

NEWARK AND SHERWOOD DISTRICT REF. NO.:

3/15/01799/CMA

PROPOSAL: TO VARY CONDITIONS 4 AND 5 OF PLANNING PERMISSION 3/14/01046/CMA TO REGULARISE THE COAL FINES RECOVERY OPERATIONS AND TO EXTEND THE TIMESCALE FOR COMPLETION OF MINERAL RECOVERY OPERATIONS TO 30/09/2018 WITH A FURTHER YEAR TO COMPLETE THE RESTORATION

Commencement

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

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

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

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

Approved Documents

3. The development hereby permitted shall be carried out in accordance with the documents approved under planning permission 3/14/01046/CMA and varied by planning permission 3/15/01799/CMA, as set out within the following documents:

- a. Planning Application Form Documentation including Supporting Statement received by the MPA on the 6th May 2014.
- b. Drawing No. 466-h1-049: Location Plan received by the MPA on the 6th May 2014.
- c. Drawing No. 466-h1-034c-Rev1: Additional area for coal fines storage, blending and erection of drying shed (revised plan) received by the MPA on 8th September 2014.
- d. Drawing showing floor plan and elevation of steel portal framed building received on the 6th May 2014.
- e. Drawing No. 466-a1-012: Elevation of Shed received by the MPA on 6th May 2014.

Reason: For the avoidance of doubt.

Scope and Duration of Planning Permission

4. Planning permission is hereby granted to allow the continued use of the extended area of hard standing available for stocking, drying and blending of coal fines and the erection of a demountable building for a temporary period expiring on 30th

September 2018. The development shall be undertaken as part of the wider development permitted under Planning Permission 3/15/01797/CMA and 3/15/01798/CMA for the extraction, processing, storage and stocking of coal fines from lagoons at the Rufford Colliery tipping complex. At the end of the temporary planning permission all stored materials and associated development shall be removed from the site and the site shall be restored within 12 months to an appropriate condition in accordance with the details approved under the requirements of Condition 19 of Planning Permission 3/15/01797/CMA. Following completion of restoration the application site shall be subject to five years aftercare and management which shall be carried out in accordance with the arrangements set out within Condition 20 of Planning Permission 3/15/01797/CMA.

Reason: To ensure that the site is worked and restored within an appropriate timescale, therefore ensuring compliance with Nottinghamshire Minerals Local Plan Policy M4.1.

Storage Heights

5. The maximum storage height of coal conditioning stocks on the site shall be 4m above original ground level. The maximum height of final product on site shall be 15m above the original ground level.

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

Materials

6. The materials used within the external elevations of the demountable storage shed hereby approved shall incorporate a steel frame, concrete push walls with timber boarding above and pvc coated roofing sheets in a goose wing grey colour, unless alternative materials are agreed in writing with the MPA.

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

Drainage

7. The surface water drainage for the site shall be provided throughout the operational life of the site in accordance with the details approved by the MPA on the 24th March 2015 comprising of a written statement of drainage details (February 2015) and Site Plan (Ref. 466-h1-068:Layout 1 dated 07-01-15).

Reason: To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures.

Potential Contamination

8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the MPA) shall be carried out 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 ensure the development does not result in potential pollution of surrounding land in accordance with the requirements of the National Planning Policy Framework.

Dust & Mud

9. All vehicles transporting materials from the site shall be fully covered with sheeting prior to them leaving the application site and entering the public highway.

Reason: To prevent dust, mud and other deleterious material contaminating the highway in accordance with Policies M3.7 and M3.12 of the Nottinghamshire Minerals Local Plan.

10. Measures shall be employed to ensure that dust, mud and other deleterious materials are kept to a minimum and contained within the site. These measures shall include, but not necessarily be restricted to:

a. The use as appropriate of a dust suppression system throughout all working areas;

b. The use as appropriate of road sweepers, water bowsers and/or spray systems to dampen the access roads, vehicle circulation and manoeuvring areas;

c. The use of wheel washing facilities, as appropriate;

d. The temporary cessation of the operations during periods of extreme dry and windy weather.

If, in the opinion of the MPA, these measures fail to satisfactorily control dust or mud arising from the operation of the site, then the operator shall within 1 week of a written request of the MPA prepare and submit a mitigation strategy for the MPA's approval in writing to remedy the nuisance. The site shall thereafter operate in compliance with the approved mitigation strategy throughout its operational life.

Reason: To minimise disturbance from dust and mud in accordance with Policy M3.7 and Policy M3.12 of the Nottinghamshire Minerals Local Plan.

Noise

11. The site hereby approved shall only be used for the stocking, drying and blending of material. Any coal processing operations including crushing and screening shall be undertaken within the coal extraction area.

Reason: To provide acoustic distance between processing operations and residential properties so as to minimise noise impacts arising from the operation of the site in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.

12. All reversing warning devices used on mobile plant under the control of the operator shall comprise white noise (broadband) alarms.

Reason: To minimise noise impacts arising from the operation of the site in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.

13. Noise generated within the site shall be kept to a minimum. Measures to minimise noise shall include the fitting and use of effective silencers to plant and machinery and the regular servicing of plant and machinery in accordance with the manufacturers' specifications. If, in the opinion of the MPA these measures fail to satisfactorily control noise emissions from the site then the operator shall within 1 month of a written request of the MPA prepare and submit a mitigation strategy to reduce noise emissions for the MPA's approval in writing. The site shall thereafter operate in compliance with the approved mitigation strategy throughout its operational life.

Reason: To minimise noise impacts arising from the operation of the site in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.

14. Movement and loading of materials within the extended stocking area hereby permitted shall only be undertaken between the hours of 0630 – 18:30 Monday to Friday and 0630 – 1300 on Saturdays.

Reason: To minimise environmental impacts in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.

External Lighting

15. Any external floodlighting installed on the site shall be agreed in writing with the MPA prior to its installation. Development shall be carried out in accordance with the approved details.

Reason: To minimise potential disturbances to ecologically important birds.

Premature cessation of operations

16. Should, for any reason, coal recovery operations within the wider Rufford Colliery complex cease for a period exceeding 6 months, or in any other circumstances cease prior to the completion of the approved scheme, such cessation being in the reasoned opinion of the MPA a permanent cessation of operations, upon written request from the MPA, a revised scheme for the restoration of the site shall be submitted in writing for the approval of the MPA. Details to be submitted shall include the restoration landform, after-uses of the restored site, a programme of restoration works with timings, provision of soil cover, seeding & vegetation establishment, rights of way and associated drainage, fencing and aftercare provisions, in a manner similar to those details shown within the Restoration Masterplan document dated 30th July 2013. The revised restoration and aftercare scheme shall thereafter be implemented in accordance with the approved details and timetable.

Reason: To ensure the site is satisfactory restored to a beneficial use following the completion of mineral workings in accordance with the requirements of Policy M4.1 of the Nottinghamshire Minerals Local Plan.