

RECOMMENDED PLANNING CONDITIONS

GEDLING DISTRICT REF. NO.: 7/2017/1504NCC

PROPOSAL: TO VARY CONDITIONS 3, 6 AND 29 OF PLANNING PERMISSION 7/2014/1156/NCC FOR AN EXTENSION OF TIME TO EXTRACT THE REMIANING MINERAL WITHIN BESTWOOD II QUARRY UNTIL 31ST DECEMBER 2028.

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 (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.

Scope of Planning Permission

3. This permission is for the continuation of Sherwood Sandstone extraction, processing and stockpiling until 31st December 2028 from the area edged red on Drawing No. D016-00053 Bestwood II Quarry Site Plan dated 24/08/2017. The planning permission consolidates the development rights for mineral workings provided by planning permission 7/2014/1156/NCC, 7/97/0249, 7/97/1338, 7/99/0553 and 7/2007/0557. These earlier planning permissions are referenced in this section on the basis that a number of the documents identified in the following conditions originate from the original planning permission for the development of the quarry.

Reason To explain the context of this planning permission and for the avoidance of doubt.

4. The development shall be carried out only in accordance with the details set out within the following documents, unless otherwise agreed in writing with the MPA, or where amendments are made pursuant to the other conditions below:
 - Drawing No. D016-00052 Bestwood II Quarry Location Plan dated 24/08/2017.
 - Drawing No. D016-00053 Bestwood II Quarry Site Plan dated 24/08/2017

- Drawing No. D16/36: Extraction Development Cross Sections – Bestwood II Quarry dated 23rd May 2007.
- Drawing No. D16/37 Restoration Cross Sections – Bestwood II Quarry received 23rd May 2007.
- Drawing No.'s. D16/40/41 Phase 1 & 2 Extraction – Bestwood II Quarry received 23rd May 2007.
- Landscape and restoration strategy (Chapter 2) setting out the restoration objectives for the wider quarry area incorporated within the Submission of further Information made in respect of Planning Application 7/2017/1491NCC received by the MPA on 20th July 2018, and in particular:
 - Drawing No. D16PD118.PDF, 218/PDF, 318.PDF 418.PDF, 518.PDF Eastern Extension Area Phase 1-5 development (incorporating overburden and soil storage arrangements in original quarry area) received by the MPA on 20th July 2018.
 - Drawing No. D16/PD618.PDF – Bestwood II Eastern Extension Final Restoration dated 25/06/2018.

Reason For the avoidance of doubt

5. 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 an orderly manner.

Duration

6. The extraction, processing and stockpiling of sand hereby permitted shall cease on or before 31st December 2028. The site thereafter by restored in accordance with Drawing No. D16/PD618.PDF – Bestwood II Eastern Extension Final Restoration dated 25/06/2018 and supporting landscape and restoration strategy (Chapter 2) setting out the restoration objectives for the wider quarry area incorporated within the Submission of further Information made in respect of Planning Application 7/2017/1491NCC received by the MPA on 20th July 2018. Restoration works within the original quarry area shall be completed by 31st December 2030. All buildings, plant and machinery shall be removed from the site within six months of the completion of mineral extraction in the Eastern Extension or by 31st December 2030, should this date occur first.

Reason To secure proper restoration of the site within an acceptable timescale and in accordance with Policy M4.8 of the Nottinghamshire Minerals Local Plan.

Buildings, Fixed Plant and Machinery

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no buildings, fixed plant, or machinery,

other than approved by this permission shall be erected or placed on the site without the prior written approval of the MPA.

Reason To enable the Minerals Planning Authority to control the development and minimise its impact on the amenity of the local area and the openness of the Green Belt, in accordance with Policy M3.3 of the Nottinghamshire Minerals Local Plan.

Access

8. There shall be no direct vehicular access to the A60, or any other public highway, from the site other than via the existing quarry access road permitted under Planning Permission Ref. No. 7/17/86/1566 dated 22 January 1988.

Reason In the interests of highway safety and to safeguard the local environment and in accordance with Policy M3.12 of the Nottinghamshire Minerals Local Plan.

Working Practices

9. The maximum depth of mineral extraction shall be:
- Within the areas hatched red and green on Drawing No. D016/14/02: Bestwood II Quarry Site Plan dated 09/14 the maximum depth of workings shall be 85m AOD.
 - Within the areas hatched blue and purple on Drawing No. D016/14/02: Bestwood II Quarry Site Plan dated 09/14 the maximum depth of workings shall be 80m AOD.

Reason For the avoidance of doubt and to ensure protection of groundwater in accordance with Policy M3.8 of the Nottinghamshire Minerals Local Plan.

10. All mineral extracted from the application site shall be processed within the existing quarry sand processing plant and thereafter transported along the existing quarry access road to the A60.

Reason For the avoidance of doubt and to safeguard the local environment in accordance with Policy M3.12 of the Nottinghamshire Minerals Local Plan.

Hours of working

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

	Monday to Friday	Saturdays	Sundays, Bank and Public Holidays
Mineral extraction, processing or treatment	7am to 8pm	7am to 6pm	Not at all
Replacement, regrading or ripping of soils or overburden	7am to 6pm	7am to 1pm	Not at all
Servicing, testing or maintenance of plant and machinery	7am to 8pm	7am to 5pm	Not at all
Heavy goods vehicles entering and leaving the site.	7am to 7pm	7am to 1pm	Not at all

Reason To minimise the impact of the development on the amenity of the local area, in accordance with Policies M3.5 and M3.7 of the Nottinghamshire Minerals Local Plan.

Surface Water Drainage and Pollution Prevention

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

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

13. Any facilities for the storage of oils, fuels or chemicals and their associated filling points, vents, gauges, sight glasses and pipework shall be sited on impervious bases and surrounded by impervious bund walls. The size of the bunded compound shall be at least equivalent to the capacity of the tank plus 10% or, if there is more than one container within the system, of not less than 110% of the largest container's storage capacity or 25% of their aggregate storage capacity, whichever is the greater. There must be no drain through the bund floor or walls.

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

Noise

14. 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:

Criterion Noise Levels 0 LAeq, 1 hour

<u>Location</u>	<u>LAeq</u>
Woodland Grange	55
The Bungalow	53
270, Longdale Lane	50

Reason To minimise the impact of the development on the amenity of the local area, in accordance with Policies M3.5 and M3.7 of the Nottinghamshire Minerals Local Plan.

15. For temporary operations such as restoration operations, the LAeq level at any noise sensitive properties shall not exceed 70 dB(A). Temporary operations which exceed the normal day to day criterion set out within Condition 14 shall be limited to a total of eight working weeks in any twelve month period at any individual noise sensitive property.

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.

16. All plant, machinery and vehicles used on the site shall incorporate such noise abatement measures as, from time to time, may reasonably be required by the MPA and shall be silenced at all times in accordance with the manufacturers' recommendations.

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.

17. All reversing warning devices fitted to plant and machinery shall be operated in accordance with the details submitted by the applicant on 15th April 2002 and approved by the MPA on the 2nd May 2002 in discharge of Condition 28 of Planning Permission 7/99/0553.

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.

Highway Protection and Safety

18. All vehicles leaving the site shall use the wheel cleaning facilities which shall be maintained in an effective state for the duration of the development so that no vehicle shall leave the site in a condition whereby mud or other deleterious material is carried onto the public highway.

Reason In the interests of highway safety and to safeguard the local environment, in accordance with Policy M3.12 of the Nottinghamshire Minerals Local Plan.

19. The loads of all vehicles transporting minerals from the site shall be fully covered by sheeting prior to leaving the site.

Reason In the interests of highway safety and to safeguard the local environment, in accordance with Policy M3.12 of the Nottinghamshire Minerals Local Plan.

Topographical Survey

20. A topographical survey of the entire application site shall be supplied to the MPA on an annual basis. The topographical survey shall utilise a grid spacing no greater than 20 metres.

Reason: To ensure the site is worked and restored in accordance with the approved plans.

Dust

21. Dust control and management shall be undertaken in accordance with the scheme submitted by the applicant on the 11th November 2002 in discharge of Condition 29 of Planning Permission 7/99/0553. Should at any time the scheme prove ineffective such that a dust nuisance occurs, then upon written request from the MPA such other measures or changes in working practice as may be reasonably agreed with the MPA shall be undertaken to remedy the nuisance, including, when appropriate, the temporary suspension of mineral extraction and replacement operations during periods of unfavourable dry and windy weather conditions. All dust measurement equipment shall be maintained in good working order throughout the life of the site.

Reason To minimise the impact of the development on the amenity of the local area, in accordance with Policy M3.7 of the Nottinghamshire Minerals Local Plan.

Soil Preservation

22. All stripped topsoil and subsoils shall be permanently retained within the quarry for subsequent use in restoration.

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

Soil Replacement

23. Except where otherwise agreed with the MPA, restoration to nature conservation and woodland shall be carried out in accordance with the following documents:

- Landscape and restoration strategy (Chapter 2) setting out the restoration objectives for the wider quarry area incorporated within the Submission of further Information made in respect of Planning Application 7/2017/1491NCC received by the MPA on 20th July 2018, and in particular:
 - Drawing No. D16PD118.PDF, 218/PDF, 318.PDF 418.PDF, 518.PDF Eastern Extension Area Phase 1-5 development (incorporating overburden and soil storage arrangements in original quarry area) received by the MPA on 20th July 2018.
 - Drawing No. D16/PD618.PDF – Bestwood II Eastern Extension Final Restoration dated 25/06/2018.

Overburden material shall be replaced and levelled so that after replacement of topsoil and subsoil the post settlement contours conform with those shown on Drawing No. D16/42A.

Reason To ensure proper restoration of the site, conserving and managing all available soils resources, in accordance with Policy M4.4 of the Nottinghamshire Minerals Local Plan.

24. Subsoils or soil making material shall only be replaced when they and the ground on which they are to be placed are in a dry and friable condition. No movements, respreading, levelling, ripping or loosening of subsoil or topsoil shall occur 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 soils resources, in accordance with Policy M4.4 of the Nottinghamshire Minerals Local Plan.

25. Where wet weather conditions render it impractical to complete topsoil reinstatement and it becomes clear that operations cannot be completed before winter then the surface of the reinstated soil should be temporarily seeded (by hand if necessary) to provide some ground cover and aid drying out the soil in the spring. Details of how the vegetation should be treated the following spring shall be agreed in writing by the MPA before restoration resumes the following season. Also necessary precautions shall be undertaken to control surface water run-off and prevent soil erosion in accordance with details previously submitted to, and approved in writing by, the MPA.

Reason To ensure proper restoration of the site, conserving and managing all available soils resources, in accordance with Policy M4.4 of the Nottinghamshire Minerals Local Plan.

Restoration

26. The site shall be restored in accordance with Drawing No. D16/PD618.PDF – Bestwood II Eastern Extension Final Restoration dated 25/06/2018. From the date of aftercare commencement, replacement trees shall be planted during the first planting season which runs between 1 November and 31 March. Any trees or shrubs forming part of an approved planting scheme that die or become deceased, damaged or removed within 5 years of planting shall be replaced during the first planting season thereafter with others of a similar size and species

and maintained, unless the MPA gives written consent for a variation to be replanted.

Reason To ensure proper restoration of the site, conserving and managing all available soils resources, in accordance with Policy M4.4 of the Nottinghamshire Minerals Local Plan.

Aftercare

27. Prior to the replacement of any soils/regarding of the final landform an aftercare scheme providing for such steps as may be necessary to bring the land up to the required standard for conservation/heathland use within a five-year aftercare period shall be submitted to, and approved by, the MPA. The aftercare scheme shall include but not be restricted to details of the following:

- (a) cultivations;
- (b) weed control;
- (c) sowing of seed mixtures;
- (d) soil analysis;
- (e) Keeping of records and an annual review of performance and proposed operations for the coming year, to be submitted to the MPA between 31 March and 31 May each year;
- (f) drainage amendments;
- (g) management practices such as the cutting of vegetation;
- (h) tree protection;
- (i) remedial treatments;
- (j) irrigation;
- (k) fencing; and
- (l) As far as practical, the retention of as much naturally regenerated vegetation within the site.

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

28. Site management meetings shall be held with the MPA each year to assess and review the details of the annual programmes of aftercare operations, having regard to the condition of the land; progress in its rehabilitation and necessary maintenance. The aftercare programme shall thereafter be amended (if necessary) following the annual site meeting review to take account of any recommendations.

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

Removal of Mining Facilities

29. Within three months of the completion of mineral extraction or not later than 31st December 2030, whichever is the sooner, all plant, machinery, buildings, conveyors and associated structures shall be removed from the application site. Any areas of hardstanding, shall be broken up and removed from the site.

Reason To secure proper restoration of the site within an acceptable timescale and in accordance with Policy M4.8 of the Nottinghamshire Minerals Local Plan.

Temporary Cessation of Working

30. Should, for any reason, the extraction of sandstone from the site cease for a period in excess of 12 months then, within 3 months of the receipt of a written request from the MPA, a revised scheme for the restoration of the site shall be submitted to, for approval in writing by, 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 subsequently modified by these conditions. The revised restoration scheme shall be implemented in accordance with the approved details approved and thereafter shall be subject to the aftercare provisions of conditions 27-28 above.

Reason To secure proper restoration of the site within an acceptable timescale and in accordance with Policy M4.8 of the Nottinghamshire Minerals Local Plan.