



meeting **PLANNING COMMITTEE**

date **18 MAY 2004**

from: **Director of Environment**

agenda item number

10

**NEWARK AND SHERWOOD DISTRICT COUNCIL 3/04/00394/CMM
PROVIDE A NEW PLANT SITE & ACCESS INCLUDING ALL PROCESSING
PLANT, STOCKPILES, SITE OFFICE AND WEIGHBRIDGE AND TO VARY
THE PHASING OF THE EXISTING EXTRACTION AND RESTORATION.
GIRTON QUARRY, GAINSBOROUGH ROAD, GIRTON.
APPLICANT: TARMAC CENTRAL LIMITED**

Purpose of Report

1. To consider a planning application for the construction of a new plant site, quarry access road and to vary the working programme at Girton Quarry. The report recommends the grant of conditional planning permission subject to a Section 106 agreement.

The Site and Surroundings

2. Girton Quarry is located within rural Nottinghamshire, north of Girton and to the south west of Spalford (see Plan No. 1). The River Trent forms the western boundary of the quarry. To the east of the quarry is the A1133 Gainsborough Road. To the south of the quarry are a number of lakes with intervening woodland and agricultural land resulting from restored areas of former mineral working at the historical Girton Quarry.
3. The topography of the site is flat and low-lying. The site forms part of a landscape which is characterised by agricultural fields, divided by a simple pattern of field boundaries and drainage ditches set within the low-lying flood plain of the River Trent. Adjacent to the A1133, Gainsborough Road is a 3.5m high flood attenuation bund, which provides a visual screen between the road and quarrying activities within the approved quarry site. The Spalford Footpath No. 1A follows the top of the floodbank immediately adjacent to the planning application site.
4. The planning application site is drawn to include the location of the proposed plant site and stockpile area, route of the quarry access road, and junction arrangement onto the A1133. The site has an area of 5 hectares.

5. A small pond, enclosed by trees, lies to the immediate north of the site. The pond forms part of the Old Trent Oxbow Site of Interest of Nature Conservation (SINC). To the south of the site lies the most recently extracted area prior to the quarries temporary closure. A linear row of trees is located on the south-east boundary of the site.

Site History

6. Girton Quarry has been in operation since the early 1950's. The quarry has historically operated from 175 hectares of land, immediately to the north of Girton Village between the A1133 and the River Trent. The mineral reserves are now exhausted from this part of the site, and the land has been progressively restored to a mixture of ponds, wetland areas, and agricultural land using imported Pulverised Fuel Ash (PFA). Historically, vehicular access to the quarry was obtained along Trent Lane, immediately to the north of Girton village, mineral was also transported by barge on the River Trent.
7. In August 1999 planning permission was granted for a northern extension of Girton Quarry (reference 3/98/0800). The application site comprised of a total of 156 hectares of land. The application provided for the continued use of the existing processing plant area, with connections to the quarry face by a series of conveyors. A new vehicular access was proposed to serve the plant site by the improvement of Meadow Lane from the A1133. The planning permission required the construction of this new road within a year of extraction commencing in the northern extension. The existing access road on Trent Lane was to be discontinued for the purposes of serving the quarry upon the improvement of this new quarry access. The planning permission was granted subject to a lorry routing agreement requiring all HGV's to enter and leave the site from the A1133 and travelling north. Restoration of the quarry was to a mixture of woodland, agriculture and lakes.
8. The Girton northern extension was implemented under the terms of the above planning permission with some limited extraction occurring within phase 1. This mineral was transported by conveyor to the existing processing area. Improvements to the quarry access road on Meadow Lane have not been undertaken.
9. In November 2001 planning permission was granted for the temporary mothballing of the Girton site (reference 3/01/00957/CMA). The decision to mothball the site was taken by the operators due to commercial reasons, and as a result of damage caused by River Trent flooding. The planning permission required the improvement of the Meadow Lane access prior to the resumption of mineral extraction.

Proposed Development

10. Planning permission is sought to construct a new quarry access road and plant site. The planning application site forms part of the larger area of land granted planning permission under planning permission 3/98/0800 for sand and gravel

extraction and will enable the resumption of mineral extraction under the terms of this planning permission.

11. Following the temporary mothballing of the quarry, the company has reassessed the viability of continuing to use the existing plant site. The company have taken the view that the existing plant site is geographically remote from the area of mineral extraction. The distance between the excavation and processing areas will require the construction of a lengthy conveyor link. Furthermore the distance of the processing site from the A1133 means that a long length of access road would require construction. Following the flooding of the site there is also now a requirement for the construction of new processing plant and site offices. The company has reassessed the development in light of these facts and consider it is now beneficial to consider an alternative location for the plant site within the boundaries of the northern extension of the quarry.
12. The proposed plant site and access road, the subject of this planning application, will be constructed within the approved phase 4 of the quarry.
13. The plant site will contain the following facilities:
 - Site offices, weighbridge and employee/visitor parking.
 - Sheeting gantry
 - A primary crushing and screening plant served by a surge stockpile at the end of the main conveyor run from the active phase of mineral extraction. The plant will be of a modular construction with a maximum height of 18m in height.
 - A washing plant fed from a sand surge pile off the screening plant producing washed concrete sand. The sand tower is 15.5m in height.
 - Stockpiles of sand and gravel not exceeding 7m in height.
 - Internal haul roads to access the stockpile area.
14. The proposed new access into the site will measure 7.3m wide. The access will be hardsurfaced its full length between the A1133 and the processing plant site. The planning application was originally submitted with a simple major/minor priority T-junction with 15m kerb radii on both sides. The design of the access however has been altered to incorporate a dedicated turn right lane off the A1133.
15. Vehicle movements associated with quarry working will be in the order of 45 in and 45 out per day on average, with a maximum of 55 in and 55 out. The option would be retained to transport sand and gravel by barge from the site, the planning application however does not contain any specific proposals for the construction of a wharf.
16. Hours of working for HGV access to the site are:

Monday to Friday	0700 – 1800 hours
Saturday	0700 – 1300 hours

Sunday

Not at all.

17. The development will have knock on implications with the requirements of the existing planning permission. The phasing of mineral extraction will be altered. The original phase 4 (which contains the proposed new processing plant and stockpiles) will now take place as the last phase of the quarry working. The Old Trent Oxbow SINC was originally proposed to be worked as part of phase 4. This will now be worked as part of the final phase of working. Phases 12-15 will be worked before phases 16/17 to facilitate a conveyor link over the Old Trent Oxbow.
18. The development of this new access road and plant site will enable the existing plant site adjacent to the River Trent to be restored at an early phase of the development. The applicants propose to submit a detailed scheme of restoration within 12 months of the date of this permission. The restoration of the plant site will remove the existing quarry wharf.

Planning Policies

Nottinghamshire Structure Plan Review (SPR)

19. Policy 3/1 permits the extraction of minerals within open countryside. Policy 5/8 enables the use of regulatory powers to control the movement of HGV's.
20. Replacement Nottinghamshire Minerals Local Plan Revised Deposit. (RMLP)

Policy M3.2 allows for the negotiation of planning obligations, Policy M3.3 seeks to minimise the visual intrusion of mineral developments. Policy M3.4 seeks to utilise screening to minimise visual impacts. Policy M3.5 seeks to minimise noise. Policy M3.7 seeks to control dust. Policy M3.12 seeks to protect highway safety. Policy M3.14 encourages the use of vehicle routing agreements where they would protect road safety and amenity. Policy M3.15 encourages the use of sustainable transport methods including river barges and conveyors. Policy M3.25 seeks to protect archaeological remains within mineral workings. Policy M3.27 seeks to protect areas of public access from disruption. Policy M4.9 provides for the early restoration of land where there is shown to be environmental benefits.

Newark and Sherwood Local Plan

21. Policy DD1 is a general over-arching policy which seeks to ensure that all developments are undertaken to an acceptable standard without causing adverse impact to the amenity of adjoining properties.

Consultations

22. **Newark and Sherwood District Council** - No objections are raised to the proposal from a planning point of view. With regard to noise issues, the Environmental Health Officer advises that the main source of noise in the area is

the A1133. Field measurements show that a level of 55dBA will not be exceeded at the nearest residential property, a noise level which accords with MPG11 guidance, and therefore no objections are raised. It is recommended that the operating hours be restricted.

23. **South Clifton Parish Council** - No objections are raised to the location of the plant site, however objections are raised to the location of the access from the A1133 on safety grounds. The safety concerns arise from the high speed of traffic on the A1133, the history of accidents on the stretch of road, the inherent dangers of vehicles slowing down and accelerating to leave/join the highway, and the angle of gradient over the floodbank. The Parish Council is also concerned the development will add to HGV traffic since no barging of mineral is proposed.
24. **Girton & Meering Parish Meeting** - Raise concerns regarding the safety of the proposed access, and suggest that the access utilises an existing lay-by facility to the north of the suggested access to enable vehicles to turn left off the road, and then wait off the highway before subsequently crossing the road at right angles to the carriageway when the highway is clear. Reservations have also been raised regarding noise impacts at Girton Grange, and restoration of the old processing area.
25. **Environment Agency** - No objections in principle subject to conditions to protect the integrity of the floodbank and floodplain, bunding of oil/fuel storage areas, and the drainage of surfaced areas.
26. **National Grid Transco** - No objections in principal, note the location of the works to overhead powerlines.
27. **Transco** - There are no gas apparatus in the vicinity.
28. **Severn Trent Water** - No comments received.

Publicity

29. The application has been advertised by means of the posting of two site notices, and an advertisement within the Newark Advertiser, letters of consultation have been forwarded to Girton Grange Gainsborough Road, and Sandfield House, Sand Lane, no representations have been received.

Highway Observations

30. A Road Safety Audit has been carried out by Nottinghamshire County Council's Accident Investigation Unit. Due to the high speed of traffic on The A1133 it is recommended that a right turn facility be provided in the form of a ghost island. Such an access would reduce the risk presented by HGV vehicles being shunted as they wait to turn right in the centre of the main road.
31. The suggestion by Girton & Meering Parish Council to use the lay by to the north of the site as a 'Q' turn is considered a less favourable option due to restricted

visibility, risk to existing users of the lay by and difficulties in ensuring all vehicles use the access facility.

Observations

Background to Proposals

32. Sand and Gravel extraction at Girton has the benefit of planning permission by virtue of planning permission 3/98/0800. This application seeks consent for a new quarry access and plant site to serve this existing approved mineral reserve. The applicant has taken the decision to opt for a new processing plant site with a dedicated access to the A1133 principally because the existing plant site is remote from the extraction areas, and to reduce the cost of providing and maintaining long sections of access road and conveyor links.
33. The main planning issues arising from the development are highway safety, noise, and dust impact on neighbouring property, visual impact, effects on the landscape, effect on the Old Trent Oxbow SINC, ecological issues, and impact on the users of the footpath.

Access and Traffic

34. Planning permission has previously been granted for the transport of mineral from Girton Quarry on the A1133 subject to a section 106 lorry routing agreement. This agreement requires lorries to enter and leave the site from the north. This lorry routing agreement was imposed to protect public safety and residential amenity for the villages located to the south of quarry on the A1133, and principally Collingham. It is recommended that the lorry routing is carried forward into any planning permission for a new plant site and access road. The imposition of such a lorry routing agreement would comply with RMLP Policy M 3.14 and SPR Policy 5/8.
35. The current application proposes a dedicated new direct access to the A1133 to replace the previous arrangements involving the improvement of Meadow Lane. The application originally proposed the construction of a simple major/minor priority T-junction. Through the publicity of the planning application, concerns have been raised locally by both South Clifton Parish Council and Girton & Meering Parish Meeting regarding the safety of such an access, particularly having regard to the fast speed of traffic on this section of the A1133. These safety concerns were echoed at a special meeting of the Girton Quarry Liaison Meeting. The view of the local residents was that a dedicated right turning facility was required for the quarry access.
36. Advice was sought from the Accident Investigation Unit in the Transportation Division, and a road safety audit report was undertaken. The key finding of this audit report is that a protected right turn facility, demarcated by a 'ghost island' (white lining on the A1133 road surface) with appropriate signage is required for the site access. The provision of such an access would enable lorries to wait on the highway to turn right into the site, whilst still allowing other road users to

undertake on the carriageway, and therefore maintain the flow of traffic on the road.

37. The findings of the road safety audit report have been accepted by the applicant and the quarry access arrangements have been amended to incorporate a 'ghost island' access arrangement. Such an arrangement is acceptable on road safety grounds.

Barge Transport of Mineral

38. Policy M3.15 of the RMLP encourages the bulk movement of minerals by water where this will result in an overall environmental benefit. The policy requires applicants to demonstrate that more sustainable forms of transport to road haulage are not viable.
39. Historically, approximately 38% of sand and gravel produced at Girton was transported by barge to markets in the Humberside area. The planning permission for the extension of Girton anticipated this situation to continue.
40. Since planning permission was granted the operators have undergone a process of company restructuring. This has resulted in the Humberside market being served by a different operating region within the company. This corporate restructuring has therefore removed the market for barged material. Mineral produced at Girton Quarry will serve local markets, these have historically have been served by road, and the applicants propose to continue with this arrangement.
41. Whilst it is regrettable that mineral produced at Girton will no longer be transported by barge, this is as a result of changes in the market for the mineral, and not as a direct result of this planning application. The applicant has stated that should barge transport become viable in the future, then land is reserved adjacent to the River to construct a new wharf facility, closer to the new plant site.

Noise

42. Advice contained in MPG11, and reflected in RMLP Policy M3.5 state that it is appropriate to set maximum noise levels at sensitive properties for mineral developments through planning conditions.
43. In the case of Girton Quarry, maximum noise criterion levels have been set for day to day quarry operations as part of the original planning permission. The noise levels specified in the planning permission are as follows:

Girton Grange	45LAeq
Highcroft	54LAeq
Trent House Farm	45LAeq

44. Quarry plant sites have significant potential to give rise to noise emissions through processing equipment and movement of mobile plant and HGV's. The

proposed plant site is relatively remote, with the nearest noise sensitive property being Girton Grange. The plant site is a considerable distance from other properties, and so any potential impact to these properties as a direct result of the movement of the plant site will be negligible.

45. As a result of this development, noise levels at Girton Grange are likely to increase. Measurements undertaken by the Environment Health Officer of Newark and Sherwood District Council show that the existing ambient background noise levels at this property are 53dBA, the main source of background noise being road traffic on the A1133. With a predicted maximum level from the quarry of 51dBA (this will occur when the new plant site is operational and quarrying is occurring within the nearest phase of the development), a combined total level of 55dBA is likely to be observed at Girton Grange. MPG11 advises that such a level is acceptable for daytime day to day activities at mineral workings.
46. It is therefore recommended that should planning permission be granted, a condition be imposed restricting the maximum noise level at Girton Grange to 55dB Laeq.
47. The applicant is proposing a series of operating methods to minimise noise emissions including restrictions on the operating hours of the plant site, and the use of conveyors instead of dumptrucks for the movement of mineral. It is suggested these operating controls are built into the planning conditions of this planning permission to minimise noise emissions from the site.

Dust

48. The application incorporates a series of dust control measures in line with RMLP Policy M3.7 to ensure dust impacts are minimised. These measures include the movement of minerals from extraction areas to the processing area by conveyor, minimising drop heights during loading of sand and gravel, hard surfacing and regular cleaning of the access road, use of water bowsers where appropriate to suppress dust, use of wheel wash, and the sheeting of loaded vehicles. Subject to these operational controls being built into the planning conditions for the development, levels of dust emissions should not lead to unacceptable impacts.

Visual Impact and Effect on landscape

49. A landscape and visual assessment was made by the applicant to assist the design of the development. The construction of this new plant site will enable the early restoration of the existing plant site, thus offering significant benefits in reducing visual impact and effects on the landscape on this part of the Girton Site.
50. The plant site will have a visual impact due to the number of above ground structures. These structures include the site offices, parking, weighbridge, wheel wash, crushers/screens, sand washing tower, conveyors and stock piles. The plant will have a maximum height of 19.5m.

51. A number of landscape features will be incorporated into the design of the plant site to screen the development. The use of existing landscaping to screen developments is encouraged by Policy M3.4. The site is well contained visually by the existing flood attenuation bunds along the A1133 to screen the site from the east. The retention of the Old Trent Oxbow SINC, and the trees contained within it will assist in screening the plant site from the north. The provision of a soil bund, retention of existing line of trees on the south east boundary of the plant site and supplementary planting along the A1133 will assist in screening the site from the south and east. In conclusion the development will have a limited visual impact, however the impact is kept to a minimum by the retention of existing landscape features. Planning conditions will ensure these features are retained and supplemented.
52. Alterations have been made to the location of the access road to locate it further away from the Old Trent Oxbow SINC. This will enable the retention of a number of trees within this area. The impact on landscape character is considered to be slight/moderate, taking into account the temporary nature of the processing plant site and that the plant site will be incorporated into the restoration of the larger area as the last phase of mineral extraction.

Impact on Ecology

53. The new plant site and access road predominantly occupies land which formed the original phase 4 of the approved quarry development. The land, including the Old Trent Oxbow SINC would have been lost to mineral extraction during the extraction of this phase. The current application provides for the retention of the Old Trent Oxbow until the final stage of the quarry.
54. Ecological surveys have been undertaken of the planning application site which conclude that the development will not directly result in the disturbance or loss of features of ecological importance over and above that currently permitted.

Impact on users of footpath

55. Spalford Footpath No. 1A follows a route along the top of the floodbank adjacent to the A1133. The construction of the new access road will cross the route of the footpath. In accordance with RMLP Policy M3.27 it will be necessary for a crossing point to be provided with signage across the proposed access road to protect the users of the footpath. This will be secured by planning condition attached to any grant of planning permission.

Archaeology

56. As part of the Environmental Statement which supported the previous planning application it was shown that the excavation of the site will reveal archaeological remains. In accordance with RMLP Policy M3.25 it is proposed to secure the implementation of the detailed brief and scheme of treatment through a Section 106 legal agreement attached to any grant of planning permission.

Restoration of Former Plant Site

57. The former plant site originally was to remain in use during the life of the Girton northern extension. As part of this submission it is no longer proposed to use this plant site, and to restore the land at an early stage of the development.
58. This change is welcomed since the existing plant site is geographically remote from the future workings, and to secure the cessation of the use will ensure that any negative impacts of Girton Quarry are contained within a smaller geographical area.
59. A planning condition is suggested for a detailed scheme of restoration to be submitted for the plant site within 12 months of the implementation of any planning permission, and the carrying out of the restoration works within a further 12 month period. The suggested planning condition requires the operator to undertake an assessment of the natural re-colonisation that has been occurred so that any ecological habitats which may have developed can be retained.

Human Rights Act Implications

60. The relevant issues arising out of consideration of the Human Rights Act have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol are affected. The proposals have the potential to introduce impacts of noise, dust and visual impacts. Mitigation for these impacts is proposed by the imposition of planning conditions. These considerations need to be balanced against need for the plant site and processing area for the Girton Quarry.

Conclusions

61. The development of the new plant site and access road will result in a reduction in the distance between the extraction and processing areas at the northern extension of the Girton quarry. The new plant site will enable the early restoration of the existing plant site and will ensure the land take of the quarry is minimised.
62. The provision of a dedicated right hand turn facility into the quarry will provide an acceptable and safe access route into the quarry.
63. It is concluded that the development accords with the policies of the RMLP.

Statutory and Policy Implications

64. This report has been compiled after consideration of implications in respect of finance, equal opportunities, personnel, Crime and Disorder and users. Where such implications are material, they have been brought to out in the text of the report

RECOMMENDATION

65. It is RECOMMENDED that the Head of Legal Services enter into an agreement under Section 106 of the Town and Country Planning Act 1990 to cover lorry routing and the archaeological scheme of treatment for the application area.
66. It is FURTHER RECOMMENDED that, following completion of the above agreement, the Director of Environment be authorised to issue the planning permission, subject to the conditions set out in the Appendix to this report.
67. Members need to consider the issues, including the Human Rights Act issues, set out in the report and resolve accordingly.

PETER WEBSTER
Director of Environment

Director of Resources' Financial Comments

This report considers the planning application and does not have any direct financial implications. [DJK 7.5.04]

Head of Democratic and Legal Services' Comments

Planning Committee have power to decide the Recommendation. [SHB 7.5.04]

Background Papers Available for Inspection

1. Letter from Girton & Meering Parish Meeting dated 2nd March 2004
2. Letter from South Clifton Parish Council dated 24th February 2004.
3. Letter from Newark and Sherwood District Council dated 18th March 2004.
4. Letter from National Grid Transco dated 24th March 2004.
5. Observations of Newark and Sherwood Environmental Health Officer dated 8th April 2004.
6. Letter from the Environment Agency dated 8th April 2004.

Electoral Division(s) Affected

Collingham

EPD.MH/EP4526
7 May 2004

RELEVANT PLANNING POLICIES

The Nottinghamshire Structure Plan Review

- 3/1 PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT OUTSIDE THE LIMITS OF EXISTING BUILT-UP AREAS OTHER THAN THAT PROVIDED FOR IN THE DEVELOPMENT PLAN. PLANNING PERMISSION WILL BE GRANTED FOR:
- (a) USES APPROPRIATE TO RURAL AREAS, INCLUDING AGRICULTURE, FORESTRY, MINERAL EXTRACTION AND WASTE DISPOSAL TO RECLAIM MINERAL WORKINGS.
 - (b) APPROPRIATE RECREATIONAL AND TOURISM USES;
 - (c) UTILITY INSTALLATIONS REQUIRING A RURAL LOCATION;
 - (d) CHANGE OF USE OF AGRICULTURAL AND OTHER BUILDINGS TO EMPLOYMENT USES WHICH HELP TO DIVERSIFY THE RURAL ECONOMY;
 - (e) ROADSIDE SERVICES WHICH FILL A CLEARLY ESTABLISHED GAP IN EXISTING PROVISION AND WHICH CANNOT REASONABLY BE MET WITHIN BUILT-UP AREAS;
 - (f) THE CHANGE OF USE OF BUILDINGS OF ARCHITECTURAL OR HISTORIC VALUE WHERE IT IS THE ONLY PRACTICABLE MEANS OF ENSURING THE RESTORATION AND RETENTION OF THE BUILDING;
 - (g) CEMETERIES;
- PROVIDED THAT THE DEVELOPMENT IS LOCATED AND DESIGNED SO AS NOT TO ADVERSELY AFFECT THE COUNTRYSIDE ENVIRONMENT.
- 5/8 WHERE APPROPRIATE, THE MOVEMENT OF HEAVY GOODS VEHICLES WILL BE REGULATED HAVING REGARD TO POLICY 5/7.

Newark and Sherwood Local Plan

Policy DD1

The Nottinghamshire Replacement Minerals Local Plan Revised Draft

POLICY M3.2 PLANNING OBLIGATIONS

The County Council will seek to negotiate planning obligations as measures for controlling mineral operations which cannot be achieved by the use of planning conditions.

POLICY M3.3 VISUAL INTRUSION

Planning permission for minerals development will only be granted where any adverse visual impact can be kept to an acceptable level. Where appropriate, conditions will be imposed to ensure that plant, buildings and storage areas are:

- (a) located in such a position as to minimise impact on adjacent land;

- (b) kept as low as practicable to minimise visual intrusion;
- (c) of appropriate colour, cladding or suitably treated to reduce their visual impact;
- (d) satisfactorily maintained to preserve their external appearance;
- (e) removed upon cessation of extraction and the site restored to an acceptable level.

POLICY M3.4 SCREENING

Where planning permission for minerals development is granted, conditions will be imposed to ensure that screening and landscape proposals reduce visual impact. Such conditions should, where appropriate, include:

- (a) measures to retain, enhance, protect and manage existing features of interest and value for screening and their contribution to the reclamation of the site;
- (b) measures to screen the site by the use of walls, fences, earth mounding and/ or tree & shrub planting;
- (c) details of the method of working, and phasing to cause least visual intrusion;
- (d) details of the location, form, number, species, size, method of planting, site preparation and any necessary measures for replacing plant material which fails following initial planting.

Where appropriate, screening proposals should maximise the potential to enhance the landscape and wildlife potential through appropriate planting.

POLICY M3.5 NOISE

Planning permission for minerals development will only be granted where noise emissions outside the boundary of the mineral workings do not exceed acceptable levels. Where appropriate conditions will be imposed to:

- (a) restrict hours of operation;
- (b) require the use of conveyors instead of dumptrucks;
- (c) sound-proof fixed and mobile plant;
- (d) set maximum noise levels at sensitive locations;
- (e) impose stand off distances between operations and noise sensitive locations;
- (f) require the use of acoustic screening such as baffle mounds or fencing.

POLICY M3.7 DUST

Planning permission for minerals development will only be granted where dust generation will not lead to an unacceptable impact. Where appropriate conditions will be imposed to suppress dust generation. Such conditions may relate to the:

- (a) layout of the site, design of stockpiles;
- (b) containment of conveyors and processing plant and dust collection equipment;
- (c) use of bowlers, sprays, and vapour masts on haul roads, stockpiles, transfer points;
- (d) design of material – handling systems, drop heights, wind guards, loading points;
- (e) use of binders on haul roads and stockpiles;
- (f) limiting on-site vehicle speed;
- (g) soil handling strategies;
- (h) limiting levels of dust measured in a specific way; provision of monitoring facilities.

POLICY M3.12 HIGHWAYS SAFETY AND PROTECTION

Planning permission for minerals development will only be granted where measures are in place to the County Council's satisfaction that prevents damage to the highway and also prevents mud and other deleterious material contaminating public highways. Such measures may include:

- (a) wheel cleaning facilities;
- (b) sheeting of lorries;
- (c) metalling haul roads near their point of access to the public highway.

POLICY M3.14 VEHICULAR ROUTEING

In granting planning permission for minerals development the County Council will as appropriate;

- (a) impose conditions requiring the posting of site notices and/ or the issuing of instructions to lorry drivers detailing any routes to be avoided;
- (b) seek to negotiate planning obligations in order to secure highway improvements;
- (c) seek to negotiate planning obligations to specify agreed routes for vehicles.

POLICY M3.15 BULK TRANSPORT OF MINERALS

The bulk transport of minerals or minerals waste/ fill by rail, barge, pipeline or conveyor will be permitted, where this will result in an overall environmental benefit. Where major proposals rely on road transport, planning permission will not be granted until it has been demonstrated that more sustainable forms of transport are not viable.

POLICY M3.25 ARCHAEOLOGY

Planning permission will not be granted for minerals development which would destroy or degrade nationally important archaeological remains and their settings, whether scheduled or not. Planning permission will only be granted for development which would affect archaeological remains of less than national importance where there is an overriding need for the development and where provision is made for the excavation and recording of the remains.

POLICY M3.27 PUBLIC ACCESS

Planning permission will not be granted for minerals development which would temporarily or permanently disrupt public rights of way unless alternative routes of at least equivalent interest and quality are available.

POLICY M4.9 RECLAMATION PROPOSALS FOR EXISTING SITES

Alternative reclamation proposals will be granted which would result in the satisfactory reclamation and after-use of mineral workings where:

- (a) current use and/ or appearance is unsatisfactory;
- (b) the existing provisions for reclamation are unsatisfactory, inappropriate or absent;
- (c) the proposals result in a more positive use of waste compared to alternative options for disposal of such waste;
- (d) the proposals result in an improved environmental and/ or amenity after-use.

SUGGESTED PLANNING CONDITIONS**Commencement of Planning Permission**

1. The development hereby permitted shall be begun within 5 years from the date of this permission.
2. The date of commencement shall be notified in writing to the Mineral Planning Authority (MPA) at least 7 days prior to the permission being implemented.
3. From the commencement of the development to its completion a copy of this permission including all plans and documents hereby approved, and any other plans and documents subsequently approved in accordance with this permission, shall always be available at the site offices for inspection by the MPA during normal working hours.

Approved Plans

4. The development hereby permitted shall only be carried out in accordance with the following documents, unless otherwise agreed in writing with the MPA, or where amendments are made pursuant to the other conditions below:
 - Planning application and supporting environmental analysis.
 - Drawing No. G11/126a Figure 2 – Existing planning consent and planning application boundaries.
 - Drawing No. G11/127a Figure 3 – Proposed plant layout and access to A1133.
 - Drawing No. G11/128a Figure 4 – Proposed site access road and longsection.
 - Drawing No. G11/129a Figure 5 – Phasing plan.
 - Drawing No. G11/136 Figure 12 – Restoration masterplan for existing processing plant.
 - Drawing No. G11/137 Figure 13 – Cross section through proposed plant.

Buildings, Fixed Plant and Machinery

5. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995, no buildings, fixed plant, or machinery, other than approved by this permission shall be erected or placed on the site without the prior written approval of the MPA.
6. Within 1 month of the date of commencement of this planning permission, referred to in condition 2 above, there shall be submitted to the MPA and approved in writing plans and elevations of the primary crushing and screening plant and mobile office accommodation including details of the external colour of the structures. The structures shall thereafter be provided in accordance with the approved details.

Duration

7. All mineral extraction shall cease on or before the 31st December 2019, unless otherwise agreed in writing beforehand by the MPA.
8. All restoration operations in accordance with condition ??? shall be completed on or before a date one year from the cessation of the extraction referred to in condition 6, unless otherwise agreed in writing beforehand by the MPA.

Access and Protection of Highway Network

9. Prior to any processed material extracted from within planning permission boundary ref. 3/98/0800 leaving the site, the new access road and associated junction with the A1133, including signage hereby approved shall be constructed in accordance with drawings G11/127a, G11/128a & G11/129a. The access road shall be surfaced in hard-wearing materials to the satisfaction of the MPA.
10. Within 1 month of the date of commencement of this planning permission, referred to in condition 2 above, there shall be submitted to the MPA and approved in writing details of the proposed wheel cleaning, lorry sheeting, and weighbridge facilities, including details of the external colours. The wheel cleaning, lorry sheeting and weighbridge facilities shall be provided in accordance with the approved details prior to any processed material leaving the site.
11. All vehicles leaving the site shall use the wheel cleaning facilities approved under condition 10 above. The wheel cleaning facilities shall be maintained in an effective condition 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.
12. The loads of all vehicles transporting mineral from the site shall be fully covered by sheeting prior to leaving the site.

Hours of Working

13. Except in emergencies when life, limb or property are in danger and which are to be notified to the MPA within 48 hours of their occurrence, or with the prior written agreement of the MPA, there shall be no mineral processing or Heavy Goods Vehicles entering and leaving the site except between the hours of 0700 to 1800 hours Monday to Friday, 0700 to 1300 hours on Saturdays and not at all on Sundays and Public Holidays.

Storage Heights

14. Sand and gravel shall not be stored in stockpiles exceeding 7m in height.

Noise

15. Except for temporary operations, the Equivalent Continuous Noise level, L_{Aeq} , 1h, at Girtton Grange due to operations on the site shall not exceed 55dB L_{Aeq} . The criterion level is expressed as hourly free field L_{Aeq} figure. Measurements taken to check the compliance shall have regard to the effects of extraneous noise and shall be corrected for any such effects.
16. No excavated minerals shall be transported from the working face to the plant site other than by means of an electrically driven conveyor, unless otherwise agreed in writing by the MPA.
17. All plant, machinery, and vehicles used on the site shall incorporate noise abatement measures and shall be silenced at all times in accordance with the manufacturer's recommendations.
18. No reversing warning device shall be used on any mobile plant except in accordance with details to be agreed beforehand by the MPA.

Dust

19. All possible measures shall be taken to minimise the generation of dust from operations in the site. This shall include, but not necessarily be limited to any or all of the following steps as appropriate:
 - The use of water bowsers to dampen haul roads and other operational areas of the site;
 - The sweeping of access and haul roads, where necessary;
 - The use of conveyors to transport excavated mineral to the plant site;
 - The minimisation of drop heights during loading of sand and gravel;
 - Upon request of the MPA, the temporary suspension of mineral processing during periods of unfavourably dry or windy weather conditions.

Protection of Public Footpath

20. Within 1 month of the date of commencement of this planning permission, referred to in condition 2 above, there shall be submitted to the MPA and approved in writing details of the proposed crossing point for Spalford Footpath No. 1A. The details shall incorporate the provision of signage to warn both access road and rights of way users, and the issuing of instructions to vehicle drivers about the existence of the right of way. The footpath mitigation shall be provided in accordance with the approved details prior to any processed material leaving the site.

Protection of Ground and Surface Water

21. During the period of construction and following completion of development, facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the 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, vessel or combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.

22. Prior to be discharged into any watercourse, surface water, sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Landscaping and Supplementary Planting

23. Prior to the commencement of development there shall be submitted to the MPA and approved in writing the following landscape and planting details.
- A scheme for the protection, management and enhancement of the Old Trent Oxbow SINC.
 - A scheme for the protection, management and enhancement of the linear row of planting on the south east boundary of the plant site.
 - A scheme for the protection, management and enhancement of the hedgerow planting adjacent to the A1133 Gainsborough Road.
 - Plans, sections, and elevations of the proposed top soil and sub soil mound located to the south of the plant site, including seeding and planting proposals.

All planting shall be carried out in accordance with the approved details in the first available planting season following the commencement of the planning permission. The planting shall be maintained in accordance with good arboricultural practice for a period of five years following its implementation, any plants or trees which die, are removed or become seriously damaged or diseased shall be replaced in the following planting season with similar specimens to those originally planted.

Soil Handling

24. At least 7 days notice in writing shall be given to the MPA prior to the commencement of topsoil stripping in any phase or part phase of the development.
25. No turf, topsoil, subsoil or overburden shall be removed from the site. No waste materials, including soils and mineral working wastes shall be brought onto the site.

26. No plant or vehicles shall cross any area of unstripped or replaced topsoil or subsoil except where such trafficking is essential and unavoidable for purposes of undertaking soil handling operations.

Soil Stripping and Storage

27. All soils and soil making materials shall only be stripped, handled, stored and replaced in accordance with the Development Proposals set out in Pages 8-31 of the Supporting Statement (The Statement) dated June 1998 submitted with planning application 3/98/0800, unless modified by this schedule of conditions, or as otherwise may be approved in writing by the MPA.
28. Prior to the commencement of the development, a scheme for the stripping and storage of soils and subsoils shall be submitted for approval in writing by the MPA. Such a scheme shall include details of the following:
- (a) depths and volumes of soil and subsoil to be stripped;
 - (b) the areas, contours and gradients of storage and soil and subsoil stripped in accordance with (a) above;
 - (c) the routing of plant and machinery over the soil profile and between stripping;
 - (d) storage and restoration areas of the site;
 - (e) the programme of the works.

The scheme shall be implemented as approved. No subsoil or topsoil shall leave the site.

29. Site clearance operations that involve the destruction and removal of vegetation, including felling, clearing or removal of trees shrubs or hedgerows on site shall not be undertaken during the months of March to August inclusive, except when approved by the MPA to ensure that breeding birds are not adversely affected.
30. Stocks of topsoil shall not exceed 3m in height and stocks of subsoil shall not exceed 5m in height. Unless otherwise agreed in writing beforehand by the MPA, all topsoil, subsoil and material stockpiles shall be stored in accordance with details approved under condition 28 unless otherwise approved in writing by the MPA.
31. No movement of soil shall take place except when the full depth of soil to be stripped or otherwise transported is in a suitably dry soil moisture condition i.e. the soil is in a non-plastic state such that damage to its structure is avoided. Conditions shall be sufficiently dry for the topsoil to be separated from the subsoil without difficulty. Soil handling and movement shall only be carried out during the months of April to October inclusive unless otherwise agreed in writing by the MPA.
32. All storage mounds shall be vegetated in accordance with a scheme covering vegetation establishment and management that is to be submitted to and approved in writing by the MPA prior to mound construction.

Restoration of Existing Plant Site

33. Within 12 months of the date of commencement of this permission, referred to in condition 2 above, a scheme for the restoration of the existing processing plant area shall be submitted for approval in writing by the MPA. Such a scheme shall include the following:
- An ecological assessment of the natural regeneration which has occurred in the existing plant site. The findings of the assessment should be taken into consideration with the proposals for the restoration of the plant site;
 - Removal of stockpiles and other infrastructure;
 - Retention of the existing water areas, shaping and profiling the sides as appropriate;
 - Seeding of a low maintenance grass seed mixture, the details of which shall be agreed with the MPA;
 - Planting of woodland and hedgerows.
 - Protection and post planting management of the restored area.

The approved scheme shall be implemented within 12 months following its approval by the MPA and managed thereafter in accordance with the management scheme throughout the period of development and aftercare of the site.

Restoration of Proposed Plant Site

34. Unless otherwise agreed in writing with the MPA the plant site and access road hereby approved shall be restored in accordance with restoration masterplan drawing No. G11/136 submitted with the application on or before 31st December 2020.

Soil Handling During Restoration

35. Subsoil and any soil making material shall be levelled to provide an even depth across the re-laid area so that the total thickness of settled subsoil is no less than 1 metre.
36. Each subsoil layer shall be cross-rippled except where agreed in writing with the MPA for the better restoration wetland habitats:
- (a) to provide loosening to a minimum depth of 450mm with line spacings no wider than 1.5m, and
 - (b) any non-subsoil material, rock, boulder or larger stone greater than 200mm in dimension shall be removed from the loosened surface before further soil is laid. Materials that are removed shall be disposed of off site or buried at a depth not less than 2 metres below the final pre-settlement contours.

37. Topsoil shall be evenly re-spread to achieve at least a minimum of 300mm settled depth, except where agreed with the MPA in order to achieve better restoration of wetland habitats
38. Only low ground pressure machinery shall work on re-laid topsoil or subsoil to replace and level topsoil. Topsoil shall be lifted onto subsoil by equipment that is not standing on either re-laid topsoil or subsoil.
39. The re-spread topsoil shall be rendered suitable for agricultural cultivation by loosening and ripping; except where agreed with the MPA in order to achieve better restoration of wetland habitats:
 - (a) to provide loosening equivalent to a single pass at a line spacing of 1.5m or closer;
 - (b) to the full depth of the topsoil plus 100mm;
 - (c) any non soil making material or rock, boulder or larger stone lying on the loosened topsoil surface and greater than 100mm in any dimension shall be removed from the site and buried at a depth not less than 2 metres below the final settlement contours.
40. Following placement of topsoil, the surface shall be rooted and cross-ripped to an agreed depth and spacing but shall penetrate 150mm into the underlying layer or 500mm total depth, whichever is the greater, to remove compaction at the interface and loosen all material within the area and depth of operations except where agreed with the MPA in order to achieve better restoration of wetland habitats. Stones and any other obstructions to cultivation greater than 100mm in any dimension shall be removed.
41. All operations involving soil placement and cultivation treatments shall only be carried out when the full volume of the soil involved is in a dry soil moisture condition thereby avoiding damage to soils and maximising the effects of the sub-soiling operations. Plant and vehicles shall not cross areas of replaced or loosened materials or areas spread with sub soil or topsoil except for the express purpose of restoration operations
42. For purposes of storage and placement of soils, topsoil shall only be mixed with topsoil and subsoil shall only be mixed with subsoil or other soil-making materials.
43. In the first available sowing season following the spreading of soils a grass seed mix shall be sown, and trees and shrubs shall be planted in accordance with the details approved under Condition's 33 & 34. All stock used will be of local genetic origin where feasible.
44. The MPA shall be notified of the completion of soil replacement in any phase within 1 month of its completion.

Aftercare

45. Following restoration the site shall undergo aftercare management for a 5 year period. This aftercare shall commence on the date that restoration is completed to the satisfaction of the MPA.
46. An aftercare scheme outline strategy shall be submitted for the approval of the MPA no later than 3 months before the spreading of subsoil commences. 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) Cultivation's
 - (b) Weed control
 - (c) Sowing of seed mixtures
 - (d) Soil analysis
 - (e) Keeping of records and an annual review of performance and proposed operations for the coming year, to be submitted to the CPA between the 31 March and 31 May each year
 - (f) Drainage amendments
 - (g) Management practices such as the cutting of vegetation
 - (h) Tree protection
 - (i) Remedial treatments
 - (j) Irrigation, and
 - (k) Fencing.
47. Prior to any area being entered into aftercare the extent of the area and its date of entry into aftercare shall be agreed with the MPA, the 5 year aftercare period shall run from the agreed date.

Alternative Restoration

48. Should for any reason, mineral processing from the application site cease for a period in excess of 6 months, 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, for approval in writing by 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.
49. The revised restoration scheme shall be implemented within 12 months of its approval by the MPA, and shall be subject to the aftercare conditions outlined in **46** above.

Note to applicant

1. Your attention is drawn to the attached letter from National Grid/Transco.

2. Your attention is drawn to the attached letter from the Environment Agency.
3. Your attention is drawn to the requirement to submit details under the provisions of the planning conditions attached to planning permission 3/98/0800.

EPD.MH/EP4526
7 May 2004

Please note. Copies of the plans referred to in this report may be obtained from: John Sheffield, Environment, Trent Bridge House, Fox Road, West Bridgford, Nottingham NG2 6BJ, tel 0115 977 4499, email john.sheffield@nottsc.gov.uk or from Peter Barker at the same address, tel 0115 977 4416, email peter.barker@nottsc.gov.uk.