

RECOMMENDED PLANNING CONDITIONS FOR PLANNING APPLICATION 3/22/01790/CMA FOR A SOUTHERN EXTENSION TO CROMWELL QUARRY AT NESS FARM FOR THE EXTRACTION OF APPROXIMATELY 550,000 TONNES OF SAND AND GRAVEL, WITH RESTORATION TO NATURE CONSERVATION AND AGRICULTURE.

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.

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 (as amended), documents and recommendations of reports, and the following plans:
 - (a) Drawing No. 22-04-P5-CRMWELL-1D Rev. D: Site Location Plan dated March 2022 and received by the MPA on 29th June 2022
 - (b) Drawing No. 22-04-P5-CRMWELL-3: Proposed Site Plan dated July 2022 and received by the MPA on 13th July 2022.
 - (c) Drawing No. 21-7-1050: MOW Phase 11a Soil Strip dated 12th May 2022 and received by the MPA on 29th June 2022.
 - (d) Drawing No. 21-7-1050: MOW Phase 11a Extraction/11b Soil Strip dated 12th May 2022 and received by the MPA on 29th June 2022.
 - (e) Drawing No. 21-7-1050: MOW Phase 11b Extraction dated 12th May 2022 and received by the MPA on 29th June 2022.
 - (f) Drawing No. 22-03-CROM P5-1379-REST Rev A: Restoration Proposals dated 9th January 2023 received by the MPA on 17th January 2023.

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

Duration of mineral extraction

4. All sand and gravel extraction operations within the Ness Farm extension area as outlined in red on Drawing No. 22-04-P5-CRMWELL-1D Rev. D: Site Location Plan shall cease within two years of date of commencement, as notified under condition 2 above.

Reason To secure proper restoration of the site within an acceptable timescale and in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

Mineral processing and dispatch to the public highway

5. All mineral extracted from the Cromwell southern extension area (as outlined in red on Drawing No. 22-04-P5-CRMWELL-1D Rev. D: Site Location Plan shall only leave the site for processing and dispatch through the Cromwell Quarry plant site and any HGV traffic associated with this permission shall comply with the HGV routeing requirements of the S106 legal agreement relating to the quarry plant site permission. Mineral shall not be removed from the planning application site by any other means.

Reason: To ensure satisfactory operational controls and in the interest of highway safety in accordance with Policy DM9 of the Nottinghamshire Minerals Local Plan.

Phasing

6. Extraction operations shall progress sequentially in accordance with the three phasing drawings referenced 21-7-1050: MOW Phase 11a Soil Strip, MOW Phase 11a Extraction/11b Soil Strip and MOW Phase 11b Extraction received by the MPA on 29th June 2022.

Reason To ensure the phased extraction and restoration of the site in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

7. A topographical survey of the site shall be submitted to the MPA by 31st December each year following the commencement of the planning permission as notified under condition 2 until such time that restoration of the site is complete and the site is in aftercare. The topographical survey shall identify those parts of the site which are unworked, undergoing extraction, being restored and in aftercare and shall also identify the location of stored soils and overburden within the site.

Reason: To monitor the phased restoration of the site in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

Working Hours

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:

	Mondays to Fridays	Saturdays	Sundays, Public and Bank Holidays
Mineral extraction, processing or 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
Operation of dewatering pumps	24 hours	24 hours	24 hours

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

Flood Risk and Hydrological Mitigation

9. The development shall be carried out in accordance with the submitted flood risk assessment (ref GYV-JBAU-XX-XX-RP-HM-0002-S3-P01-FRA, dated June 2022 and compiled by JBA Consulting).

Reason: To ensure the development does not increase flood risk elsewhere and to ensure compliance with Nottinghamshire Minerals Local Plan Policy DM2.

10. 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 management measures shall be fully implemented in accordance with the scheme approved in writing.

Reason: To maintain acceptable flood evacuation from the site and to ensure compliance with Nottinghamshire Minerals Local Plan Policy DM2.

11. The ongoing monitoring of groundwater levels in the existing array of boreholes surrounding the quarry shall continue to be monitored during the operation of the quarry to ascertain the impacts of dewatering on the local aquifer/water bodies. Any unforeseen impacts resulting from dewatering on groundwater levels shall be reported to the MPA in writing, with consideration given to any resulting adverse impacts and where necessary a scheme of mitigation which shall be implemented in full following the MPA's approval.

Reason: To ensure that the quarry dewatering operations do not adversely impact the surrounding water environment and thus ensure compliance with Nottinghamshire Minerals Local Plan Policy DM2.

12. All discharges from the quarry dewatering process shall be managed through the existing network of surface water lagoons within the quarry plant site area and discharged through the existing discharge trench into the River Trent. If it is necessary to implement an alternative water management scheme, this shall not be implemented without the prior written permission of the MPA.

Reason: To ensure that the water discharges from the development site do not harm the water environment and therefore ensure compliance with Nottinghamshire Minerals Local Plan Policy DM2.

13. The development hereby permitted shall be engineered to ensure that suspended solids from surface water run-off do not discharge to the surrounding environment.

Reason: To ensure that the development does not harm the water environment and to ensure compliance with Nottinghamshire Minerals Local Plan Policy DM2.

14. Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited 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%. 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 detailed to discharge downwards into the bund.

Reason: To ensure that the proposed development does not harm the water environment and to ensure compliance with Nottinghamshire Minerals Local Plan Policy DM2.

Archaeology

15. Archaeological investigation, recording and mitigation shall be implemented strictly in full accordance with the scheme set out within Report Ref: YA/2023/093: Cromwell Quarry, Cromwell Ness Farm Extension: General

Project Design for an Archaeological Strip, Map and Sample Excavation and Archaeological Monitoring. Phase 11a and 11b, dated 2023. Following the completion of archaeological fieldwork a report of findings shall be submitted to the MPA and to Nottinghamshire County Councils Historic Environment Record within 12 months. The planning condition will not be discharged until the final report on the archaeological work has been approved by the MPA.

Reason To ensure that adequate archaeological investigation and mitigation is undertaken prior to mineral extraction taking place, in accordance with Policy DM6 of the Nottinghamshire Minerals Local Plan.

16. Any archaeologist nominated by the MPA shall be afforded access to the site at all reasonable times and be allowed to observe operations on site and record items of interest and finds.

Reason: To ensure that adequate archaeological investigation and mitigation is undertaken prior to mineral extraction taking place, in accordance with Policy DM6 of the Nottinghamshire Minerals Local Plan.

Heritage Information Boards

17. Within one year following the commencement of the planning permission, as notified under Condition 2 above, a scheme for the provision of publicly accessible heritage interpretation board(s) of the Anglo-Saxon archaeology and the wider Trent landscape of that period shall be submitted to the MPA for its approval in writing. The submitted details shall incorporate details of the location, design, siting, and content of the heritage interpretation boards, the timetable for their installation and management arrangements. The heritage information boards shall be installed and maintained in accordance with the approved scheme for the duration of the operational life of the quarry and its associated aftercare period.

Reason: To promote public knowledge and understanding of the archaeology at Cromwell Quarry and the Trent valley in accordance with Policy DM6 of the Nottinghamshire Minerals Local Plan.

Footpath Crossing Point

18. The footpath protection scheme approved under Condition 18 of Planning Permission 3/19/02232/CMM shall continue to be implemented in compliance with Drawing No. 20-08/P3/CRMWLL/12A: Footpath Plan for the duration of the operational life and subsequent restoration of the Ness Farm extension hereby approved and thus ensure the surfacing of the crossing is suitable for walkers at all times, the pathway is cleared/swept of debris on a regular basis, signage to protect users of the footpath is retained and the speed limit of trucks is appropriately restricted when they cross the footpath.

Reason: To maintain public access along Cromwell Footpath FP5 throughout the operational life of the quarry, in accordance with the requirements of Policy DM7 of the Nottinghamshire Minerals Local Plan.

Noise

19. The noise level attributable to normal operations at the site shall not exceed 51 dB LAeq,1hr when measured free-field at the Ness Farm Receptor, and 55 dB LAeq,1hr when measured free-field at any other local residential receptor.

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

20. The noise level attributable to the night-time dewatering operations shall not exceed 42dB 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.

21. 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.

22. All plant and machinery on site 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 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 M3.5 of the Nottinghamshire Minerals Local Plan.

23. 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 M3.5 of the Nottinghamshire Minerals Local Plan.

24. The soil bunds identified to be provided around the eastern and southern boundaries of phases 11a and 11b shall be installed to a height of 3m prior to the commencement of mineral extraction in the respective phase of mineral extraction they enclose, as detailed on the three phasing drawings referenced 21-7-1050: MOW Phase 11a Soil Strip, MOW Phase 11a Extraction/11b Soil Strip and MOW Phase 11b Extraction received by the MPA on 29th June 2022. The perimeter bund shall thereafter be retained throughout the duration of mineral extraction works within the Ness Farm quarry extension.

Reason: To provide acoustic screening of Cromwell Lock and protect the amenities of residents and rights of way users in accordance with Policy DM1 of the Nottinghamshire Minerals Local Plan.

Dust

25. Measures shall be taken to minimise the generation of dust from operations at the site. These shall include, but not necessarily be limited to any or all of the following steps as appropriate:
- a) The use of water bowsers to dampen haul roads, stockpiles and other operational areas of the site;
 - b) The sweeping of access and haul roads, where necessary;
 - c) The minimisation of drop heights during loading and unloading of sand and gravel;
 - d) Limiting on-site vehicle speeds;
 - e) Upon request of the MPA, the temporary suspension of mineral processing, mineral extraction or soil movements during periods of unfavourably dry or windy weather conditions.

Reason: To ensure that dust impacts associated with the operation of the development are minimised, in accordance with the requirements of Policy DM1 of the Nottinghamshire Minerals Local Plan.

Ecological Mitigation

26. The development shall be undertaken in compliance with the Cromwell Quarry Fields A, B & C, Nottinghamshire Construction Environmental Management Plan: Ecology Final Report dated 3rd March 2023.

Reason: In the interest of protecting species and their habitats, in accordance with Nottinghamshire Minerals Local Plan Policy DM4.

27. Following the commencement of the planning permission the retained boundary hedgerows and boundary trees around the perimeter of the agricultural fields shall not be cut or pruned for the duration of the mineral extraction and the subsequent 12-month restoration period. Any 'gap' within the retained hedgerow which exceeds 1 linear metre shall be 'gapped up' using native hedgerow species at a density not less than six plants per linear metre in the first planting season following the implementation of the planning permission. Subsequently, any hedgerow planting which fails to establish in the following five years shall be replaced.

Reason: To protect the integrity of the boundaries of the site and maximise their ecological value in respect of their bat foraging and bird nesting habitat value in accordance with Nottinghamshire Minerals Local Plan Policy DM4.

28. 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 for approval in writing of an ecological appraisal undertaken by an appropriately qualified person.

Reason: To ensure bird nesting habitat is not adversely impacted, in accordance with Nottinghamshire Minerals Local Plan Policy DM4.

29. Following their construction, the soil bunds shall be seeded with a species-rich, fast establishing such as an AB1 or AB8 type mix for pollinators and/or a AB16: Autumn sown bumblebird mix in the first available sowing season.

Reason: To provide off-set grassland habitat, specifically for birds, amphibians and reptiles in accordance with Nottinghamshire Mineral Local Plan Policy DM4.

Stockpile Heights

30. Stockpiles of any excavated materials shall not be permitted to exceed 5m in height.

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

Floodlighting

31. No floodlighting or security lighting shall be used on site except in accordance with details previously submitted to, and approved in writing by, the MPA.

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

Ancillary Buildings and Plant

32. Unless specifically provided for under Part 17 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, replacing or re-enacting that Order), the design, siting, layout and the colours to be used on the external elevations of all fixed plant machinery, and buildings, structures, erections, or private ways shall be submitted to and approved in writing by the MPA prior to their erection/installation. The development shall thereafter be carried out in accordance with the approved details and maintained in a satisfactory condition until it is removed upon cessation of mineral extraction.

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

Soil Stripping

33. The MPA shall be notified in writing at least 5 working days before soil stripping is due to commence on any phase, or part phase in the event that a phase is not stripped in its entirety in one stripping campaign.

Reason: To ensure satisfactory restoration of the site, conserving and managing all available soil resources, in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

34. No turf, topsoil, subsoil or overburden shall be removed from the Cromwell Quarry site. No waste materials including soils and mineral working wastes shall be brought onto the Cromwell Quarry site.

Reason: To ensure satisfactory restoration of the site, in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

35. All soil handling shall be carried out in accordance with the Ministry of Agriculture, Fisheries and Food 'Good Practice Guidance for Handling Soil' (2000) and the DEFRA 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (2009).

Reason: To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

36. All soils shall be stripped, stored and replaced in accordance with soils handling scheme prepared by Cemex and received by the MPA on 2nd March 2023.

Reason: To ensure satisfactory restoration of the site, conserving and managing all available soil resources, in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

37. No plant or vehicles shall cross any area of unstripped topsoil or subsoil except where such trafficking is essential and unavoidable for purposes of undertaking permitted operations. Essential trafficking routes shall be marked in such a manner as to give effect to this condition. No part of the site shall be excavated or traversed or used for a road until all available topsoil and subsoil to a minimum depth of 1000mm has been stripped from that part.

Reason: To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

38. Soil stripping shall not commence until any standing crop or vegetation has been cut and removed from the area to be stripped.

Reason: To ensure soil resources are satisfactorily stripped and managed in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

39. Topsoil, subsoil, and soil making material shall only be stripped when it is in a dry and friable condition and movements of soils shall only occur when all soil above a depth of 300mm is in a suitable condition that it is not subject to smearing and when topsoil is sufficiently dry that it can be separated from subsoil without difficulty.

Reason: To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

40. The soil storage mounds shall be maintained free of weeds until used for restoration purposes.

Reason: To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

41. Details of the volumes and location of soils stored on the site shall be submitted to the MPA by 31 December each year.

Reason: To monitor the restoration of the site and to ensure all available soil resources are conserved or managed, in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

Soil Replacement

42. The MPA shall be notified in writing at least 5 working days before each of the following:

- Overburden (where placed) has been prepared ready for soil replacement to allow inspection of the area before further restoration of this part is carried out, and
- when subsoil (where placed) has been prepared ready for topsoil replacement to allow inspection of the area before further restoration of this part is carried out, and
- 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 proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

43. Subsoils 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 when it is raining, or when there are pools of water on the surface of the storage mound or receiving area. Within the area to be restored for agricultural after-use, each subsoil layer shall be cross-ripped to provide loosening to a minimum depth of 450mm with tine spacings no

wider than 1.5m and any rock, boulder or larger stone greater than 200mm in any dimension shall be removed from the loosened surface and deposited in the proposed lake before further soil is laid.

Reason: To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

44. 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 proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

45. Topsoil shall be evenly re-spread on the land above lake water level (dry land) to achieve at least a minimum of 300mm settled depth. The re-spread topsoil on dry land above lake water level shall be rendered suitable for agricultural cultivation by loosening:

- to provide loosening equivalent to a single pass at a tine spacing of 1.5 metres or closer;
- to full depth of the topsoil plus 100mm; and
- any non-soil making material or rock or boulder or larger stone lying on the loosened topsoil surface and greater than 100mm in any dimension shall be removed from the site or buried at a depth not less than 2 metres below the final settled contours.

Reason: To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

46. The operator shall take all reasonable precautions to prevent the mixing of topsoil, subsoil and overburden.

Reason: To ensure proper restoration of the site and in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

Restoration

47. The phased restoration plan and landscaping scheme shall be carried out in accordance with Drawing No. 22-03-CROM P5-1379-REST Rev A: Restoration Proposals dated 9th January 2023 received by the MPA on 17th January 2023. The implementation of the restoration and landscaping scheme shall be carried out progressively in general compliance with the timetable shown on the three phasing drawings referenced 21-7-1050: MOW Phase 11a Soil Strip, MOW Phase 11a Extraction/11b Soil Strip and MOW Phase 11b Extraction received by the MPA on 29th June 2022. The backfilled material shall be levelled and

graded in accordance with the restoration contours with opportunities taken where practicable to create a micro-topography on the restored ground and a cluster of small ponds to provide additional amphibian breeding habitat. In the event that the balance of materials results in a surplus of restoration materials, this material shall be used to create more shallow areas within the lakes below water level, in accordance with details which shall be submitted to, and approved in writing by the MPA.

Reason: To ensure proper restoration of the site and in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

48. At the completion of each phase of restoration the operator shall meet on site with representatives of the MPA, and other parties with an interest in the land. The purpose of the meeting shall be to agree that the replacement material conforms generally with the landform and levels as set out in the agreed restoration plan.

Reason: To ensure proper restoration of the site and in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.

Aftercare

49. Following restoration, the site shall undergo aftercare management for a twenty-year period with the exception of the land to the west of the hedgerow on the western boundary of Phase 11a which is to be restored to agriculture and shall receive aftercare management for a five-year period.

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

50. Prior to any area being entered into aftercare the extent of the area and its date of entry into aftercare shall be agreed in writing with the MPA, 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.

51. An aftercare scheme and strategy shall be submitted for the written approval of the MPA no later than 3 months before the spreading of subsoil commences within each phase. 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 restored and brought back to a satisfactory condition. The aftercare scheme shall include but not be restricted to details of the following:

- a) irrigation and drainage arrangements;
- b) fencing;
- c) planting and seeding specifications;
- d) management practices including vegetation/weed control specifically in terms of invasive species:

- e) tree protection and management;
- f) habitat creation works including reptile/amphibian hibernacula's;
- g) 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.

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

52. 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 51(g) 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.

53. The aftercare programme shall be implemented in accordance with the details approved under Condition 51 above, as amended following the annual site meeting referred to in Condition 52 above.

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

Cessation of Workings

54. Should, for any reason the winning and working of minerals from the application site cease for a period in excess of 6 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. 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 49-53 above.

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

Informatives/notes to applicants

1. The consent of Severn Trent Water will be required for either a direct or indirect connection to the public sewerage system under the provisions of Section 106 of the Water Industries Act 1991. Current guidance notes and an application form can be found at www.stwater.co.uk or by contacting Severn Trent Water New Connections Team (01332 683369).

2. Although statutory sewer records do not show any public sewers within the site there may be sewers which have recently been adopted under the Transfer of Sewer Regulations. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and it is advised that Severn Trent Water should be contacted (0247 771 6843).
3. Trent Valley Internal Drainage Board advise that the Board maintained Cromwell Drain, an open watercourse, exists to the Western boundary of the site and to which BYELAWS and the LAND DRAINAGE ACT 1991 applies. They advise that the Board's consent is required to erect any building or structure (including walls and fences), whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within 9 metres of the top edge of any Board maintained watercourse or the edge of any Board maintained culvert. The Board's consent is required for any works, whether temporary or permanent, in, over or under, any Board maintained watercourse or culvert. The erection or alteration of any mill dam, weir or other like obstruction to the flow, or erection or alteration of any culvert, whether temporary or permanent, within the channel of a riparian watercourse will require the Board's prior written consent. The Board's Planning and Byelaw Policy, Advice Notes and Application form is available on the website - www.wmc-idbs.org.uk/TVIDB The Board's consent is required for any works that increase the flow or volume of water to any watercourse or culvert within the Board's district (other than directly to a main river for which the consent of the Environment Agency will be required). The Board's consent is required irrespective of any permission gained under the Town and Country Planning Act 1990. The Board's consent will only be granted where proposals are not detrimental to the flow or stability of the watercourse/culvert or the Board's machinery access to the watercourse/culvert which is required for annual maintenance, periodic improvement and emergency works. The applicant is advised that they are likely to have a riparian responsibility to maintain the proper flow of water in any riparian watercourse which borders or flows through land owned or occupied by them. Further information is available from the Board's Planning and Development Control Officer, Darren Cowling.
4. Your attention is drawn to the attached consultation response and accompanying plan from National Grid which identifies the location of electrical cables and infrastructure within the vicinity of the development site.
5. VIA Rights of Way Team advise that there may be a slight anomaly in terms of the alignment of the recorded route of Cromwell Bridleway No. 1 between the Concept Restoration Plan (in the Reg 25 Further information group of documents) and the route on the ground. The applicant is advised to get a Rights of Way search to confirm the legally recorded route on the Definitive Map and Statement and resolve any anomaly (if it exists).
6. The Environment Agency advise:
 - i. Regarding pollution prevention measures, the EA note the existing site measures will be utilised on the application site. The proposed pollution prevention control measures will have to be reviewed to ensure that they are adequate for proposed activity both the extraction and restoration phase (as required by the Environmental Permit) to ensure the

protection of controlled waters including groundwater and the River Trent.

- ii. A revised Hydrogeological Risk Assessment is likely to be required to vary the permit.
- iii. Consideration should be given to how the future permitting requirements for phases of restoration will be met and so demonstrate that the proposed restoration is sustainable in a demonstrable and measurable way.