

NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/17/01522/CMM

PROPOSAL: VARIATION OF CONDITION 4 OF PLANNING PERMISSION 3/15/01798/CMM TO EXTEND THE TIME FOR THE AREA OF HARD STANDING AVAILABLE FOR STOCKING, DRYING AND BLENDING OF COAL FINES FOR A TEMPORARY PERIOD EXPIRING ON 30TH SEPTEMBER 2020.

Scope of Planning Permission

1. Planning permission is hereby granted to allow the continued use of the extended area of hard standing for stocking drying and blending of coal fines for a temporary period expiring on 30th September 2020. The development shall be undertaken as part of the wider development permitted under Planning Permissions 3/17/01520/CMM, 3/17/01521/CMM and 3/17/01523/CMM for the extraction, processing storage and stocking of coal fines from lagoons at the Rufford Colliery tipping complex and the progressive restoration of the wider Rufford Colliery tipping complex. At the end of the temporary planning permission all stored materials and associated development shall be removed from the site and the site shall be restored within 12 months to an appropriate condition in accordance with the details agreed under the provisions of Condition 17 of Planning Permission 3/17/01521/CMM to ensure a co-ordinated habitat establishment, enhancement and management strategy of the wider Rufford Colliery Complex is taken. Following completion of restoration the application site shall be subject to five years aftercare and management which shall be carried out in accordance with the arrangements set out within Condition 18 of Planning Permission 3/17/01521/CMM.

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

Approved Documents

2. The development hereby permitted shall be carried out in accordance with the wider coal recovery operations being undertaken within the former Rufford Colliery complex originally approved under planning permission 3/13/00495/CMM, varied by planning permission 3/15/01798/CMA and subsequently renewed within this planning permission, as set out within the following documents:
 - a. Planning Application Form Documentation including Supporting Statement received by the MPA on the 1st August 2017.
 - b. Drawing No. 008/RUF/OPS/A4: Layout 1 received by the MPA on the 1st August 2017.
 - c. Drawing No. 466-h1-079: Planning History Plan received by the MPA on 28th August 2015.

- d. Drawing No. 466-h1-080 Bridleway Plan received by the MPA on 28th August 2015.
- e. Breeding Bird Survey undertaken by Applied Ecological Services Limited and received by the MPA on 20th September 2015.

Reason: For the avoidance of doubt.

Storage Heights

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

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

Potential Contamination

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

Reason: To ensure the development does not result in potential pollution of surrounding land in accordance with the requirements of the National Planning Policy Framework.

Dust & Mud

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

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

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

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

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

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

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

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

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

Noise

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

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

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

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

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

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

10. Movement and loading of materials within the extended stocking area hereby permitted shall only be undertaken between the hours of 0630 - 1900 Monday to Friday and 0630 – 1300 on Saturdays.

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

External Lighting

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

Reason: To minimise potential disturbances to ecologically important birds.

Protection of Users of the Bridleway

12. Signage shall be provided along the public bridleway in the locations identified on Drawing No. 466-h1-080 (Bridleway Plan) received by the MPA on 28th August 2015 to alert users of the bridleway of the potential presence of plant and machinery. All drivers of vehicles using the haul road shall be instructed to give priority to bridleway users. Additionally the operator shall ensure that the bridleway is maintained in a satisfactory condition at all times to provide a safe and level surface for bridleway users.

Reason: To satisfactorily protect users of the bridleway in accordance with the requirements of Policy M3.26 of the Nottinghamshire Minerals Local Plan.

Premature cessation of operations

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

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