



meeting **PLANNING COMMITTEE**

date **15 JUNE 2004**

agenda item number

7

from: **Director of Environment**

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 the schedule of planning conditions proposed to be imposed on the above application on which the Committee, at its meeting on 18 May 2004, resolved to grant planning permission.

Introduction

2. Members will recall from the 18 May 2004 meeting of the Planning Committee it was resolved to grant conditional planning permission for the construction of a new plant site and access road at Girton Quarry, Gainsborough Road, Girton. The decision to grant planning permission was subject to applicant entering into a Section 106 agreement relating to lorry movements and archaeology.
3. The report did not contain a full schedule of planning conditions. The format of the planning conditions has now been finalised, following discussion with the applicant, and these are appended to this report
4. A location plan (Plan 1) and a site plan (Plan 2) are attached.

Statutory and Policy Implications

5. This report has been compiled after consideration of implications in respect of finance, equal opportunities, personnel, Crime and Disorder and those

using the service. Where such implications are material, they have been brought out in the text of the report.

RECOMMENDATIONS

6. It is RECOMMENDED that the schedule of conditions set out below be attached to Permission No. 3/04/00394/CMM.

PETER WEBSTER
Director of Environment

Director of Resources' Financial Comments

There are no financial implications arising from this report. [DJK 2.6.04]

Head of Democratic and Legal Services' Comments

Committee have power to decide the Recommendation. [SHB 28.5.04]

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/vs/ep4536
28 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.

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 long section.
 - 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.
 - Drawing No. G11/139 Proposed right turning facility and traffic calming measures.

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 for approval in writing plans and elevations of the 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 August 2016, unless otherwise agreed in writing beforehand by the MPA.
8. All restoration operations in accordance with condition's 34 & 35 shall by the 31st August 2017, or one year after the cessation of the extraction permitted by virtue of planning permission 3/98/0800, unless otherwise agreed in writing beforehand by the MPA.

Access and Protection of Highway Network.

9. Prior to any processed mineral 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 be approved by 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 bays, and weighbridge facilities, including details of the external colours. The wheel cleaning, lorry sheeting bays and weighbridge facilities shall be provided in accordance with the approved details prior to any processed material leaving the site.
11. All vehicles transporting mineral 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 1900 hours Monday to Friday, 0700 to 1300 hours on Saturdays and not at all on Sundays, Bank or Public Holidays.

Storage Heights

14. Stockpiles of processed mineral shall not exceed 7m. (Such levels being measured from the ground levels existing at the grant of planning permission)

Noise

15. Except for temporary operations, the Equivalent Continuous Noise level, L_{Aeq} , 1h, at Girton 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 at 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 for approval 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. The submitted scheme shall also include interim arrangements to be undertaken during the period of construction of the haul road.

Protection of Ground and Surface Water

21. During the period of construction, during 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.

Landscape Management and Supplementary Planting

23. Prior to the commencement of development there shall be submitted to the MPA for approval 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.
24. The landscape management and supplementary planting approved under condition 23 above 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

25. 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.
26. 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.
27. 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

28. 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.
29. Prior to the commencement of the development, a scheme for the stripping and storage of soils and subsoils for the permission area shall be submitted to the MPA for approval in writing. Such a scheme shall include details of the following:
- (a) depths and volumes of soil and subsoil to be stripped;
 - (b) soil storage areas, contours and gradients of storage bunds for topsoil, subsoil and overburden stripped in accordance with (a) above;
 - (c) the routing of plant and machinery undertaking soil stripping and replacement operations;

- (d) the methodology for soil stripping and replacement;
- (e) the destination of soils for re-use in restoration;
- (f) the programme of the works, including timings.

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

- 30. 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 as may be otherwise approved by the MPA in writing to ensure that breeding birds are not adversely affected.
- 31. 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 29.
- 32. 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.
- 33. All storage mounds shall be seeded down with grass and maintained in a weed free condition in accordance with details of a scheme submitted to and approved by the MPA prior to their construction.

Restoration of Existing Plant Site

- 34. 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 up to its junction with Green Lane, and the previous conveyor route shall be submitted to the MPA for approval in writing. 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 within 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 restored areas;
 - Planting of woodland and hedgerows.

- Protection and post planting management of the restored area for a period of 5 years.

The approved scheme shall be implemented within 12 months of 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

35. Unless otherwise agreed in writing with the MPA the plant site and access road hereby approved shall be restored in accordance with Drawing No. 023/1129/8 submitted with planning application 3/98/0800 on or before 31st August 2017.

Soil Handling During Restoration

36. 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.
37. Each subsoil layer shall be cross-rippled except where agreed in writing with the MPA for the better restoration wetland habitats, and in accordance with the following:
- (a) to provide loosening to a minimum depth of 450mm with tine 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.
38. Topsoil shall be evenly re-spread to achieve at least a minimum of 300mm settled depth, except as may be agreed with the MPA in writing.
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 tine 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. 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

41. 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.
42. 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 34 & Drawing No. 023/1129/8 submitted with planning application 3/98/0800. All stock used will be of local genetic origin where feasible.
43. The MPA shall be notified of the completion of soil replacement in any phase within 1 month of its completion.

Aftercare

44. Following restoration the site shall undergo aftercare management for a 5 year period.
45. 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.
46. 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

47. 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 the MPA for approval in writing. Such a scheme shall include a schedule of timings, removal of plant and infrastructure, 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.

48. 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 condition 45 above.

Reasons

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| 1 | To comply with the requirements of Section 91 of the Town and Country Planning Act 1990. |
| 2,3,43 | To enable the MPA to monitor compliance with the conditions of the planning permission. |
| 4 | For the avoidance of doubt. |
| 5,6,14 | In the interest of visual amenity and to ensure compliance with Policy M3.3 of the Replacement Nottinghamshire Minerals Local Plan – Revised Deposit May 2003. |
| 7,8 | To enable an early and satisfactory restoration of the site and to ensure compliance with Policy M4.4 of the Replacement Nottinghamshire Minerals Local Plan – Revised Deposit May 2003. |
| 9,10,11,12 | In the interest of highway safety and management and to ensure compliance with Policy M3.12 of the Replacement Nottinghamshire Minerals Local Plan – Revised Deposit May 2003. |
| 13,15,16,17,18 | To protect the amenity of surrounding residential properties and to ensure compliance with Policy M3.5 of the Replacement Nottinghamshire Minerals Local Plan – Revised Deposit May 2003. |
| 19 | To protect the amenity of surrounding residential properties from dust disturbance and to ensure compliance with Policy M3.7 of the Replacement Nottinghamshire Minerals Local Plan – Revised Deposit May 2003. |
| 20 | To protect the public right of way and to ensure compliance with Policy M3.27 of the Replacement Nottinghamshire Minerals Local Plan – Revised Deposit May 2003. |
| 21,22 | To protect ground and surface water and to ensure compliance with Policy M3.8 of the Replacement Nottinghamshire Minerals Local Plan – Revised Deposit May 2003. |
| 23,24 | In the interest of screening the site and to ensure compliance with Policy M3.4 of the Replacement Nottinghamshire Minerals Local Plan – Revised Deposit May 2003. |

- 25,26,27,28,29,31,32,33,36,37,38,39,40,41,42 To conserve soil resources on the site and to ensure compliance with Policy M4.3 of the Replacement Nottinghamshire Minerals Local Plan – Revised Deposit May 2003.
- 30 To protect the breeding sites of nesting birds in accordance with Policy M3.22 of the Replacement Nottinghamshire Minerals Local Plan – Revised Deposit May 2003.
- 34,35,47,48 To ensure satisfactory restoration on the site and to ensure compliance with Policy M4.4 of the Replacement Nottinghamshire Minerals Local Plan – Revised Deposit May 2003.
- 44,45,46 To ensure satisfactory aftercare of restored areas in compliance with Policy M4.10 of the Replacement Nottinghamshire Minerals Local Plan – Revised Deposit May 2003.

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/vs/ep4536
28 May 2004