

## RECOMMENDED PLANNING CONDITIONS

### Commencement and duration of the development

1. This permission is for the continuation of the extraction and processing of silica sand, including the provision of a site access road, landscaping and screening bunds. Sand and soil processing plants and other associated infrastructure. Restoration to agriculture and nature conservation. Quarry offices, quarry processing plant, sand drying, sand bagging plant and quarry lagoons and subsequent amendments with respect to conditions 5, 22, 31 and 55 as originally attached to planning permission 4/V/2017/0690.

The development hereby permitted shall be begun within 3 months from the date of this permission.

*Reason: For the avoidance of doubt and to define the permission and to comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990. The permission requires commencement within 3 months as a result of its partially retrospective nature.*

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, including any subsequent approved modifications 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 and the subsequent amendments as listed under condition 14 below;
- (vi) 'Plan PA10 – Cross-Sections Through Proposed Design' received by the MPA on 30 March 2010;
- (vii) Dwg 'Working Method -Phase 1 Revised May 2019' received by the MPA on 3 September 2019 and 'Appendix A- High Level Lagoons' received by the MPA on 28/02/19 (in respect of application ref 4/V/2019/0614).
- (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 PA3 – Proposed Restoration Scheme & Cross Section' received by the MPA on 28 February 2019 (in respect of application ref 4/V/2019/0614).
- (xv) 'Plan R22-12 – Site Location and 400m Margin to Residential Properties' received by the MPA on 30 March 2012;
- (xvi) Planning application forms and Supporting Statement received by the MPA on 28/02/19. Landscape and Visual Appraisal Statement received 03/09/19 (in respect of application ref 4/V/2019/0614).

*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 to 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 routing 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. The number of HGVs entering and leaving the site shall not exceed the following:
- a) Except for the period 1 May to 30 June 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).
  - b) For the period 1 May to 30 June 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 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:

Dwgs PL13-1 Rev 6– Proposed Plant Layout and Elevations and PL13-2 Rev 6– Cross Sections Through Proposed Plant, (both received by the MPA 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 and as further amended by:

Dwg 'TO 18-1 V3 Proposed Site Offices' received by the MPA on 27/11/08 along with the accompanying photographs (additional photographs received on 20/11/18) pursuant to NMA3928 approving additional site offices etc on 04/12/18 and;

Dwgs 'Gravel Plant Location & Lagoon 11 Design – Plant Area November 2019' dated 27/11/19, 'Gravel Plant Location & Lagoon 11 Design – Quarry Area November 2019' dated 09/08/19 and 'Indicative Gravel Plant Sections' dated 27/11/19 received by the MPA on 29/11/19 along with the accompanying overview document received by the MPA on 11/07/19, pursuant to NMA4018 approving a revised gravel washing plant on 29/11/19.

*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, conveying, processing or treatment	6am to 8pm	7am to 1pm	Not at all
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 two motorised scrapers, 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 two motorised scrapers and a 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. Soil handling shall be undertaken in accordance with the general Soil Handling and Soil Movement Scheme for Two Oaks Quarry received by the MPA on 19/4/13 (under 4/2010/0178). 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 with British Seed House A4 Low Maintenance seed mix at 35g/m<sup>2</sup> unless an alternative seed mix is otherwise previously agreed in writing by the MPA. Seeding should aim to provide a suitable grass sward on the outside faces of any perimeter storage mounds/screening bunds and a winter supply of high energy seed yielding plant species on the inside faces as well as 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:

<b>Phase</b>	<b>Date for restoration details to be submitted</b>
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 PA3 – Proposed Restoration Scheme & Cross Section' received by the MPA on 28 February 2019 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.*

*End of conditions*

#### **NOTES TO APPLICANT**

- 1. This notice of planning permission and the attached conditions should be read alongside the associated Section 106 legal agreement sealed on 19 September 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.**