

APPENDIX 2

Proposal 2- phase Variation recommended planning conditions

Application Ref: - Alteration to the agreed phasing sequence

APPLICATION REFERENCE 2/2018/0676/NCC – TO VARY CONDITIONS 5 (A TO F) & 6 OF APPLICATION 2/2014/0518/NT IN ORDER TO MEET NEW OPERATIONAL NEEDS TO ENSURE THAT THE TIPPING FACES ARE KEPT AT MANAGEABLE HEIGHTS TO PREVENT ANY SLIPPAGES OF THE WORKING FACES AND TO ENSURE THAT THE CURRENT FINAL CONTOURS OF THE SITE ARE ACHIEVED IN THE BEST OPERATIONAL METHOD AVAILABLE. THERE WILL BE NO CHANGES TO THE AGREED FINAL CONTOURS OF THE SITE.

Commencement and Life of the Permission

1. The development hereby permitted shall commence within 3 years of the date of this permission and the date of commencement shall be provided in writing to the Waste Planning Authority (WPA) within 7 days of commencement.

Reason For the avoidance of doubt that operations have commenced and to comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development hereby permitted is for a temporary period only, all operations for the importation and deposit of waste material shall cease on, or before, the 30th April 2030.

Reason To ensure the completion of the development and satisfactory restoration within a reasonable timescale.

3. All restoration of the site shall be complete on, or before, the 30th April 2032

Reason To secure the proper restoration of the site within an acceptable timescale and in accordance with Policy W4.1 of the Nottinghamshire and Nottingham Waste Local Plan (WLP).

Approved Plans and Documents

4. This permission is for the restoration by infilling with inert waste materials within the land edged red on Figure VRQ6 titled 'Application and Ownership Boundaries' – received by the WPA on 01 October 2018.

Reason For the avoidance of doubt.

5. The development hereby permitted shall only be carried out in accordance with the following documents, or where amendments are made pursuant to the other conditions below:

- a) Figure Ref: VRQ7 Rev A titled 'Phasing Plan' – received by the WPA on 25 September 2018;

- b) Figure Ref: VRQ8 titled 'Phase A' – received by the WPA on 25 September 2018;
- c) Figure Ref: VRQ9 titled 'Phase B' – received by the WPA on 25 September 2018;
- d) Figure Ref: VRQ10 titled 'Phase C' – received by the WPA on 25 September 2018;
- e) Figure Ref: VRQ11 titled 'Phase D' – received by the WPA on 25 September 2018;
- f) Figure Ref: VRQ12 titled 'Phase E' – received by the WPA on 25 September 2018;
- g) Figure Ref: VRQ13 titled 'Restoration Masterplan' – received by the WPA on 22 August 2014;
- h) Figure Ref: VRQ15 titled 'Restoration Cross Sections' – received by the WPA on 22 August 2014;
- i) Planning Application Forms – received by the WPA on 25 September 2018;
- j) Supporting Statements – received by the WPA on 22 August 2014 and 25 September 2018;
- k) ES Volume 1: Non-Technical Summary – received by the WPA on 22 August 2014;
- l) ES Volume 2: Main Text and Appendices – received by the WPA on 22 August 2014;

Reason For the avoidance of doubt.

Phasing and Final Restoration Contours

- 6. The tipping of waste materials shall be carried out in accordance with the approved phasing details on Figure VRQ7 Rev A – received by the WPA on 25 September 2018. No deposit of waste shall take place in any infilling phase of the site until the preceding phase of the site has been brought to final levels except to provide the interim slopes for that phase detailed on the relevant figure.

Reason To ensure the WPA retain control over the acceptable and progressive restoration of the site within a reasonable timescale and in compliance with Policy W4.1 of the WLP.

- 7. Any phase brought up to final levels shall be fully restored and planted within 12 months of final levels being achieved.

Reason To ensure the WPA retain control over the acceptable and progressive restoration of the site within a reasonable timescale and in compliance with Policy W4.1 of the WLP.

8. The final contours of the restored site shall not exceed those shown on Figures VRQ13-15 – received by the WPA on 22 August 2014.

Reason To ensure the WPA retain control over the acceptable and progressive restoration of the site within a reasonable timescale and in compliance with Policy W4.1 of the WLP.

9. A topographical survey of the site shall be submitted to the WPA by 31 December each year, until the cessation of waste and material placement. The topographical survey shall identify all complete and incomplete areas, and show contours at 1 metre spacing.

Reason To ensure the WPA retain control over the acceptable and progressive restoration of the site within a reasonable timescale and in compliance with Policy W4.1 of the WLP.

Highways

10. The number of Heavy Goods Vehicles (HGV) entering the site shall not exceed the following limits:

- a) 84 each day Monday to Friday;
- b) 44 each day on Saturday;
- c) 20,000 in any 12 month period.

A written record of the daily HGV movements entering the site in connection with this permission shall be maintained by the operator and made available to the WPA each calendar month in writing, or within two weeks of a written request from the WPA.

Reason In the interests of residential amenity and in compliance with Policies W3.9 and W3.10 of the WLP, and to accord with Policy M16 of the MLP.

11. Any alternative access points to the site shall be used only in cases of emergency or for essential maintenance, and not by HGVs transporting waste materials or recycled aggregates to or from the site. Such cases shall be notified in writing to the WPA within 48 hours of their occurrence.

Reason In the interests of highway safety and in accordance with Policy W3.14 of the WLP.

Hours of Operation

12. Operations for the deposit, regrading and compaction of imported waste materials, the spreading and cultivation of restoration materials and HGVs entering or leaving the site in connection with those purposes, shall take place only within the following hours:

- a) 08:00 – 18:00 Monday to Friday;
- b) 08:00 to 12:30 Saturdays;
- c) Not at all on Sundays, Public or Bank Holidays.

Reason In the interests of residential amenity and in compliance with Policy W3.9 of the WLP.

13. Except in the case of emergency when life, limb or property are in danger (such instances which are to be notified to the WPA within 48 hours of their occurrence), the maintenance, servicing and testing of plant or machinery shall only occur within the following hours:

- d) 08:00 – 18:00 Monday to Friday;
- e) 08:00 to 17:00 Saturdays;
- f) Not at all on Sundays, Public or Bank Holidays.

Reason In the interests of residential amenity and in compliance with Policy W3.9 of the WLP.

Noise

14. The free field noise levels associated with the development, when measured in the curtilage of any of the noise sensitive properties listed below, shall not exceed the following limits measured as an Equivalent Continuous Noise Level for a 1 hour LAeq (free field):

Location	LAeq, 1hr
<i>Littlewood Farm</i>	<i>51dB</i>
<i>Old Vicarage</i>	<i>44dB</i>
<i>North Lodge Farm</i>	<i>46dB</i>

Reason In the interests of residential amenity and in compliance with Policy W3.9 of the WLP.

15. In the event that noise complaints are received, which the WPA considers are likely to relate to a breach of noise levels in Condition 14, the operator shall undertake a noise survey within two weeks of a written request from the WPA. The noise survey shall be undertaken in accordance with BS4142 and shall be carried out under the supervision of the WPA. The results of the noise survey

shall be provided to the WPA for its written approval within one month of the survey being undertaken. Should the results of the noise survey demonstrate that the above noise limits are being exceeded, noise mitigation measures shall be implemented within one month following their approval by the WPA.

Reason In the interests of residential amenity and in compliance with Policy W3.9 of the WLP.

16. All mobile plant, machinery and vehicles (excluding delivery vehicles which are not owned or under the direct control of the operator) used on the site shall incorporate white noise reversing warning devices and be fitted with silencers maintained in accordance with the manufactures' recommendations and specifications to minimise noise disturbance to the satisfactions of the MPA.

Reason In the interests of residential amenity and in compliance with Policy W3.9 of the WLP.

Dust and Mud

17. The wheel wash installed shall remain in place and be operated in accordance with the approved details of the Garic Envirowash listed in emails and supporting documents received by the WPA on 26 October 2015, submitted under Planning Permission Ref: 2/2014/0518/NT, and approved by the WPA on 4 December 2015.

Reason To prevent deleterious material from contaminating the public highway in accordance with Policy W3.11 of the WLP.

18. All HGVs exiting the site shall use the wheel cleaning facilities provided when necessary. These facilities shall be maintained in an effective state for the duration of the development so that no HGVs leave the site in a condition whereby mud or other deleterious material is carried onto the public highway.

Reason To prevent deleterious material from contaminating the public highway in accordance with Policy W3.11 of the WLP.

19. The length of the access road from the southern extent of the quarry to Common Lane (resurfaced under PP ref: 2/2014/0518/NT) shall be maintained for the life of the development in accordance with the details in an email and supporting documents received by the WPA on 24 September 2015 and approved on 4 December 2015.

Reason To prevent deleterious material from contaminating the public highway in accordance with Policy W3.11 of the WLP.

20. In the event that the wheel cleaning measures undertaken in accordance with Condition 18 do not prevent the deposit of mud and other deleterious material onto the public highway, then within two weeks of a written request from the WPA, further proposals to prevent the deposit of materials onto the public highway shall be submitted to the WPA for its approval in writing. The measures

shall thereafter be implemented within one month of their approval by the WPA and thereafter maintained for the duration of the development.

Reason To prevent deleterious material from contaminating the public highway in accordance with Policy W3.11 of the WLP.

21. Measures shall be taken where necessary to ensure that dust emissions from the site are controlled. This shall involve taking any, or all, of the following steps as appropriate:
- a) The use of water bowsers and sprinkler systems to dampen the tip surface and haul roads;
 - b) The temporary cessation of waste importation, deposit and associated operations during periods of excessively dry and windy weather;
 - c) Regular cleaning of all hard surfaced areas of the application site, associated haul roads and quarry access.

Reason In the interests of residential amenity in accordance with Policy W3.10 of the WLP.

Ecology

22. The “Japanese knotweed management plan” submitted/received on the 25 May 2016 in respect of Condition 22 of Planning Permission Ref: 2/2014/0518/NT shall thereafter be implemented as approved by the WPA on 28 June 2016.

Reason To prevent the spread of an invasive species and ensure appropriate removal.

23. Any site clearance operations that involve the destruction or removal of vegetation including any felling, clearing or removal of trees, shrubs or hedgerow on site, shall not be undertaken during the months of March to August inclusive, unless previously agreed in writing by the WPA.

Reason To avoid disturbance to breeding birds.

24. The method statements, AECOM Nesting Bird Strategy dated November 2016 received 28/11/2016 and AECOM Assessment of Quarry Faces for Breeding Birds & bat Potential Feb 2017 received 18/5/2017, submitted to and approved by the WPA on 5/12/16, detailing measures to be undertaken to check cliff faces for birds during the nesting season when infilling work is to take place near to the cliff faces shall be implemented as approved.

Reason To avoid disturbance to breeding birds.

25. In the event that nesting birds or nests are identified in the cliff face, work shall not take place within the distance identified in the method statement submitted in accordance with Condition 24 until after the nesting activities have finished.

Reason To avoid disturbance to breeding birds.

26. In the event that nesting barn owls are found, no operations shall take place within at least 50 metres of the nest site for the duration of nesting. Once breeding has been finished, a replacement breeding site (such as a pole-mounted nest box) shall be provided within a restored area of the site in accordance with details submitted to, and approved by, the WPA, the replacement breeding site shall be provided before the next breeding season.

Reason To avoid disturbance to breeding birds, and provide mitigation for the loss of habitat.

27. Prior to dewatering activities ceasing, a peregrine method statement shall be submitted to the WPA for its approval in writing. The method statement shall cover the following:
- a) Details setting out the minimum distance between the peregrine nesting box and water levels in Littlewood Quarry;
 - b) Details setting out a schedule of monitoring of water levels;
 - c) Details of a replacement peregrine nest box and location in the event that water levels exceed the minimum distance identified in Part a) of this Condition.

The water levels shall be monitored in accordance with the approved method statement and details of the water level shall be provided to the WPA within 2 weeks of written request. The replacement peregrine nest box shall be constructed as approved within one month if the minimum distance between the existing nest box and the water levels in Littlewood Quarry is breached.

Reason To provide mitigation for the loss of peregrine habitat.

28. A bat roost survey shall be submitted to the WPA, for its approval in writing, of the electrical substation, and other buildings identified with low bat roost potential in Table 3.5 of the Ecology Baseline Report (Annex F2) prior to their removal. Should bat roosts be identified in the survey details of mitigation measures and the timing of their implementation shall be submitted to the WPA for its approval in writing. The mitigation shall thereafter be undertaken in accordance with the approved details and timings.

Reason To prevent harm to, and provide mitigation for, bats.

29. Prior to the start of each infilling phase a protected species survey shall be submitted to, and approved in writing by, the WPA. In the event that protected species are found a suitable mitigation scheme and timings shall be submitted to, and approved by, the WPA prior to any works in the phase commencing. The mitigation scheme shall be implemented as approved.

Reason To prevent harm to, and provide mitigation for, protected species.

30. The calcareous grassland restoration scheme shall be implemented in accordance with the approved details on AECOM Vale Road Quarry – Restoration, Aftercare & Habitat Management Plan - dated November 2016, received by the WPA on 28/11/2016 and approved by the WPA on 5 December 2016. The on-going scrub management for all existing and proposed calcareous grassland areas shall be conducted in accordance with section 4 of the Management Plan titled, “Calcareous Grassland Restoration Scheme Details, Establishment and Management” and Section 6 titled “Management of Existing Calcareous Grassland”.

Reason To enhance the local environment through the provision of landscape and habitat in accordance with Policy WCS13 of the WCS.

31. The restoration shall be undertaken in accordance with the approved details listed in AECOM Vale Road Quarry – Restoration, Aftercare & Habitat Management Plan - dated November 2016, received by the WPA on 28/11/2016 and approved by the WPA on 5 December 2016.

Reason: To ensure the enhancement the local environment through the provision of landscape and habitat in accordance with Policy WCS13 of the WCS.

Drainage

32. No surface water run-off shall be allowed to drain from the site onto Network Rail Property.

Reason: To ensure the development does not have an unacceptable impact upon surface water in accordance with Policy W3.5 of the WLP, and to ensure the safety of the rail line

Storage of Oil, Fuels and Chemicals

33. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The size of the bunded compound shall be at least equivalent to the capacity of the tank plus 10% or, if there is more than one container within the system, of not less than 110% of the largest container’s storage capacity or 25% of the aggregate storage containers. All filling points, vents and site glasses must be located within the bund. There must be no drainage through the bund floor or drain.

Reason: To protect ground and surface water from pollution in accordance with Policy W3.5 and W3.6 of the WLP.

34. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason: To protect ground and surface water from pollution in accordance with Policy W3.5 and W3.6 of the WLP.

Soil Placement

35. The WPA shall be notified in writing at least 5 working days before each of the following, where applicable:
- a) Overburden has been prepared ready for soil replacement to allow inspection of the area before further restoration of this part is carried out;
 - b) When subsoil has been prepared ready for topsoil replacement to allow inspection of the area before further restoration of this part is carried out; and
 - c) On completion of topsoil placement to allow an opportunity to inspect the completed works before the commencement of any cultivation and seeding operations

Reason: To ensure the conservation of soil resources and the satisfactory restoration of the site in accordance with Policy W4.5 of the WLP.

36. Soils and overburden shall only be placed when they, and the ground on which they are being placed, are in a dry and friable condition and no movements, re-spreading, levelling, ripping or loosening of overburden or soils shall occur unless the ground is dry and friable

Reason: To ensure the conservation of soil resources and the satisfactory restoration of the site in accordance with Policy W4.5 of the WLP

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

Reason: To ensure the conservation of soil resources and the satisfactory restoration of the site in accordance with Policy W4.5 of the WLP.

38. Prior to the placement of soils and any overburden, the final profile of the site shall be ripped using overlapping parallel passes:

- a) To provide loosening to a minimum depth of 450mm with tine spacing no wider than 0.6m; and
- b) Any rock, boulder or larger stone greater than 100mm in any dimension shall be removed from the loosened surface before further soil is laid. Materials that are removed shall be disposed off-site or buried at a depth of not less than 2 metres below the final contours.

Decompaction shall be carried out in accordance with the MAFF Good Practice Guide for Handling Soils Sheet 19: Soil Decompaction by Bulldozer Drawn Tines.

Reason: To ensure the conservation of soil resources and the satisfactory restoration of the site in accordance with Policy W4.5 of the WLP.

Restoration and Aftercare

39. The management of habitats and aftercare shall be undertaken in accordance with the approved details–listed in AECOM Vale Road Quarry – Restoration, Aftercare & Habitat Management Plan – dated November 2016, received by the WPA on 28 November 2016 and approved by the WPA on 5 December 2016. and shall guide the ongoing management of retained and created habitats for the life of the operations and aftercare period.

Reason: To ensure the enhancement the local environment through the provision of landscape and habitat in accordance with Policy WCS13 of the WCS.

40. Prior to any area of the site being entered into aftercare the extent of the area and its date of entry into aftercare shall first be agreed in writing with the WPA.

Reason: To enable assist in the monitoring of aftercare of the site.

Alternative Restoration

41. Should infilling at the quarry cease for a period in excess of 12 months, then within three months of receipt of a written request from the WPA, an alternative interim restoration and aftercare scheme shall be submitted to the WPA for its approval in writing. The scheme shall provide for the grading of the site including a contour plan, the restoration of the site to a similar mix of habitat and planting to the approved restoration plan (Figure Ref: VRQ13 titled 'Restoration Masterplan'), and include soil analysis, nutrient treatment, drainage, seed mixtures, planting mix, spacing and sowing rates and the maintenance of the site until the end of the development. Should the development not recommence by 2030 a final restoration and aftercare scheme shall be submitted by 31st July 2030, and it shall be based on the contours that exist at the time

Reason: To ensure the provision of an alternative restoration scheme in accordance with Policy W4.7 of the WLP

42. Should an alternative restoration scheme be approved, the scheme shall be implemented within 12 months of its approval in writing by the WPA and shall be managed in accordance with the maintenance details for the life of the development.

Reason: To ensure the provision of an alternative restoration scheme in accordance with Policy W4.7 of the WLP

Informatives/notes to applicants

1. The permissions remain subject to the Section 106 Legal Agreement signed on 4 November 2015 regulating the Traffic Management Plan and requiring a Local Liaison Group.

2. With reference to the species mixes to be submitted in Condition 31, the applicant should use native species, appropriate to the local area and of native genetic origin, and that mixes should generally comprise common and widespread species, augmented with collection of seed from on-site areas of retained habitat (in relation to calcareous grassland).
3. It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.
4. The applicant's attention is drawn to the letter from Network Rail (dated 10th October 2014) and the measures that they wish to see implemented in order to ensure the safety of the adjacent rail line.