

## **RECOMMENDED PLANNING CONDITIONS**

### **Commencement**

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

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

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

*Reason: To enable the MPA to monitor compliance with the conditions of the planning permission.*

### **Approved Plans and Scope of Planning Permission**

3. 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:
  - a. Planning application, non-technical summary and environmental statement received by the MPA on 8<sup>th</sup> May 2017 and supplementary Reg. 22 response letter received by the MPA on 2<sup>nd</sup> October 2017.
  - b. Kirton Brickworks Quarry – Bird Strike Assessment received by the MPA on 2<sup>nd</sup> October 2017.
  - c. Drawing No. 60508700.Kirton.002: Planning Application Boundary Plan received by the MPA on 8<sup>th</sup> May 2017.
  - d. Drawing No. 60508700.Kirton.003: Site Topography Plan received by the MPA on 8<sup>th</sup> May 2017.
  - e. Drawing No. 60508700.Kirton.004: Outline Development Plan received by the MPA on 8<sup>th</sup> May 2017.
  - f. Drawing No's. 60508700.Kirton.006 - 10: Phase 4 – Phase 8 Development Plans received by the MPA on 8<sup>th</sup> May 2017.
  - g. Drawing No. 60508700.Kirton.011 Rev. A: Proposed Limits of Extraction Plan received by the MPA on 2<sup>nd</sup> October 2017.
  - h. Drawing No. 60508700.Kirton.012 Rev. A: Restoration Masterplan received by the MPA on 2<sup>nd</sup> October 2017.
  - i. Drawing No. 60508700.Kirton.013: Temporary Screening Bund Details received by the MPA on 8<sup>th</sup> May 2017.
  - j. Drawing No. 60508700.Kirton.014: Sections Plan received by the MPA on 8<sup>th</sup> May 2017.

*Reason: To define the planning permission and for the avoidance of doubt.*

4. 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.

*Reason: To ensure that the development is carried out in accordance with the approved plans and documents.*

### **Duration**

5. All mineral extraction shall cease by 31<sup>st</sup> December 2044.

*Reason: To secure proper restoration of the site within an acceptable timescale and in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan.*

### **Buildings, Fixed Plant and Machinery**

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, replacing or re-enacting that Order), no buildings, fixed plant, or machinery, other than approved by this permission, shall be erected or placed within the Kirton North and Kirton West mineral extraction area to the north of the railway line without the prior written approval of the MPA.

*Reason: To enable the MPA to control the development and to minimise its impact on the amenity of the local area, in accordance with Policy M3.3 of the Nottinghamshire Minerals Local Plan.*

### **Access**

7. All plant and haulage vehicles shall access and leave the site from Kirton brickworks utilising the haul route identified on Drawing No. 60508700.Kirton.002: Planning Application Boundary Plan received by the MPA on 8th May 2017. There shall be no direct vehicular access to Kirton Road by quarry traffic.

*Reason: In the interests of highway safety and to safeguard the local environment, in accordance with Policies M3.13 & M11.1 of the Nottinghamshire Minerals Local Plan.*

8. All brickmaking material extracted from the site shall only be processed at the Kirton brickworks.

*Reason: In the interests of highway safety and to safeguard the local environment, in accordance with Policies M3.13 & M11.1 of the Nottinghamshire Minerals Local Plan.*

## Hours of Working

9. Except in emergencies when life, limb or property are in danger and which are to be notified to the MPA in writing within 48 hours of their occurrence, the following shall not take place except within the hours specified below:

Operation / Time of Week	Mon - Fri	Saturday	Sundays, Bank or Public Holidays.
Minerals extraction, processing and treatment (subject to the additional limits imposed under Conditions 21 and 22)	0700 - 1800	0700 - 1300	Not at all
Stripping, replacement, regrading or ripping of soils or overburden	0700 - 1800	0700 - 1300	Not at all
Servicing, testing or maintenance of plant or machinery	0700 - 1800	0700 - 1800	Not at all

*Reason: To minimise impact on the amenity of the local area, in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.*

## Phasing and Associated Screen Landscaping and Planting

10. Extraction operations and the provision of the associated screen landscaping and planting arrangements shall progress sequentially in accordance with Drawing No's. 60508700. Kirton.006 - 10: Phase 4 – Phase 8 Development Plans received by the MPA on 8th May 2017.

*Reason: In the interest of visual amenity and in accordance with Policy M3.4 of the Nottinghamshire Minerals Local Plan.*

11. No later than 12 months from the date of the commencement of this permission, as notified under Condition 2 above, a landscape management scheme for the management and protection of the new planting identified on Phase 4 – Phase 8 Development Plans received by the MPA on 8th May 2017 for the duration of the quarry and aftercare period, shall be submitted for the written approval of the MPA. The development will operate in accordance with the approved scheme.

*Reason: In the interest of visual amenity and in accordance with Policy M3.4 of the Nottinghamshire Minerals Local Plan.*

12. Quarry excavations shall not exceed the depths identified on Drawing No. 60508700.Kirton.011 Rev. A: Proposed Limits of Extraction Plan received by the MPA on 2nd October 2017.

*Reason: In the interest of pollution control in accordance with Policy M3.8 of the Nottinghamshire Minerals Local Plan.*

## Archaeology

13. No stripping of soils shall take place within Phase 5 – 8 of the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation for the phase has been submitted by the applicant and approved in writing by the Mineral Planning Authority. The written scheme of investigation shall include:
- the results of geophysical survey;
  - the results of field walking;
  - the statement of significance and research objectives;
  - the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed work;
  - the programme for further mitigation, post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material.

The written scheme shall be fully implemented as approved and the condition will not be discharged until the final report on the archaeological work has been approved by the MPA.

*Reason: To ensure that that adequate archaeological investigation and recording is undertaken prior to the development taking place, in accordance with Policy M3.25 of the Nottinghamshire Minerals Local Plan.*

## Pollution Prevention

14. There shall be no discharge of foul or contaminated drainage from the site into any ditch, watercourse or underground strata except in accordance with an appropriate consent from the appropriate authority.

*Reason: In the interest of groundwater protection, in accordance with Policy M3.8 of the Nottinghamshire Minerals Local Plan.*

15. Any facilities for the storage of oils, fuels or chemicals shall be provided with secondary containment that is impermeable to both the oil, fuel or chemical and water, for example a bund, details of which shall be submitted to the MPA for approval prior to facilities being put into use. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All filling points, vents, gauges and sight glasses must be located within the secondary containment. The secondary containment shall have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. Below ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment should be installed or regular checks undertaken for leak. All fill

points and tank vent pipe outlets should be detailed to discharge downwards into the bund.

*Reason: To prevent pollution of controlled waters and to comply with Policy M3.8 of the Nottinghamshire Minerals Local Plan.*

16. If, during the development, contamination not previously identified is found to be present at the site then no further development shall be carried out in that part of the site until the developer has submitted a remediation strategy to the MPA detailing how this unsuspected contamination shall be dealt with and obtained written approval from the MPA. The remediation strategy shall be implemented as approved.

*Reason: To prevent pollution of controlled waters and to comply with Policy M3.8 of the Nottinghamshire Minerals Local Plan.*

## Noise

17. The free field noise levels associated with the development, when measured at any of the noise-sensitive properties listed below, shall not exceed the following limits measured as Equivalent Continuous Noise Level and 1 hour LAeq

Location	LAeq
Kirton Park	51dB (All Phases)
Hedgelands	50dB (Phase 5, 6A, 6B, 7A) 51dB (Phase 7B) 52dB (Phase 8)
The Bungalow	49dB (All Phases)

*Reason: To minimise impact on the amenity of the local area, in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.*

18. For temporary operations such as soil stripping, replacement and bund formation, the LAeq 1 hour level at any of the noise sensitive properties identified within Condition 16 shall not exceed 70dB(A). Temporary operations which exceed the normal day to day criterion shall be limited to a total of eight working weeks in any twelve month period and the date of commencement of such periods shall be notified to the MPA in writing beforehand.

*Reason: To minimise impact on the amenity of the local area, in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.*

19. Noise monitoring shall be carried out within 1 month of the commencement of Phase 5 and thereafter on a six monthly basis or at such other intervals as may be agreed in writing with the MPA following the commencement of the development. Unless otherwise agreed in writing sample measurements shall be taken at the three properties identified within Condition 16. The measurements shall comprise LAeq and L90 data and shall also note the date, time, prevailing weather conditions and comments on any significant noise sources which are audible. These results shall be submitted to the MPA within one month of their measurement. Should these results indicate that

Conditions 16 or 17 have not been complied with, then the report shall contain an explanation as to why noise levels have been exceeded, including where appropriate, an identification of the steps to be taken to ensure future compliance. If locations vary from the agreed criterion locations, the same acoustic modelling procedure shall be used to calculate the levels at the agreed locations which are consistent with achieving the criteria in Conditions 16 and 17.

*Reason: To minimise impact on the amenity of the local area, in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.*

20. All plant, machinery and vehicles used on the site shall incorporate white noise reversing warning devices and be fitted with silencers maintained in accordance with the manufacturers' recommendations and specifications to minimise noise disturbance to the satisfaction of the MPA.

*Reason: To minimise impact on the amenity of the local area, in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.*

21. The free field noise levels associated with the dewatering operations, when measured at any noise sensitive property shall not exceed 42dB LAeq,1hr.

*Reason: To minimise impact on the amenity of the local area, in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.*

22. The winning and working of mineral shall not take place in the upper 5m of mudstone in sub-phases 6B, 7B and all of phase 8 during the months of July and August.

*Reason: To minimise impact on the amenity of the local area, in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.*

23. Soils stripping, the winning and working of mineral and restoration backfill shall not take place between the hours of 12:00 – 13:00 hours within sub-phases 6B, 7B and all of phase 8.

*Reason: To minimise impact on the amenity of the local area, in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.*

## **Dust**

24. Measures shall be employed to ensure that dust emissions from the site are controlled and fugitive dust prevented from leaving the site. The measures shall include taking all or any of the following steps as appropriate:
- a. The use of water bowzers and/or spray systems to dampen stockpiles and internal haul roads
  - b. The transport of clay between the quarry and the plant site only along the haul routes;
  - c. The temporary seeding of any exposed areas;
  - d. Limiting on-site vehicle speeds; and

- e. The temporary cessation of soil stripping and quarrying operations during periods of dry and windy weather.

In the event that these measures prove inadequate to control dust arising from the operation of the development hereby approved, then within 28 days of a written request from the MPA, the applicant shall submit a scheme to mitigate the dust impact of the development. The dust mitigation scheme shall thereafter be implemented in full within 28 days of the written approval of the MPA.

*Reason: To minimise dust disturbance at the site and to ensure compliance with Policy M3.7 of the Nottinghamshire Minerals Local Plan.*

### **Aircraft Safety**

- 25. The measures to minimise risks from birdstrike set out within Chapters 5 and 6 of the Kirton Brickworks Quarry Bird Strike Risk Assessment, submitted to the MPA on 2nd October 2017 shall be fully implemented in accordance with the approved details and timetable.

*Reason: To reduce the attractiveness of the site to birds and therefore avoid risks to aircraft safety from birdstrike issues.*

### **Ecology**

- 26. Site clearance operations that involve the destruction and removal of vegetation (excluding crops), 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 under the supervision of a qualified ecologist and with prior notification which shall be provided in writing and approved by the MPA to ensure that breeding birds and herptofauna are not adversely affected.

*Reason: In the interest of protecting species and their habitats, in accordance with Policy M3.22 of the Nottinghamshire Minerals Local Plan.*

- 27. Prior to the removal of any hedgerow an ecological survey and assessment of the hedgerow shall be undertaken by a qualified ecologist the findings of which will be submitted to the MPA in writing. The assessment will include a method statement and timetable to mitigate any undue adverse effects on protected species and opportunities to translocate suitable sections of the hedgerow taking into account the programme of site restoration and the availability of receptor sites. The approved scheme shall be implemented as approved.

*Reason: In the interest of protecting species and their habitats, in accordance with Policy M3.22 of the Nottinghamshire Minerals Local Plan.*

- 28. Within 12 months of the commencement of the planning permission, the existing woodland belt adjacent to Kirton Road shall be surveyed for non-native or invasive species and the species shall be removed in accordance

with Condition . If any beating up is necessary following removal replanting shall be undertaken with species of native origin.

*Reason: To maximise the ecological value of the site in accordance with Policy M3.22 of the Nottinghamshire Minerals Local Plan.*

29. Any unstripped areas of the site taken out of arable production for a period in excess of 6 months during the life of the quarry shall be seeded with a wildflower seed mix.

*Reason: To maximise the ecological value of the site for native birds in accordance with Policy M3.22 of the Nottinghamshire Minerals Local Plan.*

30. Within 12 months of the commencement of the planning permission, a management plan for the area of the Kirton Brickworks Local Wildlife Site 5/2195 shall be prepared and submitted to the MPA for its approval in writing. The management plan shall provide suitable measures aimed at maintaining its habitat value for Dingy Skipper butterflies. The habitat management plan shall be implemented in accordance with the agreed scheme throughout the lifetime of the permitted quarry.

*Reason: To ensure the habitat within the Kirton Brickworks Local Wildlife Site continues to provide benefit for Dingy Skipper Butterfly in accordance with the objectives of Policy M3.22 of the Nottinghamshire Minerals Local Plan.*

31. Prior to any works commencing within 30m of any protected species den, a method statement setting out the steps to be taken to close the den (which shall comply with Natural England's licensing requirements) shall be prepared and submitted to the MPA and approved in writing. The method statement shall be implemented in accordance with the agreed details.

*Reason: In the interest of protecting species and their habitats, in accordance with Policy M3.22 of the Nottinghamshire Minerals Local Plan.*

### **Protection of the Railway Line**

32. There shall be no alteration to drainage infrastructure or flow rates across Network Rail land unless the alteration is agreed in writing with the MPA (in consultation with Network Rail) prior to being undertaken. Potential alterations that would require written approval include, but are not limited to:

- Any works which potentially reduce the effectiveness of any drain or watercourse belonging to Network Rail.
- Any works which interfere with any existing drainage rights that Network Rail enjoys.
- Any works which alter drainage flows into any culvert which passes under the railway.
- Storm or surface water must not be discharged onto or towards Network Rail property other than through existing water courses.



Suitable drainage or other works must be provided and maintained by the developer to prevent surface flows or run-off affecting the railway.

- Water must not be caused to pond on or near railway land either during or after any construction-related activity.
- The construction of soakaways or new drains for storm or surface water drainage should be constructed and maintained so as not to have any adverse effect upon the stability of any Network Rail equipment, structure, cutting or embankment.
- The construction of surface water retention ponds/tanks, SuDS or flow control systems should not take place within 30m of the Network Rail boundary where these systems are proposed to be above existing track level. Full overland flow conditions should be submitted to the MPA for approval prior to any works on site commencing.

*Reason: To ensure the continued stability of railway property.*

33. All cranes, machinery and constructional plant must be so positioned and used to prevent the accidental entry onto railway property of such plant, or loads attached thereto, in the event of failure.

*Reason: To protect safety for railway users.*

34. No floodlighting shall be installed within the mineral extraction area or along the route of the haul road to the quarry.

*Reason: To protect safety for railway users.*

35. A stability assessment report shall be submitted to the MPA for its approval in writing to demonstrate that the restored slopes adjacent to the railway embankment will remain stable in the long term.

*Reason: To ensure the continued stability of railway property.*

## **Railway Embankment**

36. The southern embankment of the railway bridge shall be maintained in a weed free condition during the life of the quarry operations and until such time as the bridge is removed.

*Reason: In the interest of visual amenity and to ensure compliance with Policy M3.3 of the Nottinghamshire Minerals Local Plan.*

## **Soil Handling**

37. The MPA shall be notified in writing at least 5 working days prior to any soil stripping operations commencing.

*Reason: To ensure satisfactory restoration of the site, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

38. Prior to the commencement of the development in any phase of the site, a scheme for the stripping of soils and subsoils in that phase shall be submitted in writing to the MPA for their written approval. 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 types of machinery to be used;
  - d. The routing of plant and machinery over the soil profile and between stripping to ensure plant and machinery do not transverse areas of subsoil or topsoil except for the express purpose of soil stripping or replacement operations;
  - e. Storage and restoration areas of the site;
  - f. And the programme of the works.

The scheme shall be implemented as approved.

*Reason: To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

39. 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.

*Reason: To ensure satisfactory restoration of the site, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

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

*Reason: To ensure proper restoration and in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

41. Soil stripping shall not commence until any standing crop or vegetation has been cut and removed.

*Reason: To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

42. Topsoil shall be stripped to its full depth of generally 300mm, and all subsoil shall be stripped to a depth of generally 1000mm. Topsoil, subsoil, and soil making material shall only be stripped when it is in a dry and friable condition and movements of soils shall only occur:

- When all soil above a depth of 300mm is in a suitable condition that it is not subject to smearing; and
- When topsoil is sufficiently dry that it can be separated from subsoil without difficulty.

*Reason: To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

43. All stripped topsoil and subsoils shall be permanently retained on site for subsequent use in restoration. Stocks of topsoil shall not exceed 3m in height with the exception of the North Temporary Screening Bund detailed on Drawing No. 60508700.Kirton.013: Temporary Screening Bund Details, received by the MPA on 8th May 2017, and stocks of subsoil shall not exceed 5m in height. All storage mounds that will remain in situ for more than 6 months, or over winter, shall be seeded with a suitable seed mix to benefit farmland birds within 3 weeks of their construction in accordance with a seed mixture which has been agreed in writing by the MPA. The mounds shall thereafter be maintained free of weeds until used for restoration purposes.

*Reason: To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

### **Soil Replacement and Restoration**

44. The site shall be fully restored in accordance with the details shown on Drawing No. 60508700.Kirton.012 Revision A: Restoration Masterplan received by the MPA on 2<sup>nd</sup> October 2017. Restoration shall be undertaken on a phased basis in accordance with the details and timetable shown on Drawing No's. 60508700.Kirton.006 - 10: Phase 4 – Phase 8 Development Plans received by the MPA on 8th May 2017. All restoration operations shall be completed by 31st December 2045, or within 12 months of the completion of mineral extraction, whichever is the sooner.

*Reason: To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

45. The design of outfall structures between the two lakes shall be submitted to the MPA and approved in writing prior to its installation.

*Reason: To ensure proper restoration of the site in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan and to allow consultation with Network Rail to ensure water is directed away from Network Rail property.*

46. The MPA shall be notified in writing at least 5 working days before each of the following:
- a. overburden has been prepared ready for soil replacement to allow inspection of the area before further restoration of this part is carried out, and
  - b. when subsoil has been prepared ready for topsoil replacement to allow inspection of the area before further restoration of this part is carried out, and

- c. on completion of topsoil replacement to allow an opportunity to inspect the completed works before the commencement of any cultivation and seeding operation.

*Reason: To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

47. In areas where subsoils are to be replaced above water level, they shall only be put back when the ground on which they are to be placed is in a dry and friable condition and no movements, re-spreading, levelling, ripping or loosening of subsoil or topsoil shall occur in these areas:
  - a. when it is raining; or
  - b. when there are pools of water on the surface of the storage mound or receiving area.

*Reason: To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

48. Topsoil shall be evenly re-spread on the land above proposed final lake water level (dry land) to achieve at least a minimum of 300m settled depth.

*Reason: To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

## **Aftercare**

49. Seeding and planting shall be undertaken during the first seeding and planting seasons following placement of topsoils. Following restoration the site shall undergo aftercare management for a 10 year period.

*Reason: To provide for aftercare of the restored site, in accordance with Policy M4.9 of the Nottinghamshire Minerals Local Plan.*

50. An aftercare scheme and strategy shall be submitted for the written approval of the MPA no later than 3 months before the spreading of subsoil commences within each phase. The strategy shall outline the steps to be taken, the period during which they are taken, and who will be responsible for taking those steps to ensure the land is restored and brought back to a satisfactory condition. The aftercare scheme shall include but not be restricted to details of the following:
  - a. Cultivations, which shall ensure that trees planted close to the railway shall be located at a distance in excess of their mature height from railway property. The woodland mix shall acknowledge any restriction which may be in place regarding the planting of ash and should also be more representative of woodland mixes appropriate for the mid-Nottinghamshire Farmlands Landscape Character Area which may necessitate the removal of Silver Birch, Rowans and Crack Willow and their replacement with Field Maple, Hazel and Wild Cherry. The

hedgerow mix shall be reduced to 6 or 7 species with Oak, Field Maple and Wych Elm removed (but included as individual hedgerow trees);

- b. The provision of additional hedgerow planting within the restored site including along the boundary adjacent to the northern end of the western side of West Lake where a post and wire fence is currently proposed on Drawing No. 60508700.Kirton.012 Revision A: Restoration Masterplan received by the MPA on 2nd October 2017;
- c. weed control;
- d. sowing of seed mixtures, including the use of Emorsgate Seeds EM2 (Standard General Purpose Meadow Mixture) or similar for the species rich grassland area;
- e. soil analysis;
- f. keeping of records and an annual review of performance and proposed operations for the coming year, to be submitted to the MPA between 31 March and 31 May each year;
- g. drainage amendments;
- h. subsoiling and underdrainage proposals;
- i. management practices such as the cutting of vegetation;
- j. tree protection;
- k. remedial treatments;
- l. irrigation; and
- m. fencing.

*Reason: To provide for aftercare of the restored site, in accordance with Policy M4.10 of the Nottinghamshire Minerals Local Plan.*

51. Any seeding and planting that dies or becomes diseased, damaged or removed within 15 years shall be replaced during the first planting season thereafter with others of similar size and species and maintained.

*Reason: To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

52. Site management meetings shall be held with the MPA each year to assess and review the detailed annual programme of aftercare operations having regard to the condition of the land; progress in its rehabilitations and necessary maintenance. Any points of action that may be identified following the annual meeting shall be agreed in writing with the MPA and thereafter implemented in accordance with an agreed timetable.

*Reason: To provide for aftercare of the restored site, in accordance with Policy M4.10 of the Nottinghamshire Minerals Local Plan.*

53. A permissive path shall be provided through the restored site, the route of which shall generally accord with the line of the route shown on Drawing No. 60508700.Kirton.012: Revision A: Restoration Masterplan received by the MPA on 2<sup>nd</sup> October 2017 within 6 months of the completion of the final

restoration works of the entire site. The permissive path shall be clearly marked out to allow public access within the restored site.

*Reason: To facilitate public access through the restored site.*

### **Alternative Restoration**

54. Should, for any reason the winning and working of minerals from the application site cease for a period in excess of 6 months which in the reasonable opinion of the MPA constitutes a permanent cessation of mineral extraction, then within three months of the receipt of a written request from the MPA, a revised scheme for the restoration of the site shall be submitted to the MPA. Such a scheme shall include a schedule of timings, final contours, provision of soiling, sowing of grass, planting of trees and shrubs, drainage and fencing in a similar manner to that submitted with the application and modified by these conditions.

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

55. The revised restoration scheme shall be implemented within 12 months of its approval by the MPA, and shall be subject to the aftercare provisions of Conditions 49 - 53 above.

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

### **Notes to Applicant**

1. Your attention is drawn to the attached advice from Western Power and in particular the publications from the Health and Safety Executive (HSE):
- HSG(47) – Avoiding Danger from Underground Services
  - GS6 – Avoidance of Danger from Overhead Lines