

RECOMMENDED PLANNING CONDITIONS

Commencement

1. The development hereby permitted shall be begun within 3 years from the date of this permission.

Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The Minerals Planning Authority (MPA) shall be notified in writing of the date of commencement at least 7 days, but not more than 14 days, prior to the commencement of the development hereby permitted.

Reason: To assist with the monitoring of the conditions attached to the planning permission and for the avoidance of doubt.

Schedule of Approved Plans

3. Unless otherwise required pursuant to conditions of this permission, the development hereby permitted shall be carried out in accordance with the submitted application, documents and recommendations of reports, and the following plans:
 - (a) Drawing No. 12-04/M/CRMWLL/6: Existing Site Plan dated Dec 2021, received by the MPA on 25.01.2022.
 - (b) Drawing No. 12-04/M/CRMWLL/7: Tarmac Proposed Site Plan dated Dec 2021, received by the MPA on 25.01.2022.
 - (c) Drawing No. 12-12/M/CRMWLL/8 Rev. A: Location Plan dated Dec 2021, received by the MPA on 25.01.2002.
 - (d) Drawing No. DUO15.031: Plant Layout dated 24.08.2016, received by the MPA on 25.01.2022.
 - (e) Drawing No. 15_C0304_CROM_003 Office/Weighbridge 9.7m x 3.0m dated Jan 2016, received by the MPA on 25.01.2022.
 - (f) Drawing No. 15_C0304_CROM_004 Canteen 8m x 2.7m dated Jan 2016, received by the MPA on 25.01.2022.
 - (g) Drawing No. 15_C0304_CROM_005 Changing Room 6.2m x 2.4m dated Jan 2016, received by the MPA on 25.01.2022.

- (h) Drawing No. 15_C0304_CROM_006 Weighbridge Details dated January 2016, received by the MPA on 25.01.2022.
- (i) Drawing No. Figure 5 Final Restoration Plan dated December 2021, received by the MPA on 25.01.2022.
- (j) Drawing No. Figure 6 Sections A and B dated December 2021, received by the MPA on 25.01.2022.
- (k) Specification of Wheelwash: Hippowash JSL, received by the MPA on 25.01.2002.

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

Use of Plant Site

- 4. Only sand and gravel extracted from the wider Cromwell Quarry complex comprising:
 - Land outlined in red and blue on Drawing No. 1910/P3/CRMWLL/3A PROPSITE: Proposed Site Plan (provided as part of planning permission 3/19/02232/CMM), and
 - Any extended area of mineral extraction which may receive planning permission in future years in the Cromwell area, subject to the MPA's formal approval in writing by exchange of letter that this mineral may be processed within the replacement Cromwell plant site.

may be delivered, processed, stockpiled and dispatched from the replacement plant site hereby approved.

Reason: For the avoidance of doubt.

Access

- 5. All vehicles accessing and leaving the site shall only do so via the 'quarry access road' as detailed on Drawing No. 12-04/M/CRMWLL/7: Tarmac Proposed Site Plan received by the MPA on 25.01.2002. The access road shall be maintained in accordance with the details within drawing Number 14_C048_CROM_007_A – 'Condition 10 -8m Road' received by the MPA on 14 March 2016.

Reason: In the interests of road safety in accordance with Policy DM9 of the Nottinghamshire Minerals Local Plan.

- 6. Prior to the use of the relocated quarry plant site hereby approved the Hippowash JSL wheelwash facility shall be installed. All outbound HGVs shall use the wheelwash facility prior to entering the public highway. The wheelwash facility shall be maintained in an effective state for the duration of the development so that no vehicle shall leave the site in a condition whereby mud or other deleterious material is carried onto the public highway.

Reason: In the interests of road safety in accordance with Policy DM9 of the Nottinghamshire Minerals Local Plan.

7. All HGVs transporting minerals from the site shall be sheeted prior to leaving site.

Reason: In the interests of road safety in accordance with Policy DM9 of the Nottinghamshire Minerals Local Plan.

Hours of Working

8. Except in emergencies, which are to be notified to the MPA within 48 hours of their occurrence, or with the prior written agreement of the MPA, the following shall not take place except within the hours specified below:

	Monday - Friday	Saturdays	Sundays, Public and Bank Holidays.
Mineral processing and treatment	7am to 7pm	7am to 1pm	Not at all
Stripping, replacement, regrading or ripping of soils or overburden	7am to 7pm	7am to 1pm	Not at all
Servicing, testing, or maintenance of plant or machinery	7am to 5pm	7am to 4pm	Not at all
Heavy goods vehicles entering and leaving the site	7am to 6pm	7am to 1pm	Not at all

Reason: To protect the amenities of local residents in accordance with Policy DM1 of the Nottinghamshire Minerals Local Plan.

Noise

9. The noise level attributable to normal operations at the site shall not exceed 55dB LAeq,1hr when measured free-field at any local residential receptor.

Reason: To protect the amenities of local residents in accordance with Policy DM1 of the Nottinghamshire Minerals Local Plan.

10. Timings of temporary works shall be recorded by the operator and must not exceed 8 weeks in a calendar year and the free-field noise level shall not exceed 70dB LAeq,1hr when measured at any local residential receptor.

Reason: To protect the amenities of local residents in accordance with Policy DM1 of the Nottinghamshire Minerals Local Plan.

11. All plant and machinery shall be regularly serviced and maintained to ensure that noise emissions do not exceed the manufacturers' specifications. In the event that the manufacturers' maximum operating noise levels are exceeded then the plant or machinery shall be switched off and repaired/adjusted so as to ensure compliance with these operating noise levels.

Reason: To protect the amenities of local residents in accordance with Policy DM1 of the Nottinghamshire Minerals Local Plan.

12. All plant and vehicles under the control of the operator must only employ white noise (broadband) reversing alarms when operating on the site.

Reason: To protect the amenities of local residents in accordance with Policy DM1 of the Nottinghamshire Minerals Local Plan.

Dust

13. Dust from site operations shall be managed to minimise emissions as far as practical. Dust control measures shall include, but not be restricted to, taking any or all of the following steps as appropriate.
 - (a) The use of water bowsters to dampen haul roads and other operational areas of the site during dry and windy weather;
 - (b) Restrictions of onsite speed limits;
 - (c) Minimisation of drop heights when unloading material;
 - (d) Upon request from the MPA, the temporary suspension of mineral processing, dispatch and ancillary operations during periods of unfavourable dry and windy weather conditions.

Reason: To protect the amenities of local residents in accordance with Policy DM1 of the Nottinghamshire Minerals Local Plan.

Storage Heights

14. Stockpiles of excavated (as dug) materials and processed mineral shall not be permitted to exceed 10m in height.

Reason In the interest of visual amenity and to ensure compliance Policy DM1 of Nottinghamshire Minerals Local Plan.

Protection of Water Resources

15. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious 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 should be at least equivalent to the capacity of the largest tank, of the combined capacity of the 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 outlets should be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment in accordance with Policy DM2 of the Nottinghamshire Minerals Local Plan.

16. All foul drainage must be contained within a sealed and watertight cesspit fitted with a level warning device.

Reason: To prevent pollution of the water environment in accordance with Policy DM2 of the Nottinghamshire Minerals Local Plan.

Flood Protection and Mitigation

17. The development shall be carried out in accordance with the submitted flood risk assessment (ref GSC-JBAU-XX-XX-RP-HM-0001-Cromwell_Quarry_Processing_Plant_FRA, dated December 2021 and compiled by JBA Consulting). Specifically, the proposed site layout and restoration of the site shall be implemented as described by the flood risk assessment and the scheme's timing and phasing arrangements.

Reason: To prevent adverse flood risk to surrounding land in accordance with Policy DM2 of the Nottinghamshire Minerals Local Plan.

18. Prior to the commencement of the development a flood risk management/emergency evacuation plan for the site shall be submitted to the MPA and approved in writing. The mitigation measures shall be fully implemented in accordance with the scheme approved in writing.

Reason: To provide appropriate flood evacuation procedures for the site in accordance with Policy DM2 of the Nottinghamshire Minerals Local Plan. The details are required prior to the commencement of the development to ensure staff, plant and machinery are protected from flooding throughout the life of the quarry.

Ancillary Buildings and Plant

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any future replacement order) no fixed plant or machinery shall be erected on the site until full details have been submitted to and approved by the MPA.

Reason: To minimise any visual impact from the development in accordance with Policy DM1 of the Nottinghamshire Minerals Local Plan.

Ecological Protection

20. The development shall be carried out in compliance with the recommended mitigation measures set out within the Preliminary Ecological Appraisal prepared by Bowland Ecology dated December 2021 and the Construction Environmental Management Plan (CEMP): Ecology dated 21/06/2022. Specifically, the operator shall ensure the following mitigation measures are followed:
- (a) Pollution prevention measures shall be adhered to in compliance with the measures set out within paragraph 5.3, to ensure water bodies and retained areas of habitat of principle importance within the site and the wider area are not negatively affected by the proposed development.
 - (b) Trees shall be protected in compliance with paragraph 5.8 which states that in line with BS 5837:2012 (Trees in Relation to Design, Demolition and Construction), the Root Protection Areas (RPAs) of retained mature and semi-mature trees on the Site boundaries and the trees at T5 with moderate potential for roosting bats will be marked off prior to any works. The root protection zones shall be retained throughout the operational life of the site and no works or materials shall be stored within the designated RPAs.
 - (c) Any additional external lighting (if required) shall be sited to avoid potential bat commuting and foraging areas around the boundaries of the site with the aim of preventing the delayed emergence of bats. Any floodlighting units installed on the site shall use warm, white (long wavelength) lights with low UV content in accordance with paragraphs 5.13 and 5.14.
 - (d) Reasonable Avoidance Measures (RAM's) shall be implemented across the site to avoid adverse impacts to amphibians, otters and water voles in accordance with the measures set out within paragraphs 5.20 and 5.23.
 - (e) Prior to the commencement of quarry development works, a badger survey of the site and the immediate surroundings shall be undertaken in accordance with the arrangements set out within paragraph 5.28. The results of the badger survey shall be submitted as part of a report for the approval in writing by the MPA. In the event that badgers are identified within the site, the report shall identify mitigation measures to avoid/mitigate

any adverse impact to the species. The development shall thereafter be undertaken in compliance with any agreed mitigation measures.

- (f) Protection measures for small mammals shall be followed during site development works in accordance with the measures set out within paragraph 5.27.
- (g) Invasive species shall be controlled within the site in accordance with the measures set out within paragraphs 5.29 – 5.31.
- (h) A minimum 5m stand-off shall be retained and demarcated around the site boundary to protect the existing waterbodies and hedgerows and a 10m stand-off/demarcation shall be retained next to woodlands (as required by the CEMP).

Reason: In the interest of protecting species and their habitats, in accordance with government policy set out within the National Planning Policy Framework.

- 21. Site clearance operations that involve the destruction and removal of vegetation, including felling, clearing or removal of trees, shrubs or hedgerows shall not be undertaken during the months of March to August inclusive, except when approved in writing by the MPA and in such circumstances following the carrying out and submission in writing to the MPA of an ecological appraisal undertaken by an appropriately qualified person.

Reason To ensure that breeding birds are not adversely affected by the development in accordance with government policy set out within the National Planning Policy Framework.

Permissive Path

- 22. Within six months of the completion of restoration operations, the operator shall ensure that the permissive path identified to be provided on Drawing No. Figure 5 Final Restoration Plan dated December 2021, received by the MPA on 25.01.2022 is provided on the site. The operator shall ensure that the route is clearly marked with signage or by other means which shall first be agreed in writing with the MPA. The operator shall thereafter ensure that public access along the permissive path is maintained throughout the aftercare period of the site.

Reason: To ensure that public access is provided across the restored site in compliance with Policy DM7 of the Nottinghamshire Minerals Local Plan.

Duration of Planning Permission, Site Clearance and Restoration

- 23. Written notification shall be provided when mineral extraction in the wider Cromwell Quarry complex ceases, (the boundaries of which being defined and

confirmed in writing under Planning Condition 4). Upon completion of mineral extraction in the wider Cromwell Complex, all mineral processing and stockpiled material shall be removed from the replacement quarry plant site as identified within the land edged red on Drawing No. 12-12/M/CRMWLL/8 Rev. A: Location Plan dated Dec 2021, received by the MPA on 25.01.2002.

Reason: To minimise the duration of disturbance from the development hereby permitted and ensure the timely restoration of the site in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

24. All quarry plant, ancillary buildings, associated structures including their foundations and areas of hardstandings which are not specified to be retained within the restoration arrangements for the site shall be removed and the site shall be restored in accordance with details shown on Drawing No. Figure 5 Final Restoration Plan dated December 2021, received by the MPA on 25.01.2022 within 18 months of the completion of mineral extraction in the wider Cromwell Quarry complex, the boundaries of which being defined and confirmed in writing under Planning Condition 4.

Reason: To minimise the duration of disturbance from the development hereby permitted and ensure the timely restoration of the site in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

25. The MPA shall be notified in writing at least 5 working days before each of the following:
- (a) overburden has been prepared ready for soil replacement to allow inspection of the area before further restoration of this part is carried out, and
 - (b) when subsoil has been prepared ready for topsoil replacement to allow inspection of the area before further restoration of this part is carried out, and
 - (c) on completion of topsoil replacement to allow an opportunity to inspect the completed works before the commencement of any cultivation and seeding operation.

Reason To ensure the site is restored to a satisfactory standard and soil resources are conserved and managed appropriately, in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

26. Soils shall only be replaced on those parts of the site which are restored above water level when the ground on which they are to be placed is in a dry and friable condition and no movements, re-spreading, levelling, ripping or loosening of subsoil or topsoil shall occur:
- (a) when it is raining; or

- (b) when there are pools of water on the surface of the storage mound or receiving area.

Reason To ensure the site is restored to a satisfactory standard and soil resources are conserved and managed appropriately, in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

27. Plant and vehicles shall not cross any area of replaced and loosened ground, replaced subsoil, or topsoil except where essential and unavoidable for purposes of carrying out ripping and stone picking or beneficially treating such areas. Only low ground pressure machines shall work on prepared ground.

Reason To ensure the site is restored to a satisfactory standard and soil resources are conserved and managed appropriately, in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

28. Upon the completion of the restoration of the quarry plant site area, the operator shall meet on site with representatives of the MPA and other parties with an interest in the land to agree that the replacement material and landform conform generally with the levels and specification set out on Drawing No. Figure 5 Final Restoration Plan dated December 2021, received by the MPA on 25.01.2022. The site shall not formally enter aftercare until such time that the MPA has agreed in writing that the site has been satisfactorily restored.

Reason To ensure the restoration of the site is completed to a satisfactory standard in accordance with the requirements of Policy DM12 of the Nottinghamshire Minerals Local Plan.

Aftercare

29. Following restoration, the land shall undergo aftercare management for a 15-year period. Prior to being entered into aftercare the extent of the area and its date of entry into aftercare shall be agreed in writing with the MPA, and the aftercare period shall run from the agreed date.

Reason: To provide for aftercare of the restored site, in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

30. An aftercare scheme and strategy shall be submitted for the written approval of the MPA no later than 6 months following the completion of mineral extraction in the wider Cromwell quarry complex, as notified under Condition 23. The strategy shall outline the steps to be taken, the period during which they are taken, and who will be responsible for taking those steps to ensure the land is managed and brought back to a satisfactory condition. The aftercare scheme shall include, but not be restricted to, details of the following:

- (a) cultivations;
- (b) weed control;

- (c) establishment methods, noting that natural regeneration should be promoted and planting/seeding should be kept to a minimum;
- (d) seed mixtures;
- (e) soil analysis;
- (f) details of the proposed Sand Martin and Kingfisher nesting banks;
- (g) the provision of shallow ponds within the northern extent of the plant site area to create habitat for amphibians;
- (h) keeping of records and an annual review of performance and proposed operations for the coming year, to be submitted to the MPA between 31 March and 31 May each year;
- (i) drainage amendments;
- (j) subsoiling and underdrainage proposals;
- (k) management practices such as the cutting of vegetation;
- (l) tree protection;
- (m) remedial treatments;
- (n) irrigation; and
- (o) fencing.

Reason To provide for aftercare of the restored site in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

31. Site management meetings shall be held with the MPA each year to assess and review the detailed annual programmes of aftercare operations referred to in Condition 30(h) above, having regard to the condition of the land; progress in its rehabilitation and necessary maintenance.

Reason To provide for aftercare of the restored site in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

32. The aftercare programme shall be implemented in accordance with the details approved under Condition 30 above, as amended following the annual site meeting referred to in Condition 31 above.

Reason To provide for aftercare of the restored site, in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

Cessation of Workings

33. Should, for any reason, the winning and working of minerals from the wider Cromwell quarry complex, as notified under Condition 23 cease for a period in excess of 12 months which in the reasonable opinion of the MPA constitutes a permanent cessation of mineral extraction, then within three months of the receipt of a written request from the MPA, a revised scheme for the restoration of the site shall be submitted to the MPA. Such a scheme shall include a

schedule of timings, final contours, provision of soiling, sowing of grass, planting of trees and shrubs, drainage and fencing in a similar manner to that submitted with the application and modified by these conditions.

Reason: To achieve a satisfactory restoration of the site in the event of premature closure of the site and to ensure compliance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

34. The revised restoration scheme shall be implemented within 12 months of its approval by the MPA, and shall be subject to the aftercare provisions of Conditions 29-32 above.

Reason: To achieve a satisfactory restoration of the site in the event of premature closure of the site.

History of use of site and potential for ground contamination

35. No development shall commence until a contamination risk assessment has been submitted to, and approved in writing by, the MPA. This shall include:
- a. Limited sampling and testing of soils across the application area, including areas likely to be disturbed during construction and any stockpiles currently on site. Samples are to be tested for, as a minimum, asbestos ID and, if present, quantification.
 - b. If contamination is identified, based on 1a), a Method Statement detailing the remediation / mitigation requirements, including measures to minimise the impact on construction workers and future site users, using the information obtained from the site investigation, to be submitted to the MPA and approved in writing by the MPA prior to that remediation being carried out on the site.
 - c. If applicable, prior to commencement of the main site works, the approved remediation works shall be completed in accordance with the Method Statement approved in compliance with b) to the satisfaction of the MPA.
 - d. If applicable, a validation report, including evidence of post remediation sampling and monitoring results, to demonstrate that the required remediation has been fully met shall be submitted to and approved in writing by the MPA prior to the development approved by this permission first being brought into use.

Any changes to this condition require the written consent of the MPA. The scheme shall be implemented as approved.

Reason: Details are required prior to the commencement of works to protect construction workers and future site users from contamination impacts during the construction and operation of the proposed development.

36. Prior to the commencement of works, a watching brief to deal with contamination which may be encountered shall be submitted to and approved in writing by the MPA. Development shall be carried out in accordance with the approved details. If during construction, contamination not previously identified is found to be present, no further works shall be carried out in the area identified, unless first agreed in writing by the MPA, until a remediation strategy to deal with the identified contamination (including validation that contamination has been satisfactorily remediated) has been submitted to and approved in writing by the MPA. Works shall be carried out in accordance with the approved details. The MPA shall be notified in writing within 7 days of the date of the completion of the development. Within two months of the completion of development, a validation report to confirm an absence of contaminants notified to the MPA in compliance with Condition 35 shall be submitted to and approved in writing by the MPA.

Reason: Details are required to be submitted prior to the commencement of development to provide an appropriate methodology that will ensure that risks of site contamination are properly identified and addressed.

37. Prior to commencement of works, details of the segregation of waste materials into different streams for recycling or disposal shall be submitted for approval to the MPA. This should include measures to handle potentially contaminated arisings and groundwater. Any changes to this condition require the written consent of the MPA. The scheme shall be implemented as approved.

Reason: To ensure appropriate management of potentially contaminated materials during construction of the proposed development.

Informatives/notes to applicants

1. The Environment Agency note that the development may require the existing permit to be modified.
2. The IDB advise their consent is required for alterations to the watercourse or works adjacent to it.