW
- REMAINING QUARRY DEVELOPMENT 2013 ROMP PERIODIC REVIEW
- PLANT AND QUARRY WASTE AREAS OF 1963 PLANNING PERMISSION
- EXISTING TREES

**LAFARGE
TARMAC**

SLR

FULMAR HOUSE
BEIGNON CLOSE
OCEAN WAY
CARDIFF. CF24 5PB
T: 0292 049 1010
F: 029 2048 7903
www.slrconsulting.com

HENDY QUARRY

ROMP REVIEW

PLANNING CONTEXT

HQ ROMP 2

Scale
1:2500 @A3

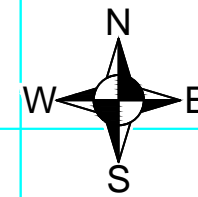
Date
NOVEMBER 2013

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June 2012 Topographical Survey



Phase 1 - Development to Northeast Limit



LEGEND



LIMESTONE EXTRACTION AREA

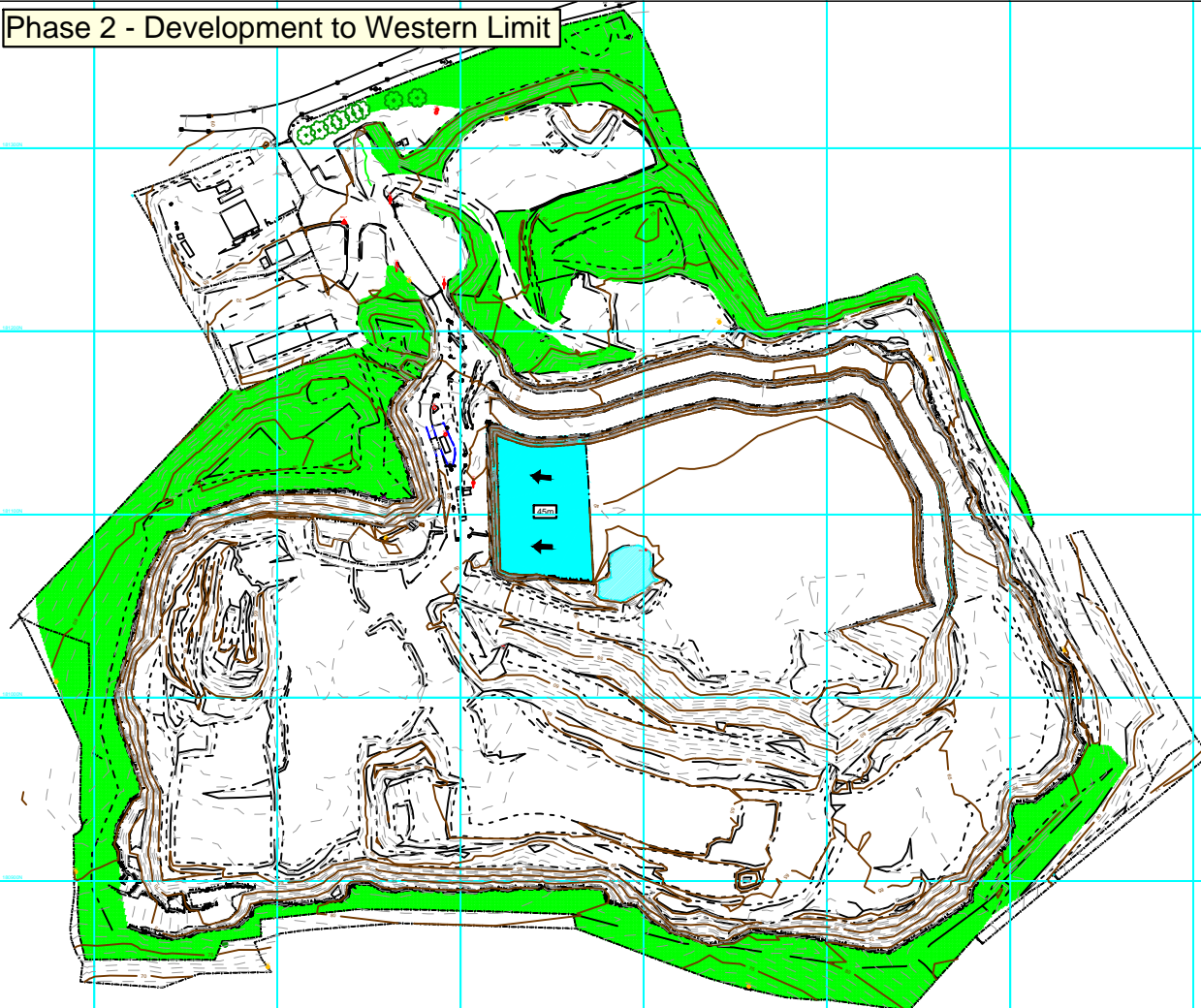
45M

BENCH LEVEL (mAOD)

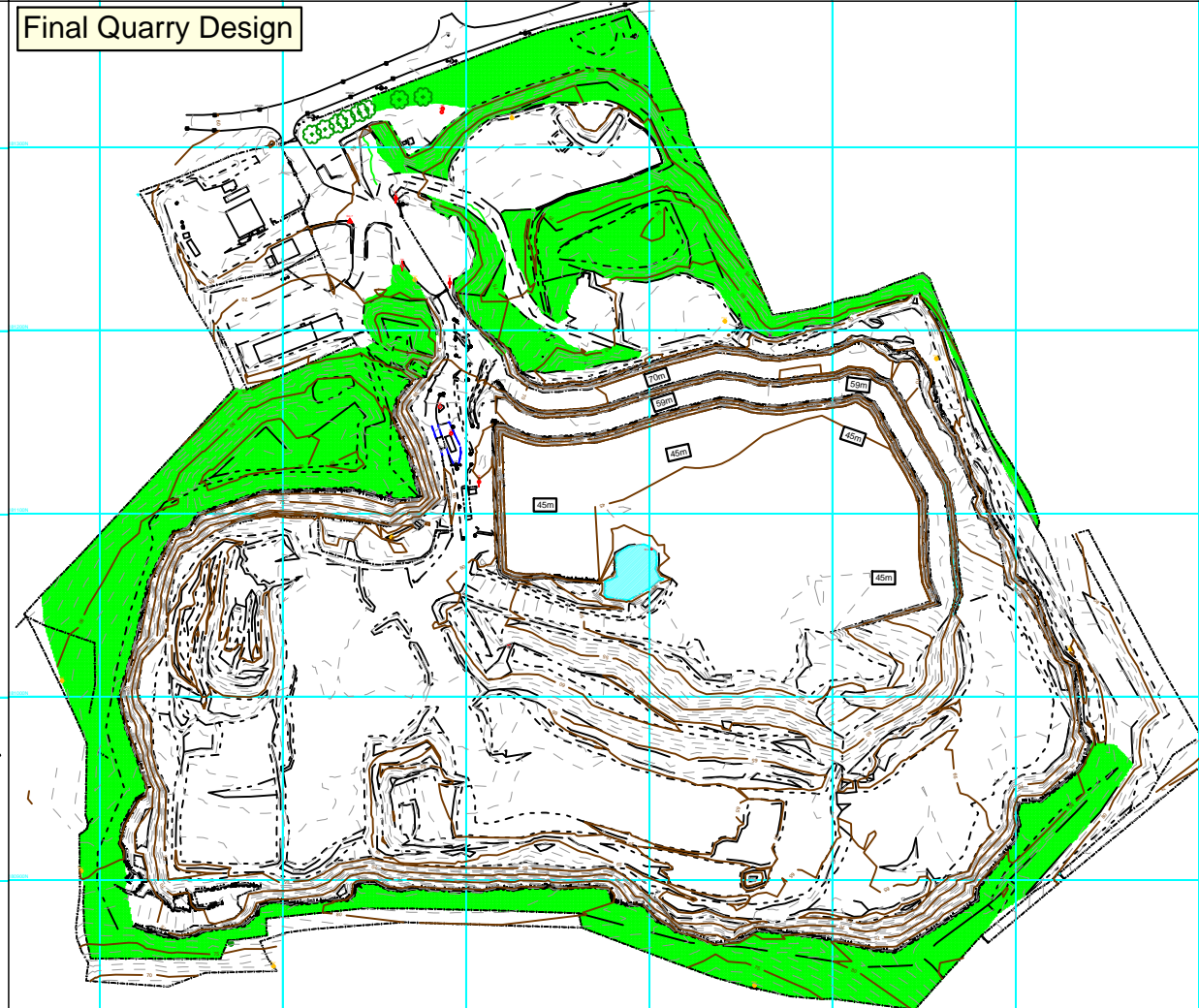


DIRECTION OF FACE PROGRESSION

Phase 2 - Development to Western Limit



Final Quarry Design



**LAFARGE
TARMAC**

SLR

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F: 029 2048 7903
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HENDY QUARRY

ROMP REVIEW

QUARRY DEVELOPMENT PHASING

HQ ROMP 4

Scale

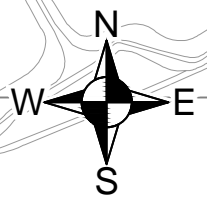
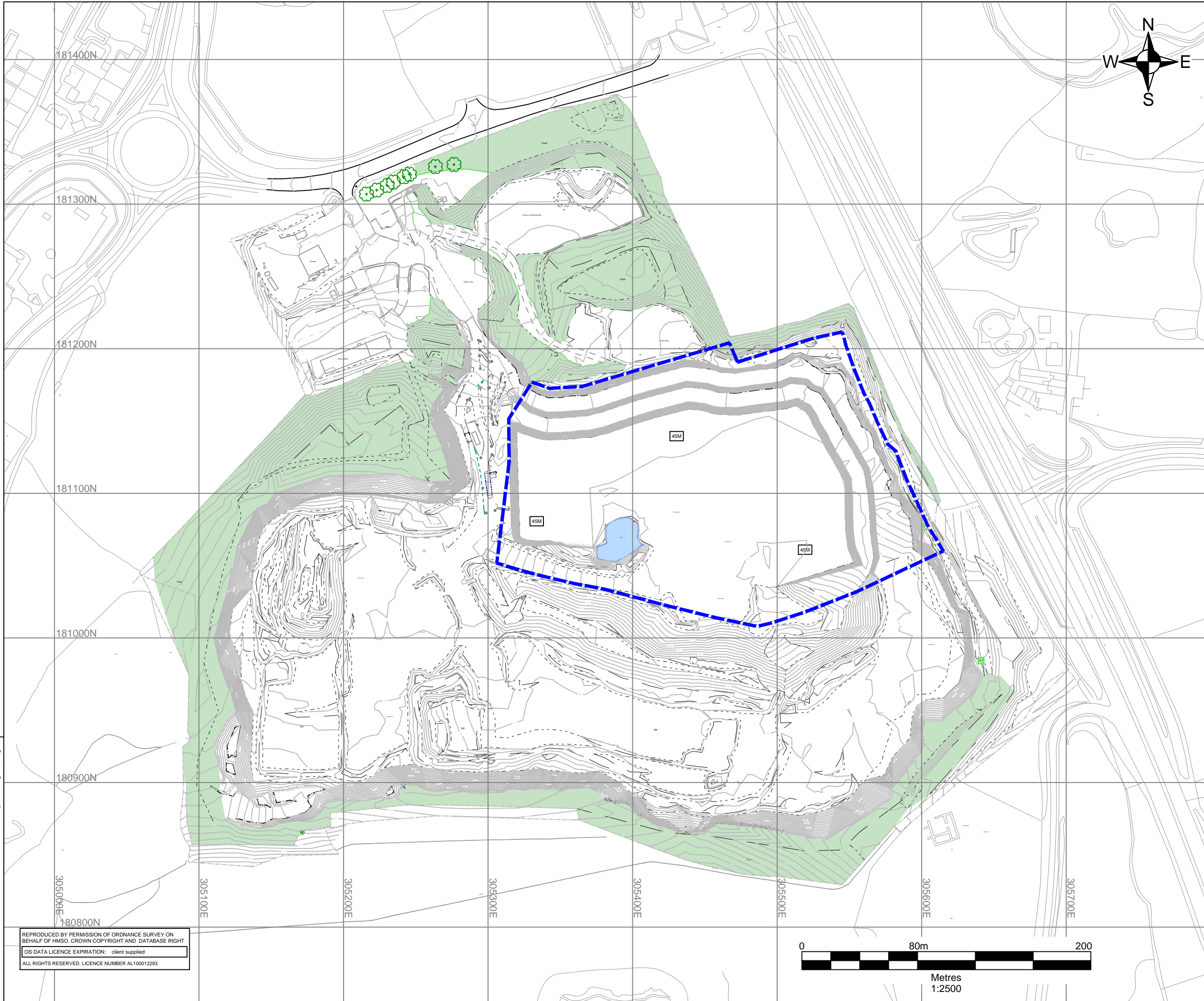
N.T.S

Date

NOVEMBER 2013

00088.00270.18.HQ ROMP 4.0 Quarry Development Phasing.dwg

00088.00270.18 HQ ROMP 5.0 Final Quarry Design.dwg



NOTES

QUARRY SURVEY TAKEN FROM TARMAC, 4 - FQD.LSS AND H74OS2010-08.LSS FILES

LEGEND

- REMAINING QUARRY DEVELOPMENT 2013 ROMP PERIODIC REVIEW
- EXISTING TREES

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HENDY QUARRY

ROMP REVIEW

FINAL QUARRY DESIGN

HQ ROMP 5

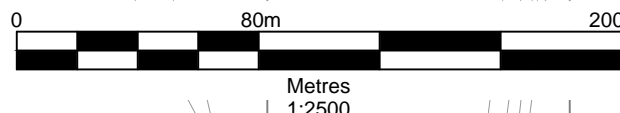
Scale
1:2500 @A3

Date
NOVEMBER 2013

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4.0 SCHEDULE OF PROPOSED PLANNING CONDITIONS

Environment Act 1995: Schedule 14

Hendy Quarry, Miskin: LafargeTarmac Ltd

Schedule of Proposed Conditions

Draft 20 11 13

A. Definition of Terms

For the purposes of these planning conditions the following words and phrases shall have the meaning given to them below:

- (i) “Date of Determination” means the date upon which new conditions subsequent to the application are finally determined, i.e. the date upon which all proceedings on the applications, including appeals to the Secretary of State and the High Court have been determined, and the time period for any further appeal has expired.
- (ii) “Emergency” means any circumstances in which the operator has a reasonable cause for apprehending injury to persons or serious damage to property.
- (iii) “Mineral Planning Authority, (MPA)”, means Rhondda Cynon Taf County Borough Council, or any successor mineral planning authority.
- (iv) “Mining Site”, means all that land at Hendy Quarry which is currently within the permitted area for quarrying at Hendy Quarry, which is defined in green on plan HQ ROMP 2.
- (v) “Extraction Area” means the remaining area to be quarried in the north eastern area of the mining site, which is defined in blue on plan HQ ROMP 2.
- (vi) “ROMP Application” means the application submitted to Rhondda Cynon Taf County Borough Council under the provisions of Schedule 14 of the Environment Act 1995 for a First Periodic Review of the planning conditions regulating quarrying operations at Hendy Quarry, which was the subject of an Initial Review in 1998 (ref T/97/2165/10) of original planning permissions E17699/6467A dated 20th December 1963 and 56/77/1050 dated 2nd October 1982).

B Recital

The conditions set out in the schedule below, numbered 1 – 28 inclusive, shall apply to the full Mining Site which is the subject of the ROMP Application. The conditions should be read in conjunction with the informatives set out at the end of the schedule which cross refer to planning conditions imposed on a related landfill restoration planning permission ref T/01/2376/10, dated 14th September 2001, and the Pollution Prevention and Control (England and Wales) Regulations Permits relating to crushing and screening (ref B/3.5/066/V1, and any updates and variations thereto) and landfill (ref BT1088ID and any updates and variations thereto).

C Time Limits

1. Unless otherwise agreed in writing with the MPA, planning permission for the winning and working of minerals within the Mining Site shall cease no later than 21st February 2024.

2. Following the expiry of the mineral permissions all extraction, processing, treatment and stockpiling of minerals within the Mining Site shall cease.
3. No later than 12 months following the expiry of the planning permissions, or the earlier permanent cessation of winning and working of minerals, as agreed between the mineral operator and MPA, all plant, machinery and structures shall be dismantled and removed from the Mining Site.
4. No later than 12 months following the expiry of the mineral permissions or the earlier permanent cessation of winning and working of minerals, as agreed between the mineral operator and MPA, the sale and transportation of minerals to and from the site together with all ancillary manufacturing activities shall cease.

D. Quarry Development

5. Unless otherwise agreed in writing by the MPA, development shall take place in accordance with the details illustrated on plan reference HQ ROMP 4 and 5. The quarry shall be developed to achieve but not exceed the approved limits of excavation shown on plan HQ ROMP 5.
6. Other than for the purposes of surface water drainage, no quarrying shall take place below a level of 45m AOD.

E. Hours of Operation

7. Except in the case of emergencies, or unless the MPA has previously agreed otherwise in writing, quarrying operations shall take place only between:

0700 - 1900 Mondays to Friday

0700 - 1300 Saturday.

No quarry operations shall take place on Saturday afternoons, Sundays or Statutory / Public Bank Holidays except for essential maintenance.

NB For the purpose of this condition, quarrying operations shall be defined as winning and working of stone from the quarry face, the haulage of stone from the face, and the operations of the primary crusher / or other mechanical means of stone breaking.

8. Except in the case of Emergency, blasting operations shall only be carried out between 10:00 – 16:00 Monday – Friday, and not at any time on Saturdays, Sundays or Bank/ Public holidays.
9. Any emergency works, or operations which take place outside the permitted hours as specified in condition 7 above shall be notified in writing, with reasons to the MPA on the next working day following their occurrence.

F. Access, Traffic and Protection of Highway

9. No HGV's shall leave the Mining Site unless their wheels have been cleaned in the existing wheel wash system. Any revisions to the existing system shall be notified to the MPA in advance of installation.

G. Environmental Protection

Noise

10. Except for temporary operations, the free-field Equivalent Continuous Noise Level L_{Aeq1hr} due to operations at the site shall not exceed $55dB_{L_{Aeq1hr}}$ measured at any existing noise sensitive property in the vicinity of the site.
11. The free-field Equivalent Continuous Noise Level L_{Aeq1hr} due to temporary operations such as site preparation and soil and overburden stripping shall not exceed 67 dBL_{Aeq1hr} at any existing noise sensitive property in the vicinity of the site. The duration of such temporary operations shall not exceed a total of 8 weeks in any calendar year for work close to any individual noise sensitive property where the suggested noise limit for routine operations is likely to be exceeded.
12. Noise monitoring shall be undertaken at representative properties to be agreed with the MPA, annually for the first two years from the date of determination. Thereafter, the frequency of any further monitoring shall be agreed with the MPA. The results of monitoring shall be submitted to the MPA within two months of the monitoring survey and shall confirm any action which is to be taken to remedy any noise levels exceeding the limits set out in conditions 10 and 11 above. In the event of noise levels exceeding the specified limits, further noise monitoring shall be undertaken within three months of that event to assess the success of the remedial action.

Blast Vibration

13. Ground vibration as a result of blasting shall not exceed a peak particle velocity of 6mms^{-1} in 95% of all blasts measured over any six month period, and no individual blast shall exceed a peak particle velocity of 10mms^{-1} measured at any vibration sensitive location, which is defined as any residential property in the vicinity of the quarry existing at the Date of Determination. The measurements shall be the maximum of three perpendicular directions taken at the ground surface.
14. All individual blasts shall be designed, managed and implemented to minimise the extent of air overpressure resulting from blasts.
15. Each individual blast shall be monitored by the Operators, to include provision for recording the details and location of the monitoring station; the location of the blast holes within the Mining 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 MPA upon request. In the event that monitoring indicates that the vibration levels set out in condition 13 above have been exceeded, then the Operator shall inform the MPA within two working days, with written confirmation of the steps to be taken to ensure compliance with condition 13.
16. Blasting times shall be clearly advertised at the entrance to the Quarry, and an audible warning shall be sounded prior to any blasting operations taking place, and shall be sounded again immediately after blasting has finished.
17. There shall be no secondary breakage of stone by the use of explosives.

Dust

18. The best practicable means shall be used to restrict the generation of dust within the Mining Site, and shall include provision for haul roads and access roads to be watered during dry weather to lay any surface dust.
19. At all times during the carrying out of operations, a water bowser or similar equipment shall be available on site, and be used to minimise the emission of dust from haul roads within the Mining Site.
20. Measures shall be taken to minimise dust emissions from quarrying operations, in accordance with the following protocol:
 - (i) Soils and overburden shall not be handled during extreme dry conditions unless the working areas are first dampened down;
 - (ii) Drilling of shot holes shall be undertaken using drilling rigs fitted with a suitable dust collection system;
 - (iii) Site roads within the quarry shall be dampened down as appropriate, in accordance with the requirement of Conditions 18 and 19;
 - (iv) The site entrance road shall be maintained by use of a road sweeper which shall operate as required to maintain the surface of the road free of mud and other detritus.
 - (v) All lorries, once loaded, shall be sheeted prior to leaving the site, with the exception of any load carrying plus 75mm size stone.
 - (vi) The speed of haulage vehicles at the site will be restricted to 10mph.
 - (vii) All site vehicles will be fitted with upswept exhausts and radiator fan shields.
 - (viii) Lorries will be loaded so as to avoid spillages.
 - (ix) All site traffic will be kept to the designated haul routes
 - (x) Any plant spillages will be cleared to avoid accumulations.
 - (xi) Drop heights will be minimised at loading and discharge points.

Drainage and Water Pollution

21. Any facilities for storage of oils, fuels or chemicals on the site shall be sited in impervious bases and surrounded by impervious bund walls. The volume of 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 inter-connective tanks, plus 10%. All filling points, vents, gauges and site glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any water course, land or underground strata. Associated pipe-work shall be located above ground and protected from accidental damage.
22. Measures shall be taken to minimise the risk of groundwater pollution from quarrying operations, in accordance with the following protocol:
 - All fuel and chemicals should be stored in bunded areas in accordance with current Environment Agency guidelines (now NRW).
 - Drip trays should also be appropriately placed under all relevant plant.

- An incident reporting procedure should be maintained for reporting all site incidents, including pollution events. Suitable emergency responses should also be in place in the event of an incident.
 - Appropriate spill kits or other means of controlling accidental spills should be made available on site. Adequate training in the use of such equipment should also be provided.
 - A maintenance and inspection programme should be followed in order to check the condition of site equipment and provide early warning of any potential leaks or spills.
 - Suitable waste management procedures should be followed to prevent surface pollution resulting from any waste products, fuel containers, chemical drums etc.
 - During site restoration all hazardous plant and equipment should be removed from the quarry.
 - The use of herbicides and other related chemicals should be restricted both during quarry working and post restoration. Chemical applications should be made at appropriate times, in suitable quantities, so to avoid sub surface contamination.
- 23.** Settlement ponds at the site shall be regularly emptied and maintained so as to keep them in good and effective order, and the discharge of waste, oil or other pollutant to any settlement pond, ditch, stream, watercourse or other culvert is not permitted.

Ecology

- 24.** Any clearance of trees and scrub shall only take place outside the main bird nesting season of March to August or whilst under the supervision of a suitably qualified ecologist, to minimise the risk of accidental destruction or disturbance of nests, eggs, and nestlings.
- 25.** During operational periods of quarry development that take place within the bird breeding season, a cliff nesting bird survey shall be conducted to determine the status and location of cliff nesting birds, in particular peregrine falcon. Where nest site(s) are identified, measures shall be implemented to minimise disturbance to the nesting site until such a time that an ecologist confirms nesting has ended and any young have fully fledged.
- 26** Within 3 months of the Date of Determination a scheme shall be submitted setting out proposals for the control and eradication of invasive plant species. The scheme shall be implemented as approved.
- 27** In the event that hazel dormouse are proven to be present within the confines of the proposed extraction area, and notwithstanding the possible requirement for an EPSL, the removal of vegetation from the woodland area along the north central edge of the site shall be undertaken as a two stage process comprising:
- Stage 1 – Vegetation to be cut to no less than 300 mm above ground level during the September to March period, with caution to be exercised to ensure minimum disturbance to the ground below the vegetation being removed.

Stage 2 – Removal of the retained shrub stools and tree root balls to be undertaken upon completion of Stage 1 and between April/May and September.

Landscape / Woodland Management

- 28** Within 3 months of the Date of Determination, a Woodland Management scheme for the areas of woodland within the Mining Site shall be submitted for the approval of the MPA. The scheme shall be implemented as approved.

E Informatives

(i) Restoration and Aftercare Management

The restoration and aftercare management of the Mining Site shall be undertaken in accordance with the requirements and planning conditions imposed on the landfill restoration permission ref T/01/2376/10 dated 14th September 2001 with particular reference to:

- Condition 11 which requires the limits of tipping and finished levels to be in accordance with submitted restoration Concept Plan HY4/1A unless otherwise approved in writing with the Local Planning Authority;
- Condition 14 which requires restoration to be undertaken in accordance with the specifications set out in Appendix A to the decision notice;
- Condition 15 which requires aftercare management to be undertaken in accordance with a scheme to be submitted which reflects the details set out in Appendix B to the decision notice;
- Condition 16 which requires any variations to the restoration scheme to be agreed in writing with the Local Planning Authority; and
- Condition 17 which requires the submission of an amended restoration scheme in the event of a cessation of delivery of waste to the site prior to the completion of the approved restoration levels.

(ii) Ground and Surface Water Management

The Pollution Prevention and Control (England and Wales) Regulations Permit imposes separate requirements in relation to operations at the Hendy Quarry landfill site (ref BT1088ID). This includes a comprehensive 'Environmental Management and Monitoring Programme' for the site, which includes a 'Groundwater Management and Monitoring Plan' and a separate 'Surface Water Management and Monitoring Plan'.

The respective 'Plans include detailed requirements and specifications for monitoring, quarterly reporting, data management and the preparation and submission of Annual Reports to the NRW, with provision for remedial action and contingency measures to be implemented if required.

The proposed planning conditions for the Mining Site do not duplicate this well established regime, and the planning conditions should thus be read alongside the implementation of the separately regulated and enforced ground and surface water management regime.

(iii) Dust and Air Quality

A separate Pollution Prevention and Control (England and Wales) Regulations Permit is in place in relation to the mobile mineral crushing and screening plant (ref B/3.5/066/V1). This prescribes detailed controls on dust emissions from the plant, and activities associated with the plant in terms of materials handling, vehicle movements, and general operations. It also sets out requirements for monitoring of emissions from the plant.

Again, the proposed planning conditions for the Mining Site do not duplicate this well established regime, but a generalised 'dust management protocol' is included as condition 20, with more general requirements set out as conditions 18 and 19. These conditions should be read alongside the implementation of the separately regulated and enforced dust management and monitoring controls set out in the Permit.