

RECOMMENDED PLANNING CONDITIONS

Implementation and notification

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 at least 7 days, but not more than 14 days, prior to:

- a) the commencement of the development hereby permitted;
- b) completion of borehole drilling;
- c) the commencement of gas extraction;
- d) final cessation of gas extraction.

Reason: To assist with the monitoring of the conditions attached to the planning permission and for the avoidance of doubt.

Scope of permission /approved plans

3. This permission is for a temporary period only expiring 25 years from the date of commencement of gas extraction as notified under Condition 2(c) above. At the end of this period the use shall cease and all plant, machinery, equipment and other built development associated with the permission shall be removed and the land reinstated in accordance with details and timescales approved under Condition 21.

Reason: In the interests of limiting impacts to the setting of the Rufford Abbey Registered Park and Garden and so to ensure a proper restoration of the site in accordance with Policy M3.17 of the Nottinghamshire Minerals Local Plan.

4. The development hereby permitted shall only be carried out in accordance with the following plans and documents, except where amendments are made pursuant to other conditions below or through the approval of a non-material amendment to the permission:

- a) Dwg 14-2530-101 Rev A 'location Plan'; 14-2530-102 Rev A 'Existing Site Layout'; 14-2530-103 Rev C 'Proposed Borehole Platform Layout'; 14-2530-104 Rev E 'Proposed Generation Site Layout'; 14-2530-105 Rev C 'Proposed Site Elevations'; 14-2530-107 Rev A 'Proposed Well Testing and Evaluation Layout'; 14-2530-108 Existing Site Entrance; 14-2530-109 'Proposed Improvement of the Existing Site Entrance'; 14-2530-112 'Proposed Elevations with Landscaping' all dated and received by the MPA on 05/04/18;
- b) Dwg 14-2530-106 Rev E 'Block Plan and Indicative Landscape Scheme' dated and received by the MPA on 25/06/18;

- c) Revised Preliminary Ecological Appraisal by Peak Ecology dated 21/03/18;
- d) Planning Design and Access Statement Revision B received 25/06/18;
- e) Environmental Noise Assessment by Acoustic Associates dated February 2018 and Addendum dated June 2018;
- f) Planning application forms and certificates;

Reason: For the avoidance of doubt and to define the permission.

Archaeology

- 5. No development hereby permitted shall take place until a written scheme for archaeological mitigation has been submitted to and approved in writing by the MPA. The scheme shall make provision for appropriate supervision of top soil stripping utilising machines with toothless buckets and shall also include arrangements for recording and reporting any finds, including timescales. Thereafter the scheme shall be implemented in full accordance with the approved details.

Reason: Details are required to be submitted prior to the commencement of the development to provide mitigation for any possible archaeological remains associated with the Rufford Abbey Registered Parkland and in accordance with Policy M3.24 of the Nottinghamshire Minerals Local Plan.

Highways and rights of way

- 6. No development shall commence on any part of the well site until the site access has been provided on Rufford Lane as shown on plan 14-2530-109 titled Proposed Improvement of the Existing Site Entrance.

Reason: In the interests of highway safety and in accordance with Policies M3.12 and M3.13 of the Nottinghamshire Minerals Local Plan.

- 7. No development shall commence until the visibility splays of 2.4m x 120m are provided in accordance with details to be first submitted to and approved in writing by the MPA. The area within the visibility splays referred to in this Condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6m in height.

Reason: Details are required to be submitted prior to the commencement of the development in the interests of highway safety and in accordance with Policies M3.12 and M3.13 of the Nottinghamshire Minerals Local Plan.

- 8. Prior to the commencement of the development hereby permitted a scheme for the provision of advance warning signage and waymarker posts at the crossing of the access road with Rufford Public Footpath No.8 shall be submitted to the MPA for its approval. The approved scheme shall thereafter be implemented as part of the construction of the access road and maintained in place for the life of the development.

Reason: Details are required to be submitted prior to the commencement of the development for reasons of public and highway safety.

Details of plant, fencing, lighting etc

9. The colour/external finishes of all security fencing, buildings and containerised equipment hereby permitted shall be finished in Ivy or Holly Green.

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

10. The floodlighting for the generation phase of the development as set out in section 4.10 of the Planning Design and Access Statement and as shown on Dwg 14-2530-104 Rev E Proposed Generation Site Layout shall be angled down and shielded to limit light spillage beyond the site boundary.

All floodlighting shall be switched off unless personnel are present on site or unless activated by security sensors for an on- time limit not exceeding 5 minutes or unless required for essential/immediate security reasons.

Reason: In the interests of minimising extraneous light in the rural area as well as its effects on biodiversity in accordance with Policy M3.3 of the Nottinghamshire Minerals Local Plan.

11. Prior to their installation or placement, final details of the following items shall be submitted to the MPA for its written approval:

- i) Details of the new entrance gate onto Rufford Lane;
- ii) The locations, forms and landscape treatment of any soil storage bunds;
- iii) Layout and materials to be used in the construction of the access track ensuring a root protection buffer is provided to adjacent hedgerows/trees.

The development shall be completed in accordance with the approved details.

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

Hours of operation

12. Unless in the event of an emergency which in any event shall be reported to the MPA in writing within 48 hours of its occurrence, the following shall only take place within the prescribed permitted hours.

Operation/phase	Mondays to Fridays	Saturdays	Sundays, Public and Bank Holidays
Construction of access track and well platform	07:30-18:00hrs	07:30-13:00hrs	Not at all

Access and egress of HGVs during any stage	07:30-18:00hrs	07:30-13:00hrs	Not at all
Drilling operations, including mobilisation/demobilisation of the drilling rig	24 hours a day	24 hours a day	24 hours a day
Borehole evaluation and gas testing/flaring	24 hours a day	24 hours a day	24 hours a day
Plant installation and commissioning of production equipment	24 hours a day	24 hours a day	24 hours a day
Operational electricity generation	24 hours a day	24 hours a day	24 hours a day
Restoration of access track and well platform	07:30-18:00hrs	07:30-13:00hrs	Not at all

Reason: In the interests of minimising noise to nearby residential properties and ecological receptors in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.

Construction management

13. No part of the development hereby permitted shall commence until a Construction Environment Management Plan (CEMP) has first been submitted to and been approved by the MPA in writing. All construction shall be undertaken in accordance with the approved details. The CEMP shall specify details of the following:
- a) A traffic routeing scheme detailing all HGV routeing to be via the A616 and avoidance of Rufford Mill and details of wider highway routeing in the area to access the A616;
 - b) A traffic management signage scheme to accompany a) above to provide advance warning and directional signage from Wellow;
 - c) A bridge protection strategy for the passage of construction traffic over the former railway bridge on Rufford Lane with details of the particular safeguarding procedures for the passage of special construction vehicles and details for structural monitoring and reporting during the construction stage;
 - d) Measures/steps to prevent mud being deposited on the highway;
 - e) Measures to control fugitive dust emissions;
 - f) Measures to protect any mammals which may stray into working areas, including the use of ramps or planks in any deep excavations;
 - g) Measures to protect existing trees and hedges in accordance with BS5837:2012 Trees in relation to design, demolition and construction.
 - h) Details of temporary floodlighting required during the construction and drilling phases and its hours of use.

Reason: Details are required to be submitted prior to the commencement of the development in the interests of mitigating the effects of construction and drilling upon the local environment, local amenity and for reasons of highway safety in accordance with policies M3.5, M3.7, M3.12, M3.13, M3.14 and M3.17 of the Nottinghamshire Minerals Local Plan.

14. Operations that involve the removal and destruction of vegetation, including any felling, clearing or removal of trees, shrubs or hedgerows on site, shall not be undertaken during the months of March to August inclusive except where it has been confirmed to the MPA that the vegetation to be removed has been checked for nesting birds immediately before removal by a suitably qualified ecologist and that any necessary mitigation measures to protect active nests have been (or shall be) put in place.

Reason: In the interests of avoiding disturbance to birds, their nests and eggs which are protected by the Wildlife and Countryside Act 1981 (as amended).

Drainage

15. The development hereby permitted shall not commence until such time as a surface water drainage and storage scheme for each phase of the well site has been submitted to and approved in writing by the MPA. The scheme shall detail how surface water will be collected and disposed of including the dimensions and capacity of any surface water storage facility and measures to verify the drainage scheme is water tight during the construction and drilling stage. The scheme shall be implemented in accordance with the approved details for each phase of the development.

Reason: Details are required to be submitted prior to the commencement of the development to ensure the protection of controlled waters in accordance with Policies M3.8 and M3.9 of the Nottinghamshire Minerals Local Plan.

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

Reason: To protect surface and groundwater quality in the area in accordance with Policy M3.8 of the Nottinghamshire Minerals Local Plan.

Landscaping

17. Within 3 months from the commencement of the development hereby permitted and as notified under condition 2a) above a landscape scheme shall be submitted to the MPA for its approval in writing. The scheme shall include the following details:
- a) Full planting and seeding proposals showing numbers, species, positions/densities and sizes (making use of appropriate locally native species), mixes, cultivation or establishment methods and maintenance regimes to provide:
 - i) Replacement hedgerows (and occasional tree) at the site entrance at Rufford Lane;
 - ii) A minimum width of 3m planting to the external boundary of the well site security fence to include tree planting and the management of the existing hedge as well as allowing an appropriate standoff;
 - iii) Details of the landscape treatment/seeding for all soil bunds and peripheral areas with wildflower seed mix.
 - b) A timetable for implementation of the above planting and seeding works.
 - c) A management and maintenance regime effective for the life of the development.

The landscaping scheme shall be implemented as approved and maintained for the life of the development. The permanent retention of any planting as part of the site restoration shall be agreed under condition 21.

Reason: In the interest of visual amenity and biodiversity to accord with Policies M3.3 and M3.4 of the Nottinghamshire Minerals Local Plan.

Controls over future development

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, or any subsequent replacement legislation, no buildings, erections, fixed plant, or machinery, other than those approved, shall be erected or placed on the site, unless full details have been first submitted to and approved in writing by the MPA.

Reason: In the interests of controlling impacts to the setting of the Rufford Abbey Registered Parkland and in the interests of visual amenity.

Noise controls

19. Noise levels at any nearby residential receptors shall not exceed those stated below when measured free-field and in accordance with the relevant standard.

Phase	Daytime Noise Limit at Residential Dwellings dB LAeq,1h	Night Time Noise Limit at Residential Dwellings dB LAeq,15mins	Assessment Standard
Construction	65dB	-	BS5228:1

Drilling	48dB	40dB	NPPG for Mineral Extraction
Flaring	48dB	30dB	NPPG for Mineral Extraction
Operational	38dB	30dB	BS4142 (Inclusive of any penalties)

Where the levels are found to exceed those stated above, the applicant shall submit a scheme of noise mitigation to the MPA within 14 days of undertaking an assessment and implement approved mitigation within a further 14 days of being approved and thereafter resurvey to confirm compliance with the specified noise levels.

Reason: In the interests of minimising noise to nearby residential properties and ecological receptors in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.

Soil handling

20. Soil handling, removal, storage and placement shall be carried out in accordance with the Defra “Good Practise Guide for Handling Soils”. In particular, soils and soil making material shall only be handled and placed when in a suitably dry and friable condition and any surplus topsoil and subsoils shall each be managed and stored separately for subsequent replacement at the restoration stage. The details of the locations of any additional soil stockpiles or bunds shall first be agreed under condition 11.

Reason: In order to maintain the quality of the soil so to ensure the proper restoration of the site in accordance with the requirements of Policy M4.4 of the Nottinghamshire Minerals Local Plan.

Restoration and aftercare

21. A scheme for the restoration and aftercare of the site shall be submitted to the MPA for its approval in writing in the event of the earliest of any of the following:
- a) within three months of the completion of drilling the borehole, as notified under condition 2b above, should the development of the site for mine gas extraction not be pursued; or
 - b) should mine gas extraction cease on the site for a period in excess of six months prior to the expiry of the permission; such scheme to be submitted to the MPA within three months of a written request being made by the MPA; or
 - c) Within three months of final cessation of gas extraction as notified under condition 2d above.

The restoration and aftercare scheme shall be carried out in accordance with the approved details with restoration and planting/ seeding works being implemented

in the first available planting and seeding seasons following approval by the MPA. The date of entry into aftercare shall be agreed in writing with the MPA and the aftercare period shall run for 5 years after this date unless otherwise determined by the MPA at periodic site inspections.

Reason: To secure proper restoration of the site within an acceptable timescale and in accordance with Policy M13.7 of the MLP.

Notes to applicant

1. Pursuant to condition 13c requiring a bridge protection strategy for the former railway bridge of Rufford Lane, the details should include how the developer and contractors will ensure that special construction vehicles (including drilling rig and cranes) cross the bridge under supervision following adherence to the carriageway centreline, at crawl speed with no lurching, breaking, or gear changing in accordance with the advice of Highways England (Historical Railway Estates). The strategy should also detail the steps required to monitor the bridge structure during the construction stage in consultation with Highways England.
2. With regards to condition 8 (public footpath crossing scheme) the requirements for waymarker posts are contained within the attached response from the Rights of Way Officer. Please contact countryside.access@nottscc.gov.uk should you wish to procure these. Any temporary footpath closures will also have to be agreed in advance with the Countryside Access Team.
3. Where it is intended to store over 200 litres of oil at an industrial, commercial or institutional site, the Control of Pollution (Oil Storage) (England) Regulations 2001 will apply. Where these regulations do not apply, any facilities, above ground, 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 should be at least equivalent to the capacity of the tank 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 into the bund.
4. In order to carry out the off site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact David Albans (0115) 804 0015 for details.
5. It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.
6. Pursuant to condition 17 landscape planting should make use of appropriate locally native species. A list of suitable species for the Mid Nottinghamshire Farmlands County Landscape Character Area) is attached. Please note that at the present time because of the prevalence of 'Ash Dieback', Ash (*Fraxinus excelsior*) should not be included in any planting mixes.

