



21 March 2017

Agenda Item:

REPORT OF CORPORATE DIRECTOR – PLACE

ASHFIELD DISTRICT REF. NO.: 4/V/2016/0655

PROPOSAL: VARIATION OF CONDITION 13 ON EXISTING PLANNING CONSENT TO INCREASE THE LIMITS FOR ANNUAL HGV MOVEMENTS

LOCATION: TWO OAKS QUARRY, COXMOOR ROAD, SUTTON IN ASHFIELD

APPLICANT: MANSFIELD SAND COMPANY

Purpose of Report

1. To consider a planning application to vary planning condition No.13 of the extant planning permission to allow an annual increase to permitted HGV numbers at Two Oaks Quarry, Derby Road, Mansfield/Sutton in Ashfield. The key issues relate to highway capacity, noise, air quality and impacts to ecology. The recommendation is to grant planning permission subject to the planning conditions set out in appendix 1.

The Site and Surroundings

2. Two Oaks quarry is a 100 hectare silica sand quarry on the corner of the A611 Derby Road and Coxmoor Road, situated between Kirkby in Ashfield and the southern edge of Mansfield. The site lies in open countryside and is designated Green Belt. Thieves Wood (managed by the Forestry Commission) borders the quarry on the south-eastern and north-eastern boundaries and is a Local Wildlife Site. To the north-west, on the opposite side of the A611, is Coxmoor Golf Club. Rolling open countryside generally surrounds the remainder of the area. The site and surroundings are shown on the appended plans 1 and 2.

Background

3. Planning permission was granted for the development of the quarry by the Minerals Planning Authority (MPA) on 7th March 2013. The site is now operational in its early phases. Extraction is firstly taking place in the north-eastern corner adjacent to the woodland. A processing plant has also been established and access is taken from a dedicated access road on Coxmoor Road. Landscaping/screening bunds have been established along the boundaries with Coxmoor Road and the A611. Much of the permitted site will

remain in agricultural use until future phases of extraction. The quarry has an estimated life over the next 50 years.

4. The movement of HGVs into and out of the quarry is subject to planning conditions and a lorry routeing agreement as part of the Section 106 agreement.
5. Planning permission was granted in April 2016 (Ref 4/V/2016/0062) for a one-off increase to HGV numbers in the months of May and June of that year without increasing the annual limits. A number of planning conditions were also updated to incorporate approved details which were subsequently submitted as the quarry was being established.

Proposed Development

6. Permission is sought to vary condition 13 of the current planning permission to raise the annual limit to the numbers of permitted HGV movements to/from the quarry by 22%, but retaining the separate daily and weekly limits at present levels. Condition 13 currently states:

a) *Except for the period 1 May 2016 to 30 June 2016 inclusive there shall be no more than 200 HGV movements to and from the site in any one working day (100 in, 100 out) and no more than 1100 HGV movements to and from the site in any one week (550 in, 550 out). Over the course of any calendar year, total HGV movements to and from the site shall not exceed 27,800 (13,900 in, 13,900 out).*

b) *For the period 1 May 2016 to 30 June 2016 inclusive there shall be no more than 240 HGV movements to and from the site in any one working day (120 in, 120 out) and no more than 1320 HGV movements to and from the site in any one week (660 in, 660 out). Over the course of any calendar year, total HGV movements to and from the site shall not exceed 27,800 (13,900 in, 13,900 out).*

Written records shall be maintained of all HGV movements into and out of the site, including HGVs taking sand and sand-based products off site, HGVs delivering soils, compost and other materials into the site, and HGVs delivering plant and machinery to the site for operations such as soil stripping, with the records kept for a minimum period of two years. Copies of the HGV vehicle movement records shall be made available to the MPA within 7 days of a written request being made by the MPA.

Reason: To limit vehicle movements at the proposed quarry in accordance with Policy M3.13 of the Nottinghamshire Minerals Local Plan.

7. The proposed 22% increase would raise the annual limit for HGV movements from **27,800** (13,900 in, 13,900 out) to **34,000** (17,000 in, 17,000 out). The supporting statement states that this is in order to meet the present and anticipated sales requirements from the site, of approximately 370,000 tonnes per annum (tpa) (including disposal of some waste sands off-site) and to respond to increased market demand for sand based products and in particular the 'fibre sand' products for which the company specialises. There would be no other change to operational matters at the quarry, however it is understood that

increased number of HGVs may be linked to an increased annual output since the quarry was first planned and operated. This is further considered below.

Consultations

8. Ashfield District Council – No objection.

The evidence appears to indicate that the traffic on the local highway network has significantly decreased since the original assessment. Providing this evidence is accurate the impact of the proposed 22% increase to annual HGV movements would still be significantly less than when originally considered.

9. NCC Highways- No objection.

The application proposes to vary condition 13 of planning permission 4/V/2016/0062 to increase annual output to accommodate seasonal and overall demand for sand based products. The original application restricted 2-way HGV movements to 27,800 per annum and the applicant has proposed an increase to 34,000 2-way HGV movements per annum. The Highways Authority (HA) understands that the applicant intends to retain the daily and weekly capped movements to 200 per day and 1100 per week but absorb the additional 6200 movements over the remaining work year, during quieter operational months. The HA assumes the quarry is able to facilitate this through use of larger 12-wheeled articulated lorries with a payload of 28 tonnes.

The HA had concerns about the resultant impact the increased quarry traffic would have on the nearby A611-Coxmoor Road signalised junction. As requested the assessment has presented a series of LINSIG junction models to test the traffic flow and controller for different cycle times using current base flows. The distribution of the quarry traffic is based on the original TS submitted in 2010, which is acceptable.

The HA's Traffic Systems Engineer has confirmed that the additional flow will have a negative impact on the signals. However, this impact will not be significant enough to justify requesting any mitigation/further monitoring or recalibration of the signals at this stage.

Therefore, the HA does not object to this proposal but requests that existing lorry routing strategies are retained along with daily/weekly movement restrictions.

10. Natural England - No objection.

The proposed variation is unlikely to have significantly different impacts on the natural environment including to any designated SSSIs, SPAs or SACs.

The proposal is located in the Sherwood Forest area in close proximity to habitats that have been identified as important for breeding nightjar and woodlark populations and therefore the risk based approach that has been adopted to consider the potential impacts is supported and helps the Authority to meet its duties under regulation 9A of the Habitats Regulations.

Due to the proximity of the development and the access routes which appear to be within 200m of habitats identified as important for breeding nightjar and woodlark, the proposal to increase HGV movements has potential to impact on breeding nightjar and woodlark as a result of pollution and/or nutrient enrichment of breeding habitats. However based on the information provided impacts from air pollution can be screened out as the proposed increase of AADT movements is well below the Heavy Duty Vehicle (HDV) 200 Annual Av Daily Traffic (AADT) significance threshold, included in the DMRB guidance.

11. NCC (Nature Conservation) - No objection.

Satisfied with the findings of the supporting letter from LF Acoustics that an increase in HGV movements would not result in any changes to the assessment that was previously carried out (and specifically, that there would be less than a 1dB(A) increase in noise levels). There will not be any significant impact on ecological receptors as a result of increased noise arising from the proposals.

Satisfied with the findings of the report from Smith Grant LLP, that the potential for an increase in the deposition of emissions as a result of the increased HGV movements are not considered likely to result in any significant impacts at ecological receptors.

12. Nottinghamshire Wildlife Trust - Objection.

In the absence of any field data to verify what is currently happening on site and to inform the [noise; air quality] models, NWT object to this application.

If the noise modelling is correct, then NWT agree that less than 1dB increase in noise at the site and on surrounding roads would be unlikely to impact on sensitive species. Actual noise monitoring on site and at sensitive ecological locations should be undertaken by the Applicant and reported to NCC in order to determine whether the reality matches the model. A programme of monitoring should be agreed with a reporting and action process.

The increased emissions have been assessed in the application, and it is stated that there would be no effect, as the process contribution should be less than 1% of the Critical Load for Nitrogen for such habitats. The original modelling for the main application was all based on predicted data, and ADC do not monitor with diffusion tubes in the area and nor does the applicant. Thus the model is not based on any actual local data from the currently operating quarry, against which to predict any changes in Nitrous Oxides (NOx). In the absence of any actual emissions field data or modelling figures, NWT are not satisfied that this potential effect has been properly evaluated. NWT would expect diffusion tube monitoring to be undertaken at the site and in the closest sensitive habitats to verify (or otherwise) the model.

13. NCC (Noise Engineer) - No objection

The noise impact of the proposed change will be negligible and is unlikely to be noticeable at the nearest [residential] receptors which lie 500m+ from the quarry.

14. No representation has been received from the Ashfield District Council EHO.

Publicity

15. The application has been advertised by a press notice a site notice and by 21 neighbour notification letters in accordance with the County Council's Adopted Statement of Community Involvement Review. A letter of objection has been received from Coxmoor Golf Club raising the following issues:
 - a) Raising HGV levels by nearly a quarter is a large and unacceptable increase.
 - b) There is no addition to the environmental impact statement that addresses the added pollution, noise and other irritants (especially diesel vehicles) on the local area.
 - c) Assessment is needed of how the added HGV movements affect the local road network which is already busy. Question is also raised about road reinstatement.
 - d) Account should be taken of impending Ashfield development plan proposals for several hundred homes near to Coxmoor Golf Club and the added traffic.
 - e) Concerns about unrelated onshore oil/gas surveys.
16. Councillor Steve Carroll has been notified of the application.
17. This issues raised are considered in the observations section below.

Observations

Background

18. Quarrying operations at Two-Oaks Farm are now well-established and the terms of the site's planning permission have recently been reviewed and updated under planning permission Ref: 4/V/2016/0062. That permission granted a variation to condition 13 of the original planning permission for the quarry to allow a temporary increase to the numbers of permitted HGVs associated with the quarry for May/June 2016, but maintaining the annual limits. This proposal seeks to vary condition 13 again, but on a permanent basis to permit a 22% increase to the annual limits as set out above. No other changes to conditions or operations are requested.

Highways

19. The applicant considers the current restriction on HGV numbers to be more onerous than what was assessed at the time of the original planning decision, as the restriction applies to all HGVs and not just those carrying mineral. They state that the limits are restricting the ability of the company to meet customer demand.

20. Records of HGV movements from the quarry have been included in the accompanying Transport Statement and show that between August 2015 to August 2016 there was a total of 13,400 outbound HGV movements, peaking between April and July when demand for the Fibresand products are highest. These movements have been broken down into vehicle types and show that 67% of all HGVs serving the quarry are articulated HGVs carrying an average 28 tonne payload, 26% are 8 wheel tipper HGVs with average load of 19 tonnes and the remaining relate to flatbed/curtain-sided and tanker- type vehicles. An extract from the report follows:

Table 3 – Existing Movements (August 2015 – July 2016)

Vehicle Type	Number of Movements Per Year (Outbound)	Average Payload (tonnes)
Articulate Lorry	9,044	28
6 Wheel Flatbed	62	8
6 Wheel Tipper	9	11
8 Wheel Flatbed	573	9
8 Wheel Tipper	3,575	19
Artic Tanker	120	26
Tanker	17	14
Total	13,400	-

Table 4 – Existing Movements by Month and Average Payload

Month	Number of Movements Per Month (Outbound)	Average Payload (tonnes)
August	1,062	25
September	1,001	24
October	1,072	24
November	792	24
December	451	23
January	684	23
February	837	24
March	1,071	24
April	1,608	25
May	1,806	25
June	1,696	25
July	1,320	25
Total	13,400	-

Table 4 sets out one-way movements month by month showing the cyclical business. Note that condition 13 controls daily, weekly and annual vehicle movements, but not monthly totals.

21. The figures indicates that the quarry is operating near to its current annual limit for HGV movements (13,900 in 13,900 out). It also shows that the operator is utilising a much greater proportion of articulated type HGVs with a greater carrying capacity than a typical tipper HGV. This has benefits in minimising the number of vehicle trips which would otherwise occur, but may have a different effect on the operation of the signalised junction with the A611 and Coxmoor Road.

22. The Transport Statement includes traffic count data at two locations on the A611 in the area and shows that since 2007 when the original transport assessment work was undertaken, there has been a significant decrease in background traffic (between 17% and 45% depending on the counting location). The proportion of HGVs has also broadly fallen in line with the overall percentage reduction. 3-4% of the traffic comprises HGVs. However there has been a recent post-recession rise in traffic.
23. As the applicant is not seeking to vary the daily (or weekly) cap, the effect of the proposal is that the additional traffic would be spread across the calendar year where there is scope to raise deliveries whilst remaining within the daily/weekly caps.
24. The operation of the signalised crossroads has been modelled with the proposed additional traffic movements and this has been reviewed by the Highways Authority. Following the submission of some additional traffic modelling the Highways Authority is now content that the local road network, and in particular the operation of the Derby Road/Coxmoor Road signalised junction, would not be significantly impacted by the proposed additional traffic. No recalibration of the signals would be required and no mitigation is necessary. The additional HGVs can therefore be readily absorbed into the road network.
25. HGVs would continue to be bound by the lorry routeing agreement contained within the Section 106 agreement, which would be retained. The routeing is shown on Plan 3. The scheme prevents associated HGVs from travelling along Coxmoor Road, north of its junction with Derby Road and thereby avoids a group of properties in this area. It is understood that this is generally working well.
26. In response to the objectors' point about road reinstatement, the legal agreement also has a clause requiring annual dilapidation surveys of Coxmoor Road outside of the quarry and to undertake any remedial works which may be identified. Again this would continue to be required should this application be approved. The legal agreement also provides for a local liaison committee which can assist in the monitoring of the planning requirements such as the effectiveness of the lorry routeing or concerns about damage to the highway.

Rates of mineral extraction

27. The quarry was originally designed for an annual rate of extraction of between 250,000-300,000 tonnes per annum (tpa). The applicant indicates that the proposed increase in HGV movements is linked to the current business plan for an output of 330,000 tpa with a further 40,000 tpa of waste sands/silts which have to be disposed off-site. It is however understood that output levels have already been rising and enabled by the use of larger capacity HGVs to export mineral product. There is no planning condition restricting tonnage of output or extraction rates, the effect of the HGV condition is to regulate this matter and its impacts to amenity and the environment. This approach remains appropriate in the current circumstances. Over the course of its 50 year life there will inevitably be times of increased and reduced demand for mineral product but if rates of extraction do proceed at a higher level this will simply shorten the life of the

quarry as there is no change to the extent of the permitted reserves. There is also no requirement to alter the hours of operation or any other methods of working within the quarry which might raise new issues.

Local amenity

28. The site is relatively remote from sensitive residential receptors, most of which lie on the northern part of Coxmoor Road west of the Golf Club. These properties would not be affected as the existing lorry routeing agreement prohibits the use of this road by quarry related HGVs. Clusters of rural properties along the A611 to the south-west and north-east of the quarry are influenced by the prevailing background traffic using this A-classified road. Some further residences within Ravenshead village may also experience passing quarry related HGVs, however this is in accordance with the routeing agreement the effect of which is that quarry related HGVs disperse in differing directions onto the classified road network depending on their destination and cannot travel along the B6020-east of the A60- through Ravenshead itself.
29. The County Council's noise engineer is satisfied that any noise impact arising as a result of the proposed change would be negligible and unlikely to be noticeable. Noise monitoring to ensure the site operation remains within permitted noise parameters is periodically carried out in compliance with condition 26 of the planning permission, which will be retained.
30. Air quality is understood to be good and all air quality objectives are being met across the District. The air quality statement raises no concerns for human health.
31. The proposed variation is therefore considered acceptable in accordance with MLP Policy M3.5 (Noise) and M3.7 (Dust) and the additional traffic would not lead to an unacceptable impact or disturbance to local amenity thereby according with Policy M3.13 (Vehicular Movements).

Ecology

32. The site lies within a wider area identified as a candidate Special Protection Area (pSPA) for its population of breeding Nightjar and Woodlark. The quarry also lies beside two Local Wildlife Sites (LWS), Thieves Wood and Coxmoor Golf Course, with Thieves Wood and other woodland providing suitable habitat for these species and through which HGVs are directed under the terms of the routeing agreement. Quarry related traffic gives potential to result in detrimental nutrient enrichment of this habitat.
33. Natural England (NE) currently advise a precautionary 'risk-based' approach be taken when considering planning proposals of this nature in this area. NE have been consulted on this and the previous screening opinion request for the purposes of the EIA Regulations. NE do not wish to expand on their advice contained within their screening response in which they are of the opinion that impacts to this habitat would be within acceptable thresholds based on guidance in the Design Manual for Roads and Bridges. The significance threshold (whereby further assessment would be required) of 100 Annual Average Daily

Traffic (AADT) movements would not be reached (IAQM, May 2015 – Land-use planning and development control: planning for air quality). The proposed 34,000 total annual HGV movements sought in this application, when split over 365 days would equate to an AADT of 93.

34. 2012 data shows that 10,000 vehicles a day pass along Coxmoor Road. Quarry traffic accounts for less than 5% of overall traffic flow. The small uplift would not result in adverse disturbance to bird species in the woodland. Furthermore such traffic would continue to use several routes to and from the quarry depending on their destination resulting in fewer HGV movements passing by the sensitive woodland habitat.
35. The County Ecologist is content with the findings in respect to air quality and noise and considers that the increased HGV traffic would not significantly impact ecological receptors. HGV traffic emissions have been considered alone and in combination with the existing permitted quarry traffic. The assessments are considered adequate and robust and have satisfied the precautionary approach.
36. The suggested requirement for air quality monitoring to take place (from NWT) is not considered necessary or proportionate given the assessment findings and therefore would not meet the tests for planning conditions.
37. The proposed variation is therefore deemed to accord with MLP Policies M3.17 (Biodiversity), M3.18 (Special Areas of Conservation- with respect to the pSPA) and M3.20 (Regional and Local Designated Sites). The proposed variation is also deemed to be in accordance with Policy DM4 of the emerging Minerals Local Plan.

Other issues

38. Concerns raised by the objector regarding proposed local plan allocations in the area are noted, but have no direct consequence on this decision. The Ashfield Local Plan (Preferred Approach) was published in February 2016 and proposes housing allocations to the south side of Sutton in Ashfield as well as to the south of Mansfield (along the A617 and in conjunction with other plans within Mansfield District). This plan has now been revised and has been submitted to the Planning Inspectorate for independent examination. Any detailed plans in the future for the proposed allocations will have to assess the traffic and other local impacts at that time.
39. The application proposal has been subject to a prior screening opinion exercise and appropriate consultee advice was obtained. The MPA is satisfied that the proposal is not a type of development requiring particular assessment under the Environmental Impact Assessment Regulations. Sufficient supporting information has been provided to assess environmental impacts.
40. Should Members resolve to approve the application, planning conditions governing the life of the quarry and its restoration would be carried forward with an amended condition No. 13. The list of approved plans in condition 5 is also updated. A wider review and update of the conditions has previously been undertaken.

Legal Agreement

41. A legal agreement was completed as part of the original grant of planning permission. A deed of variation is recommended to ensure that the following requirements of the quarry operator continue in place:
- i) HGV routeing scheme preventing HGVs travelling up Coxmoor Road, north of the crossroads junction with Derby Road, as well as use of Little Ricket Lane, Ravenshead.
 - ii) Maintenance of the site access.
 - iii) An annual dilapidation survey of the B6139 Coxmoor Road and repair if necessary.
 - iv) Prevention of queueing on highway prior to site opening
 - v) Lizard translocation
 - vi) Additional aftercare
 - vii) A site liaison committee

Conclusion

42. The proposal would support the operation of the quarry business, its employees and local contractors and would enable it to meet a higher demand for its output at the current time, whilst retaining restrictions to protect local amenity. The vehicles can be adequately accommodated on the highways network without leading to unacceptable environmental or amenity impacts and therefore the application is considered to accord with the aims of the Minerals Local Plan and in particular Policy M3.13.

Other Options Considered

43. The report relates to the determination of a planning application. The County Council is under a duty to consider the planning application as submitted. Accordingly no other options have been considered.

Statutory and Policy Implications

44. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment, and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Sustainability and the Environment

45. Potential ecological impacts have been assessed in the report.

Human Rights Implications

46. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6 (Right to a Fair Trial) are those to be considered. In this case, however, there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

Financial Implications

47. Any associated legal costs incurred by the County Council will be borne by the applicant.
48. There are no equalities; crime/disorder; human resource; or children safeguarding implications arising. There are no implications for NCC service users.

Statement of Positive and Proactive Engagement

49. In determining this application the Minerals Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussion; assessing the proposals against relevant Development Plan policies; all material considerations; consultation responses and any valid representations that may have been received. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

50. It is RECOMMENDED that the Corporate Director – Place be instructed to enter into a legal agreement (deed of variation) under section 106 of the Town and Country Planning Act 1990 to secure continuation of the planning obligations set out in paragraph 41 of this report.
51. It is FURTHER RECOMMENDED that subject to the completion of the legal agreement (deed of variation) before the 21/06/17 or another date which may be agreed by the Team Manager Development Management in consultation with the Chairman and the Vice Chairman, the Corporate Director – Place be authorised to grant planning permission for the above development subject to the conditions set out in Appendix 1 of this report. In the event that the legal agreement is not completed by the 21/06/17, or within any subsequent extension of decision time agreed with the Minerals Planning Authority, it is RECOMMENDED that the Corporate Director – Place be authorised to refuse planning permission on the grounds that the development fails to provide continuation of the measures provided for in the existing legal agreement covering the site.

ADRIAN SMITH

Corporate Director – Place

Constitutional Comments - (RHC 10/3/2017)

Planning and Licensing Committee is the appropriate body to consider the contents of this report.

Comments of the Service Director - Finance (SES 28/02/17)

The financial implications are set out in the report.

Background Papers Available for Inspection

The application file available for public inspection by virtue of the Local Government (Access to Information) Act 1985.

Electoral Division and Member Affected

Sutton in Ashfield - Councillor Steve Carroll

Report Author/Case Officer

Joel Marshall

0115 9932578

For any enquiries about this report, please contact the report author.

RECOMMENDED PLANNING CONDITIONS

Commencement and duration of the development

1. The development hereby permitted shall be begun within three years 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 hereby permitted.
Reason: To assist with the monitoring of the conditions attached to the planning permission and for the avoidance of doubt.
3. The extraction of minerals from the application site shall be completed no later than 13th October 2064.
Reason: To ensure that mineral extraction is completed within an acceptable timeframe.

Approved plans

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 enable the MPA to monitor compliance with the conditions of the planning permission.
5. The development hereby permitted shall only be carried out in accordance with the details contained within the planning application forms, Planning Application Document and Environmental Statement (ES) received by the MPA on 30 March 2010, and the Regulation 22 Submissions received by the MPA on 30 March 2012, 19 September 2012 and 14 December 2012, and in particular the plans and details identified below, unless amendments are made pursuant to the other conditions below:
 - (i) 'Plan PA2 – Planning Application Area' received by the MPA on 30 March 2010;
 - (ii) Dwg TW952-D1v2 Rev D and document entitled 'Notes to accompany TW952-D1D received by the MPA (in respect of Condition 6 of Planning Permission 4/2010/0178) on 15 May 2013 and approved in writing by the MPA on 28 May 2013.
 - (iii) 'Figure L5 – Mitigation Cross Sections' received by the MPA on 30 March 2010;
 - (iv) Drawings numbered '192-S-03 – Sheet 1 – Access Junction', '192-S-04 – General Arrangement Long Section Chainage 0.000 – 300.000', '192-S-06 – General Arrangement to Show Visibility Splay at Junction' and 192-S-21 – General Arrangement to Show Visibility Splay at Junction –

Sheet 2', and the accompanying statement entitled 'Extracts from Richard Parker Consultancy (RPC) report issued in support of the planning application', all received by the MPA on 19 April 2013 and approved in writing by the MPA on 6 June 2013 pursuant to NMA/2810.

- (v) Drawing Number PL13-1 Rev 6– Proposed Plant Layout and Elevations and Drawing Number PL13-2 Rev 6– Cross Sections Through Proposed Plant, both received by the MPA on 19 October 2015 and approved on 6 November 2015 in respect of NMA/3385 amending condition 14 of Planning Permission 4/2010/0178;
- (vi) 'Plan PA10 – Cross-Sections Through Proposed Design' received by the MPA on 30 March 2010;
- (vii) Dwg 'Working Method- Phase 1 Revised January 2014' received by the MPA on 11 February 2014 (pursuant to NMA/2994) and approved in writing by the MPA on 7 April 2014.
- (viii) Dwg 'Working Method- Phase 2a+2B Revised January 2014' received by the MPA on 11 February 2014 (pursuant to NMA/2994) and approved in writing by the MPA on 7 April 2014.
- (ix) 'Plan R22-5 – Working Method – Phase 2c' received by the MPA on 30 March 2012;
- (x) 'Plan R22-6 – Working Method – Phase 3' received by the MPA on 30 March 2012;
- (xi) 'Plan R22-7 – Working Method – Phase 4a' received by the MPA on 30 March 2012;
- (xii) 'Plan R22-8 – Working Method – Phase 4b' received by the MPA on 30 March 2012;
- (xiii) 'Plan R22-9 – Final Site Soil Movements' received by the MPA on 30 March 2012;
- (xiv) 'Plan R22-10 – Concept Restoration Plan' received by the MPA on 30 March 2012;
- (xv) 'Plan R22-11 – Restoration Cross Sections' received by the MPA on 30 March 2012;
- (xvi) 'Plan R22-12 – Site Location and 400m Margin to Residential Properties' received by the MPA on 30 March 2012;
- (xvii) Planning application form and certificates; Planning Application Statement (Mineral Surveying Services Ltd- September 2016); Transport Statement (David Tucker Associates 17/01/17); Outline Ecological Assessment (Eco Tech-September 2016); letter from LF Acoustics dated 12th September 2016. All received by the MPA on 30 September 2016. Air Quality Statement (Smith Grant LLP 26/09/16) received 2nd December 2016.

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

Site screening, planting and security

6. Perimeter landscape protection and planting shall be maintained throughout the life of the development in accordance with the following details previously approved by the MPA:

Dwg TW952-D1v2 Rev D and document entitled 'Notes to accompany Tw952-D1D received by the MPA (in respect of Condition 6 of Planning Permission

4/2010/0178) on 15 May 2013 and approved in writing by the MPA on 28 May 2013, except where the approved details were subsequently amended by:

- i) Drawing Number PL13-1 Revision 4 – Proposed Plant Layout and Elevations; Drawing Number PL13-2 Revision 4 – Cross Sections Through Proposed Plant; Working Method – Phase 1 Revised January 2014; and Working Method – Phase 2a and 2b Revised January 2014 as approved under NMA/2994 on 7 April 2014 (which permitted the replacement of rabbit proof fencing with individual guards and an extension of the screening bund at the site entrance and incorporated a revised bund alongside Thieves Wood);
- ii) Drawings PL13-1 Revision 6 – Proposed Plant Layout and Elevations; and PL13-2 Revision 6 – Cross Sections Through Proposed Plant received by the MPA on 19 October 2015 as approved under NMA/3385 on 6 November 2015.

Reason: To minimise the visual impact of the proposed development in accordance with Policy M3.4 of the Nottinghamshire Minerals Local Plan and to improve the foraging habitat for bats and the habitat for breeding birds in accordance with the National Planning Policy Framework.

7. All security fencing erected around the perimeter of the site shall be maintained in accordance with the following details as previously approved by the MPA (in respect of Condition 7 of Planning Permission 4/2010/0178) so as to ensure the site's security throughout the life of the development.
 - (i) Document entitled 'Condition 7 – Fencing scheme 2, 28 Jan 2013' received on 28 January 2013 and approved in writing by the MPA on 13 March 2013;
 - (ii) Drawing entitled 'Peart Fencing – Masterview Profile Panel 2.0m x 3.0m' received on 3 January 2013 and approved in writing by the MPA on 13 March 2013;
 - (iii) Document entitled 'MasterView Profile' received on 3 January 2013 and approved in writing by the MPA on 13 March 2013;
 - (iv) Drawing Number 'TOF – SF1 – Proposed Security Fencing' received by the MPA on 3 January 2013 and approved in writing by the MPA on 13 March 2013;
 - (v) Plan PL13-1 Rev 6 – Proposed Plant Layout & Elevations received by the MPA on 19 October 2015 and approved 6 November 2015 pursuant to NMA/3385 (relating to amendments to post and wire fencing in phase 1).

Reason: To ensure the security of the site and also to minimise the opportunity for human disturbance from the site on adjacent habitats suitable for nightjar and woodlark.

Quarry access and protection of the public highway

8. Throughout the life of the development hereby permitted, all vehicles entering and leaving the site shall only use the access road as constructed in accordance with the following details previously approved by the MPA pursuant to NMA/2810 on 6 June 2013:

Drawings numbered '192-S-03 – Sheet 1 – Access Junction', '192-S-04 – General Arrangement Long Section Chainage 0.000 – 300.000', '192-S-06 – General Arrangement to Show Visibility Splay at Junction' and '192-S-21 – General Arrangement to Show Visibility Splay at Junction – Sheet 2', and the accompanying statement entitled 'Extracts from Richard Parker Consultancy (RPC) report issued in support of the planning application', all received by the MPA on 19 April 2013.

Reason: To ensure that all quarry traffic obtains access to the site along a permanently bound hard surfaced road thus ensuring that there is no damage to the public highway and to ensure compliance with Policy M3.12 of the Nottinghamshire Minerals Local Plan.

9. The access road shall be maintained in a satisfactory condition at all times to ensure that vehicles travelling between the public highway and the plant site travel along a permanently bound surfaced road.

Reason: To ensure that all quarry traffic obtains access to the site along a permanently bound hard surfaced road thus ensuring that there is no damage to the public highway and to ensure compliance with Policy M3.12 of the Nottinghamshire Minerals Local Plan.

10. Measures shall be employed throughout the life of the development to prevent the deposit of mud, clay and other deleterious materials upon the public highway in accordance with the document entitled 'Mansfield Sand, Two Oaks Quarry, Condition 10' received by the MPA on 7 June 2013 and approved in writing by the MPA on 17 June 2013.

Reason: To ensure that no vehicle shall leave the site in a condition whereby mud or other deleterious material is carried onto the public highway in accordance with Policy M3.12 of the Nottinghamshire Minerals Local Plan.

11. In the event that the measures approved under Condition 10 above prove inadequate, then within one week of a written request from the MPA, a scheme including revised and additional measures to be taken in order to prevent the deposit of materials upon the public highway shall be submitted to the MPA for its approval in writing. The additional measures to protect the surrounding roads shall be implemented within one month of their approval and thereafter maintained and used at all times.

Reason: To ensure that no vehicle shall leave the site in a condition whereby mud or other deleterious material is carried onto the public highway in accordance with Policy M3.12 of the Nottinghamshire Minerals Local Plan.

12. Signage erected on the site to notify HGV drivers of the lorry routeing agreement in place shall be maintained for the life of the development in accordance with the previously approved details 'Mansfield Sand, Two Oaks Quarry, Condition 12' received by the MPA on 13 May 2013 (in respect of Condition 12 of Planning Permission 4/2010/0178) and approved in writing by the MPA on 13 May 2013.

Reason: In the interest of local amenity in accordance with Policy M3.13 of the Nottinghamshire Minerals Local Plan.

13. There shall be no more than 200 HGV movements to and from the site in any one working day (100 in, 100 out) and no more than 1100 HGV movements to and from the site in any one week (550 in, 550 out). Over the course of any

calendar year, total HGV movements to and from the site shall not exceed 34,000 (17,000 in, 17,000 out).

Written records shall be maintained of all HGV movements into and out of the site, including HGVs taking sand and sand-based products off site, HGVs delivering soils, compost and other materials into the site, and HGVs delivering plant and machinery to the site for operations such as soil stripping, with the records kept for a minimum period of two years. Copies of the HGV vehicle movement records shall be made available to the MPA within 7 days of a written request being made by the MPA.

Reason: To limit vehicle movements at the proposed quarry in accordance with Policy M3.13 of the Nottinghamshire Minerals Local Plan.

Quarry plant area

14. The quarry plant area, plant, equipment and supporting infrastructure shall be maintained in accordance with the following previously approved details:

Drawing Number PL13-1 Rev 6– Proposed Plant Layout and Elevations and Drawing Number PL13-2 Rev 6– Cross Sections Through Proposed Plant, both received by the Minerals Planning Authority on 19 October 2015 and approved by the MPA on 6 November 2015 in respect of NMA/3385 amending condition 14 of Planning Permission 4/2010/0178.

Reason: In the interest of visual amenity to ensure compliance with Policy M3.3 of the Nottinghamshire Minerals Local Plan and to protect the openness of the Green Belt in accordance with the National Planning Policy Framework.

15. All floodlighting to be used at the site shall be maintained for the life of the development in accordance with the following previously approved plans/documents (in respect of Condition 15 of Planning Permission 4/2010/0178 as amended by Non-Material Amendment 3385):

Drawing Number D21071/PY/I dated 21/09/15, and accompanying statement entitled 'Condition 15, Floodlighting' and document entitled 'BREEAM – P21071 – Two Oaks Quarry' all received 19 October 2015 and approved by the MPA on 6 November 2015 pursuant to NMA/3385.

Floodlighting shall be angled downwards and suitably shielded to ensure that it does not result in glare or dazzle to surrounding land, property and other users and shall ensure that no lighting levels over 1Lux occurs in habitat suitable for nightjar and woodlark during the bird breeding season (February to August).

The floodlighting shall not be used outside the hours of 6am to 8pm Mondays to Fridays, 7am to 1pm on Saturdays and not at all on Sundays, Bank or Public Holidays. Outside these hours any external lighting shall be individually operated through a movement sensor switch with a maximum lighting cycle not exceeding 5 minutes.

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

16. Throughout the life of the development hereby permitted, the external appearance of all fixed plant, equipment and supporting infrastructure shall be maintained to the satisfaction of the MPA in order to preserve their original external appearance. Any works which the MPA considers are required to

maintain the external appearance of all fixed plant, equipment and supporting infrastructure shall be carried out within one month of a written request being made by the MPA.

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

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any subsequent amended legislation, no buildings, fixed plant, or machinery, other than those approved under Condition 14 above, shall be erected or placed on the site without the prior written approval of the MPA.

Reason: To protect the openness of the Green Belt in accordance with the National Planning Policy Framework.

Phasing and cessation of mineral extraction

18. Mineral extraction shall only be carried out in accordance with the Plans 'Working Method- Phase 1 Revised January 2014' and 'Working Method- Phase 2a+2B Revised January 2014' received by the MPA on 11 February 2014 (pursuant to NMA/2994) and R22-5 – R22-9 received by the MPA on 30 March 2012. Mineral extraction in any phase or sub-phase shall not commence until mineral extraction has been completed, or substantially completed, within the preceding phase or sub-phase to the satisfaction of the MPA. The MPA shall be notified in writing of the date of commencement of mineral extraction in any phase or sub-phase at least seven days, but not more than 14 days, prior to the commencement of mineral extraction in that phase or sub-phase.

Reason: To ensure the phased working and restoration of the site in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan.

19. The MPA shall be notified in writing of the date of the cessation of mineral extraction.

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

20. All plant, equipment and supporting infrastructure shall be removed from the site and the site shall be entirely restored within 12 months of the cessation of mineral extraction, as notified under Condition 19 above.

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.

Hours of working

21. Except in the case of an emergency when life, limb or property are in danger (with such instances being notified in writing to the MPA within 48 hours of their occurrence), or with the prior written approval of the MPA, the following shall not take place except within the hours specified below, except as provided for in Condition 22 below:

	Mondays to Fridays	Saturdays	Sundays Bank/ Public Holidays
Mineral extraction,	6am to 8pm	7am to 1pm	Not at all

conveying, processing or treatment			
Stripping, replacement, regrading or ripping of soils or overburden	7am to 7pm	7am to 1pm	Not at all
Servicing, testing, or maintenance of plant or machinery	6am to 8pm	7am to 4pm	Only with the prior written consent of the MPA
Vehicles entering and leaving the site for the purposes of collecting mineral or delivering soils, compost and synthetic fibres	6.30am to 7.30pm	7.30am to 12.30pm	Not at all

Reason: To minimise the impact of the development on the amenity of the local area in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan, to minimise the impact of the development on highway safety in accordance with Policy M3.13 of the Nottinghamshire Minerals Local Plan, and to reduce the disturbance on nearby breeding birds in accordance with the Conservation of Habitats and Species Regulations 2010.

22. Notwithstanding the hours of operation detailed in Condition 21 above, mineral extraction, including the operation of the single motorised scraper, a dozer and the conveyor, shall not take place between 6am and 7am within the 400 metre buffer zones identified on 'Plan R22-12 – Site Location and 400m Margin to Residential Properties' received by the MPA on 30 March 2012. Where mineral extraction is taking place in close proximity to any of the 400 metre buffer zones, the extent of the buffer zones shall be clearly marked in accordance with details previously submitted to, and approved in writing by, the MPA.

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

Noise

23. 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 manufacturers' recommendations and specifications to minimise noise disturbance to the satisfaction of the MPA.

Reason: To minimise the noise impact of the development on the amenity of the local area, in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan, and to ensure that breeding birds are not adversely affected by the development in accordance with the National Planning Policy Framework.

24. 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):

Criterion Noise Levels LAeq, 1 hour

Location	LAeq (7am – 7pm)	LAeq (7pm – 8pm)	LAeq (6am – 7am)
Forest House, Thieves Wood Lane	55	52	42
Stonehills House, Derby Road	55	52	42
Coxmoor House, Derby Road	55	52	42

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

25. Notwithstanding the requirements of Condition 24 above, for temporary operations such as soil stripping, replacement and bund formation, the LAeq 1 hour (free field) noise level in the curtilage of any noise sensitive property shall not exceed 70 dB(A). Temporary operations which exceed the normal day to day criterion shall be limited to a total of eight working weeks in a year at any individual noise sensitive property. The dates of these occurrences shall be recorded and available to the MPA in writing with one week of a written request from the MPA.

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

26. Operational noise at the site shall be managed in accordance with the 'Protocol for Control of Noise to Protect Nightjar and Woodlark' – May 2013, received by the MPA on 10 May 2013 and approved in writing by the MPA on 30 May 2013 (in respect of Condition 26 of Planning Permission 4/2010/0178), whereby it shall be ensured that the continuous sound level from the site does not exceed 55 dB LAeq and the peak sound level does not exceed 80 dB LA(max) at any point on land surrounding the site that has the potential to support breeding nightjar and woodlark.

In accordance with the approved details, the following details shall be submitted to the MPA for its approval in writing throughout the life of the development (except where otherwise stated):

- i) An annual review of potential new breeding areas for nightjar and woodlark created by forestry operations on adjacent land, to be carried out in advance of the breeding season;
- ii) The results of noise monitoring carried out in January or February each year in positions adjacent to any potential nesting/breeding areas for nightjar and woodlark;
- iii) For 2016 only, the results of additional noise monitoring carried out in May and June in positions adjacent to any potential or actual nesting/breeding areas for nightjar and woodlark;

- iv) The results of noise monitoring carried out periodically throughout the nightjar and woodlark breeding seasons adjacent to areas identified as potential nesting sites.

The approved noise management measures shall be implemented in accordance with the approved details throughout the life of the development.

Reason: To ensure that breeding birds are not adversely affected by the development in accordance with the National Planning Policy Framework and to also protect the amenity of nearby recreational users.

Dust

27. Measures shall be taken to minimise the generation of dust and reduce its impact on nearby dust sensitive receptors, including the Sherwood Observatory, nearby properties and habitats suitable for nightjar and woodlark, to acceptable levels and provide for dust monitoring.

The dust management plan ('Dust Management Plan V.1 – 9.01.2013' received by the Minerals Planning Authority on 22 March 2013 and approved on 3 June 2013 (in respect of Condition 27 of Planning Permission 4/2010/0178)) shall be implemented for the life of the development.

Reason: To ensure that dust impacts associated with the operation of the development are minimised, in accordance with Policy M3.7 of the Nottinghamshire Minerals Local Plan.

28. All HGVs entering the site to deliver soil, compost, and synthetic fibres, and all HGVs leaving the site with sand and sand-based products, shall be fully sheeted.

Reason: To ensure that dust impacts associated with the operation of the development are minimised, in accordance with Policy M3.7 of the Nottinghamshire Minerals Local Plan.

Archaeology

29. Development shall progress in accordance with the approved Archaeological Mitigation Strategy by Pre-Construct Archaeological Services Ltd, received by the MPA on 12 April 2013 and approved in writing by the MPA on 21 May 2013 (in respect of Condition 29 of Planning Permission 4/2010/0178), including the programme of further archaeological investigations required by this strategy which shall be completed and the findings submitted to the MPA for its approval in writing prior to any works commencing on phases 2 and 3.

Reason: To ensure that that adequate archaeological investigation and recording is undertaken prior to the development taking place, in accordance with Policy M3.24 of the Nottinghamshire Minerals Local Plan.

Stockpile heights

30. Following the commencement of extraction from Phase 1b, as identified on 'Working Method- Phase 1 Revised January 2014' received by the MPA on 11 February 2014 (pursuant to NMA/2994), stockpiles in the plant site area including stockpiles of excavated (as dug) minerals; site-sourced soils waiting to be processed; imported soils, compost and synthetic fibres waiting to be processed; and processed materials shall not exceed 10 metres above the ground levels of the plant site as set out in the details submitted and approved under Condition 14 above.

Reason: In the interest of visual amenity to ensure compliance with Policy M3.3 of the Nottinghamshire Minerals Local Plan and to protect the openness of the Green Belt in accordance with the National Planning Policy Framework.

Mineral extraction

31. Mineral extraction shall only be carried out using a single motorised scraper and dozer. All excavated mineral shall be transported from the working phase to the processing plant area by field conveyor only. The conveyor shall be maintained throughout the life of the development hereby permitted to the satisfaction of the MPA.

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

32. No blasting shall take place on the site in association with the mineral extraction hereby permitted.

Reason: To minimise the impact of the development on the amenity of the local area.

33. Only sand and gravel extracted from within the site, as detailed on 'Plan PA2 – Planning Application Area' received by the MPA on 30 March 2010, shall be processed on the site. No sand and gravel shall be imported into the site for processing.

Reason: To limit vehicle movements at the proposed quarry in accordance with Policy M3.13 of the Nottinghamshire Minerals Local Plan.

Pollution control

34. A scheme for surface water drainage for the site shall be implemented and maintained in accordance with the following details previously approved by the MPA on 30 May 2013 (in respect of Condition 34 of Planning Permission 4/2010/0178):

- a) Documents entitled 'Design Philosophy for Surface Water Drainage Revision 1'; 'Halfren Water Report'; and 'Two Oaks Quarry - Environmental Statement' all received by the MPA on 10 April 2013;
- b) Drawings Numbered '192-S-02 (Site Plan) B'; '192-S-03 (Junction GA) F'; '192-S-04 (Long Section 0-300) G'; '192-S-05 (Long section 300 - 500) F'; '192-S-06 (Visibility Splay sheet 1) E'; '192-S-07 (Parking Layby) C'; '192-S-08 (Corner to plant area) C'; '192-S-09 (Section @30m) E'; '192-S-10 (Section @50m 100m) G'; '192-S-11 (Section @150m 200m) E'; '192-S-12 (Section @250m) D'; '192-S-13 (Section @300m) D'; '192-S-14 (Section @350m) D'; '192-S-15 (Section @400m) D'; '192-S-16 (Section @450m) B'; '192-S-17 (Section @500m) A'; '192-S-18 (Section @525m) A' all received by the MPA on 20 March 2013.
- c) Surface Water Calculations received by the MPA on 20 March 2013;
- d) Documents entitled 'Balancing Lagoons –No Discharge Off Site' and 'Balancing Lagoons – Greenfield Run-Off Rate' both received by the MPA on 15 May 2013.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system in accordance with Policy M3.9 of the Nottinghamshire Minerals Local Plan.

35. A scheme for the disposal of foul drainage shall be implemented in accordance with the following details previously approved by the MPA on 30 May 2013 (in respect of Condition 35 of Planning Permission 4/2010/0178):
- a) Document entitled 'Design Philosophy for Foul Water Drainage – Revision 1';
 - b) Document entitled 'Biotec 1 and Biotec 2 – Installation and Operation Guidelines';
 - c) Document entitled 'Biotec 3 and Biotec 4 – Installation and Operation Guidelines';
 - d) Document entitled 'Installation Guidelines for BioDisc Units BA, BAx, BB and NB';
 - e) Document entitled 'Installation Guidelines for BioDisc Units BC, NC';
 - f) Drawing Number 'DS1146P: BA-BB-BAx BioDisc Gravity Sales Drawing';
 - g) Drawing Number DS0456P: 'BC BioDisc General Dimensions Customer Drawing';
 - h) Document entitled 'BioDisc Sewage Treatment Plans Units BA – BG';
 - i) Document entitled 'Siting and Installation Considerations for BioDisc Units BA – BG and Nitrification Versions';
 - j) Drawing Number '192-S-38: Weigh Bridge and Office Proposed Foul Drainage Plan.

All received by the MPA on 10 April 2013.

Reason: To ensure the satisfactory means of foul drainage disposal from the site in accordance with Policy M3.8 of the Nottinghamshire Minerals Local Plan.

36. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water from parking areas, and hard standings susceptible to oil contamination shall be passed through an oil separator designed and constructed to have a capacity compatible with the site being drained. Roof water shall not pass through the oil separator which shall be maintained in accordance with the manufacturer's instructions throughout the life of the development.

Reason: To protect the water environment in accordance with Policy M3.8 of the Nottinghamshire Minerals Local Plan.

37. Any 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 should be at least equivalent to the capacity of the largest tank, of the combined capacity of the interconnected tanks, plus 10%. All filling points, vents, gauges, and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land, or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment in accordance with Policy M3.8 of the Nottinghamshire Minerals Local Plan.

Ecology

38. Prior to the commencement of mineral extraction in each phase or sub-phase of the development, as identified on 'Working Method- Phase 1 Revised January 2014' and 'Working Method- Phase 2a+2B Revised January 2014' received by the MPA on 11 February 2014 (pursuant to NMA/2994) and R22-5 – R22-8 received by the MPA on 30 March 2012, ecological management plans shall be submitted to the MPA for its approval in writing. The plans shall detail measures to improve the biodiversity of those areas of the site not subject to operational activities and shall include, but not necessarily be limited to, any or all of the following measures as appropriate:
- (i) Management of hedgerows to increase their size and density to the benefit of breeding birds and bats;
 - (ii) The provision of suitable field margins (wild bird seed areas) sown with high energy seed yielding plant species that shall remain intact during the winter months;
 - (iii) The location of the wild bird seed areas shall be notified in writing to the MPA each year within two weeks of being sown.
 - (iv) Timescales for the provision and ongoing maintenance of the proposed measures.

Additionally with respect to phase 1:

- a) The wild bird seed areas shall continue to be sown, established and maintained in accordance with the details in the document entitled 'Condition 38: Ecological Management Plan' produced by Eco-Tech and received by the MPA on 24 April 2013 (pursuant to Condition 38 of Planning Permission 4/2010/0178) albeit that the location of the areas shall be rotated from year to year;
- b) The location of the wild bird seed areas shall be notified in writing to the MPA each year within two weeks of being sown;

The ecological management plans shall be implemented in accordance with the approved details.

Reason: In the interest of protecting species and their habitats in accordance with the National Planning Policy Framework.

39. Site clearance works within each phase and sub-phase of the development, as identified on 'Working Method- Phase 1 Revised January 2014' and 'Working Method- Phase 2a+2B Revised January 2014' received by the MPA on 11 February 2014 (pursuant to NMA/2994) and R22-5 – R22-8 received by the MPA on 30 March 2012, and that involve the destruction and removal of vegetation, including felling, clearing or removal of trees, shrubs or hedgerows or the removal of any standing crops, shall not commence until all potential habitats for protected species have been investigated by a qualified ecologist and a report of the investigation has been submitted to, and approved in writing by, the MPA. In the event that protected species or nesting birds are present, the report shall provide a working design, method and timetable to mitigate any undue adverse effects on the species involved. The mitigation measures shall be implemented as approved prior to any site clearance works taking place within that phase.

Reason: In the interest of protecting species and their habitats in accordance with the National Planning Policy Framework.

Soil stripping, handling and storage

40. The MPA shall be notified in writing at least 5 working days before soil stripping is due to commence on any phase or sub-phase, or part phase or part sub-phase in the event that a phase or sub-phase is not stripped in its entirety in one stripping campaign.

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

41. A detailed soil handling scheme for each phase, sub-phase, part phase or part sub-phase of the development shall be submitted in writing to the MPA at least one month prior to the stripping of any soil from that area of the site. Such a scheme shall include the following details:

- (i) The size, location, volume and composition of soil storage mounds;
- (ii) A methodology statement for the stripping and storage of soils;
- (iii) The types of machinery to be used;
- (iv) The routes to be taken by plant and machinery involved in soil handling operations;
- (v) The depths of subsoil and topsoil to be stripped;
- (vi) Which soils are to be retained for restoration purposes and which are to be used in the production of 'fibresand' products.

The soil handling schemes shall be carried out in accordance with the approved details.

Reason: To ensure the 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. No plant or vehicles shall cross any area of unstripped topsoil or subsoil except where such trafficking is essential and unavoidable for purposes of undertaking permitted operations. Essential trafficking routes shall be marked in such a manner as to give effect to this condition. No part of the site shall be excavated or traversed or used for a road, or storage of topsoil, subsoil or mineral deposits, until all available topsoil and subsoil has been stripped from that part.

Reason: To ensure the 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. Soil stripping shall not commence until any standing crop or vegetation has been cut and removed.

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

44. Topsoil, subsoil, and soil making material shall only be stripped when they are in a dry and friable condition and movements of soils shall only occur:

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

- (iii) When there are no areas of standing water on the surface of soils in the area to be stripped, traversed or used for soil storage.

Reason: To ensure the 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. All further storage mounds that will remain in situ for more than 6 months, or over winter, shall be seeded within 3 weeks of their construction in accordance with a seed mixture which has been previously agreed in writing by the MPA. The seed mixes should aim to provide a suitable grass sward on the outside faces of any perimeter storage mounds/screening bunds; high energy seed yielding plant species which shall remain intact during the winter months on the inside faces of any perimeter storage mounds/screening bunds; and high energy seed yielding plant species which shall remain intact during the winter months on all internal soil storage mounds. The mounds shall thereafter be maintained free of weeds until used for restoration purposes.

Reason: To ensure the proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan and to ensure that breeding birds are not adversely affected by the development in accordance with the National Planning Policy Framework.

46. Details of the volumes and locations of soils stored on the site shall be submitted to the MPA by 31 December each year.

Reason: To ensure there are sufficient soils available for the restoration of the site and to ensure all available soil resources are conserved and managed, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

Phased restoration

47. Details of the restoration of the four main phases of the site and the plant site shall be submitted in writing to the MPA within the following timescales:

Phase	Date for restoration details to be submitted
1	Within 12 months of the completion of mineral extraction within phase 1a
2	Within 12 months of the completion of mineral extraction in phase 2a
3	Within 12 months of the commencement of mineral extraction in phase 3
4	Within 12 months of the completion of mineral extraction in phase 4a
Plant site	Within 12 months of the commencement of mineral extraction in phase 4b

Reason: To ensure the phased working and restoration of the site in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan.

Soil replacement for agricultural and woodland restoration

48. The MPA shall be notified in writing at least 5 working days before each of the following:
- (i) Overburden/sand substrate has been prepared ready for soil replacement to allow inspection of the area before further restoration of this part is carried out; and
 - (ii) 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
 - (iii) 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 the proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

49. Topsoils and subsoils shall only be replaced when they and the ground on which they are to be placed are in a dry and friable condition and no movements, respreading, levelling, ripping or loosening of subsoils or topsoils shall occur:
- (i) When it is raining; or
 - (ii) When there are pools of water on the surface of the storage mound or receiving area.

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

50. Plant and vehicles shall not cross any area of replaced and loosened ground, replaced subsoil, or replaced topsoil except where essential and unavoidable for the purposes of carrying out soil replacement, ripping and stone picking or beneficially treating such areas. Only low ground pressure machines shall work on prepared ground.

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

51. Prior to the placement of any subsoils, the quarry floor shall be ripped to a minimum depth of 250mm with tine spacings no wider than 1.5m.

Reason: To ensure the 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. The top soil and upper subsoils shall be replaced to an overall combined depth of no less than 750mm.

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

53. The re-spread subsoil shall be approximately, and at least a minimum of, 350mm in depth and shall be cross-ripped:

- (i) To provide loosening to a minimum depth of 400mm with tine spacings no wider than 1.5m, and
- (ii) Any rock, boulder or larger stone greater than 200mm in any dimension shall be removed from the loosened surface before further soil is laid. Materials that are removed shall be utilised for the creation of refugia areas for reptiles and amphibians, or buried at a depth not less than 2 metres below the final settled contours.

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

54. The re-spread topsoil shall be approximately, but no more than a maximum of, 400mm in depth and shall be rendered suitable for agricultural cultivation by loosening and ripping:

- (i) To provide loosening to a minimum depth of 450mm with tine spacings of 1.5 metres or closer;
- (ii) Any non-soil making material or rock or boulder or larger stone lying on the loosened topsoil surface and greater than 100mm in any dimension shall be utilised for the creation of refugia areas for reptiles and amphibians, or buried at a depth not less than 2 metres below the final settled contours.

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

Restoration of areas to heathland, wetland areas and woodland

55. Within the timescales prescribed in Condition 47 above for those phases, part phases, sub-phases or part sub-phases to be restored to heathland, wetland areas and woodland, details of the restoration of those areas shall be submitted to the MPA for its approval in writing. The details shall be in accordance with 'Plan R22-10 – Concept Restoration Plan' received by the MPA on 30 March 2012 and 'Plan R22-11 – Restoration Cross Sections' received by the MPA on 30 March 2012 with the aim of creating a mosaic of heathland, acid grassland, short ephemeral vegetation and bare ground with a varied micro-topography, including areas of open water of varying sizes and in clusters, and clumps of scrub and oak-birch woodland. The details shall include the following:

- (i) The results of a walk-over survey carried out to identify evidence of, or potential for, protected species along with the results of any further detailed protected species carried out as necessary;
- (ii) The results of surveys carried out to identify features that have arisen naturally or as a consequence of excavation works which are of value (or have the potential to be of value) in the context of creating a diverse heathland habitat, and details of how the survey results have been taken into account when drawing up the restoration details;
- (iii) Target habitats with reference to the UK Biodiversity Action Plan;

- (iv) Woodland, wetland margin and heathland species mixes and establishment methods which should be of native genetic origin and appropriate to the local area, including the source of heather brash and numbers, species, planting, positions and sizes of all trees and shrubs;
- (v) Substrate preparation (where required), including the creation of micro-topography features;
- (vi) Details of the reshaping of the silt lagoons in phase 1 to a shallower edge profile;
- (vii) Habitat transition areas between the agricultural grassland areas and the heathland areas;
- (viii) Sandstone faces;
- (ix) The provision of appropriate refugia areas for reptiles and amphibians using, where appropriate, any rocks, boulders or stones picked in accordance with Conditions 53 and 54 above;
- (x) Timetable for the implementation of the restoration works.

The restoration of the site shall be provided in accordance with the approved details.

Reason: To ensure the phased restoration of the site in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan and to provide for extensive heathland and acid grassland afteruse in accordance with Policy M4.13 of the Nottinghamshire Minerals Local Plan.

Aftercare

56. Following the restoration of any phase or sub-phase of the site, that phase or sub-phase shall undergo aftercare management for a 5 year period.

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

57. Prior to any phase or sub-phase being entered into aftercare, the extent of the area and its date of entry into aftercare shall be agreed in writing with the MPA. The 5 year aftercare period shall run from the agreed date.

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

58. An aftercare scheme and strategy for each phase or sub-phase shall be submitted for the written approval of the MPA at the same time as the submission of the restoration details for that phase or sub-phase in accordance with the timescales detailed in Condition 47 above. The aftercare scheme and strategy shall outline the steps to be taken, the period during which they are to be taken, and who will be responsible for taking those steps to ensure the land is restored and brought back to its intended restored afteruse. The aftercare scheme shall include but not be restricted to details of the following:

- (i) Cultivations;
- (ii) Weed control;
- (iii) Scrub control on heathland areas;
- (iv) Sowing of seed mixtures;
- (v) Soil analysis;

- (vi) 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;
- (vii) Drainage amendments;
- (viii) Subsoiling and underdrainage proposals;
- (ix) Management practices such as the cutting of vegetation;
- (x) Tree protection;
- (xi) Remedial treatments;
- (xii) Irrigation;
- (xiii) Fencing;
- (xiv) Proposals for a survey visit by a suitably qualified ecologist, to be undertaken in year 5, to assess the ecological interest of those parts of the site restored to heathland, wetland areas and woodland, including their habitats, flora and fauna, to inform management practices for the additional periods of aftercare secured through legal agreement; and
- (xv) A report detailing the findings of the survey visit referred to in (xiv) above, to be submitted to the MPA at the end of year 5.

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

59. Site management meetings shall be held with the MPA each year to assess and review the detailed annual programmes of aftercare operations referred to in Condition 58 (vi) above, having regard to the condition of the land, progress in its rehabilitation and necessary maintenance.

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

60. The aftercare programme shall be implemented in accordance with the details approved under Condition 58 (vi) above, as amended following the annual site meeting carried out in accordance with Condition 59 above.

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

Alternative Restoration

61. Should, for any reason, mineral extraction from the application site cease for a period in excess of 12 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 in writing to the MPA for its approval in writing. Such a scheme shall include details of the final contours, provision of soiling, sowing of heathland habitat, 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 secure the proper restoration of the site within an acceptable timescale.

62. The revised restoration scheme approved under Condition 61 shall be implemented within 12 months of its approval by the MPA, and shall be subject to the aftercare provisions of Conditions 58 – 60 above.

Reason: To secure the proper restoration of the site within an acceptable timescale.

Informatives/notes to applicants

1. This notice of planning permission and the attached conditions should be read alongside the associated Section 106 legal agreement made on XX XXXX 2017.
2. Your attention is drawn to the consultation responses from the Environment Agency dated 23 June 2010, Central Networks dated 6 May 2010 and the Highways Authority dated 9 November 2012 copies of which have been previously forwarded.