

RECOMMENDED PLANNING CONDITIONS

GEDLING DISTRICT REF. NO.: 7/2017/1491NCC

PROPOSAL: 4.5 HECTARE EASTERN EXTENSION TO EXISTING SAND QUARRY WITH RESTORATION TO NATURE CONSERVATION

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 operator shall provide written notification of commencement of the development hereby permitted to the Mineral Planning Authority (MPA) at least seven days but no more than fourteen days prior to the commencement of the development.

Reason: To assist with the monitoring of the planning permission.

Development Granted Planning Permission

3. This permission relates to a 4.5hectare eastern extension of Bestwood II Quarry with restoration to a mixed ecological based habitat. The planning permission is issued subject to a Section 106 legal agreement which regulates habitat creation and management works as off-set habitat at Calverton (Burntstump) Quarry. Except where amendments are made pursuant to the other conditions attached to the permission, the development hereby permitted shall be carried out in accordance with the following documents:
 - a. Planning application form dated 2nd May 2017 and received by the MPA on 21st November 2017.
 - b. Planning Statement dated April 2017 and received by the MPA on 21st November 2017.
 - c. Environment Statement, technical appendices and Supporting Non-Technical Summary dated April 2017 and received by the MPA on 21st November 2017.
 - d. Submission of further information under Regulation 25 dated July 2018 and received by the MPA on 20th July 2018.
 - e. Drawing No. SPS 1: Site Plan dated April 2017 and received by the MPA on 21st November 2017.
 - f. 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 and to assist with the monitoring of the planning permission.

Duration of Planning Permission

4. All sand extraction operations shall cease within ten years from the date of commencement, as notified under condition 2 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.

5. The quarry shall be developed on a phased basis incorporating ongoing extraction and restoration in accordance with the details shown Drawing No.'s D16PD118/218/318/418/518.PDF: Eastern Extension Area – Phase 1 – Phase 5. Final quarry restoration works within the Eastern Extension shall be completed within one year of the completion of mineral extraction, or within eleven years of the date of commencement, as notified under Condition 2, whichever is sooner.

Reason: To secure the proper restoration of the site within an acceptable timescale and in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan.

Buildings, Fixed Plant and Machinery

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any future replacement order), 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, in particular the openness of the Green Belt, in accordance with Policy M3.3 of the Nottinghamshire Minerals Local Plan.

Quarry Access

7. All mineral extracted from the Eastern Extension shall be processed within the existing sand processing plant in the original quarry area and thereafter transported via the existing quarry access road to the A60. There shall be no vehicular, plant or pedestrian access in connection with the quarrying operations hereby approved from any other point on the boundary of site.

Reason: In the interest of highway safety and amenity of surrounding land users in accordance with Policy M3.13 of the Nottinghamshire Minerals Local Plan.

Annual Topographical Survey

8. A topographical survey of the site shall be submitted to the MPA by 31 December each year, following the commencement of the planning permission. The survey shall identify areas of the site which are unworked, those restored, those undergoing mineral extraction and those to be restored.

Reason: To monitor the phased extraction and restoration of the quarry in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan.

Working Hours

9. Mineral extraction, movement/conveying, soil stripping and quarry restoration works shall only take place within the Eastern Extension between the hours of 7.00 am and 7.00 pm Monday to Friday, 7.00am to 6.00pm on Saturdays and at no time on Sundays, Public or Bank Holidays, except in cases of emergency which shall be notified to the MPA in writing within 48 hours of their occurrence.

Reason: In the interest of amenity and in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.

Drainage and Pollution Prevention

10. There shall be no discharge of foul or contaminated drainage from the Eastern Extension 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.

11. 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

The free field noise levels associated with the operation of the development attributable to normal operations at the site, 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:

Location	Maximum site noise limit dB LAeq,1h (free-field)
Former 1 st Galaxy Fireworks	48
Woodland Grange	53
270 Longdale Lane	48
284 Longdale Lane	47
Longdale Plantation	50
Forest Farm Cottages	47

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

12. 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.

13. 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.

14. All reversing warning devices fitted to plant and machinery operated on the site shall utilise white noise warning devices. Reversing beepers shall not be utilised.

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.

15. In the event that a complaint is received regarding noise arising from the development hereby permitted which the MPA considers may be justified the operator shall, within 1 month of a request of the MPA, undertake and submit to the WPA for its written approval a BS4142:1997 noise survey to assess whether noise arising from the development exceeds the limits set out within Conditions 12 and 13 above. The monitored noise levels are to be "free-field" carried out at a height of 1.2m to 1.5m above ground level and presented as a LAeq1hour, value. In the event that the noise survey indicates that the levels set out within Conditions 12 and 13 are exceeded then the submitted survey shall include further measures to mitigate the noise impact so as to ensure compliance with the noise criterion. Any additional noise mitigation measures approved by the MPA shall be implemented within one month of the date of their approval and shall thereafter be maintained in accordance with the approved details.

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. Measures shall be taken to minimise the generation of dust from operations at the site. These shall include, but not necessarily be limited to any or all of the following steps as appropriate:

- a. The use of water bowsers to dampen haul roads, stock-piles and other operational areas of the site;
- b. The sweeping of access and haul roads, where necessary;
- c. The minimisation of drop heights during loading and unloading of sand and gravel;
- d. Limiting on-site vehicle speeds;
- e. The use of sealant as appropriate to create a crust on dusty surfaces.
- f. Upon request of the MPA, the temporary suspension of mineral processing, mineral extraction or soil movements during periods of unfavourably dry or windy weather conditions.

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

Archaeology

17. No stripping of soil shall take place on the site until a written scheme of archaeological investigation has been submitted to and approved in writing by the MPA. The preparation of the written scheme of archaeological investigation shall be informed from a Lidar survey of the application site. The results of the Lidar survey shall be used to identify targeted areas of potential archaeological interest within the site and the written scheme of archaeological investigation shall incorporate a methodology for the archaeological investigation and treatment of the site and the arrangements for reporting the results of this investigation. The archaeological scheme of investigation shall be implemented as approved. The written report of the archaeological investigation shall be submitted to the MPA within 12 months of the completion of soil stripping.

Reason: To ensure that that adequate archaeological investigation and recording is undertaken prior to the development taking place, in accordance with Policy M3.25 of the Nottinghamshire Minerals Local Plan.

Tree protection.

18. A tree protection methodology for the retained trees around the perimeter of the quarry excavation area shall be agreed in writing with the MPA prior to the commencement of any tree felling works on the site. Individual trees which are identified to be retained within the Arboricultural Report (Reference: CE-BS-1034-RP08 – FINAL: specifically, chapter 5 and supporting Drawing no. D16 Ext East (Drawing D16 Bestwood 2)) shall be protected from damage/felling throughout the life of the quarry development. Individual trees which are identified to be retained shall be tagged to assist with their identification prior to the commencement of any tree felling work. Works in the vicinity of the retained trees shall thereafter by

undertaken in compliance with the approved tree protection methodology at all times.

Reason: To protect the integrity of the boundaries of the site in accordance with Policy M3.4 of the Nottinghamshire Minerals Local Plan and provide opportunities for ecological enhancements.

Screening of site during its operational life

19. In the first planting season following the commencement of soil stripping in the Eastern Extension, supplementary woodland planting shall be provided along the southern boundary of the application site in accordance with the scheme submitted as part of the Arboricultural Report (Reference: CE-BS-1034-RP08 – FINAL) Paragraphs 5.3.1 – 5.3.7. The species mix used within the woodland planting area shall be as set out below (and not as detailed in paragraph 5.3.7 Table 3):

- 15 No Rowan
- 15 No Scots Pine
- 10 No Holly
- 5 No Oak
- 5 No Sweet Chestnut.

Reason: To protect the integrity of the boundaries of the site in accordance with Policy M3.4 of the Nottinghamshire Minerals Local Plan and provide opportunities for ecological enhancements.

Ecology

20. Supplementary nesting boxes shall be installed to target the enhancement of the willow tit population in the area surrounding the quarry within six months of the commencement of the planning permission. The location of the nesting boxes shall be agreed in writing with the MPA prior to their installation.

Reason In the interest of protecting species and their habitats, in accordance with government policy set out within the National Planning Policy Framework.

21. Site clearance operations that involve the destruction and removal of vegetation, including felling, clearing or removal of trees, shrubs or hedgerows shall not be undertaken during the months of March to August inclusive, except when approved in writing by the MPA and in such circumstances following the carrying out and submission in writing to the MPA for approval in writing of an ecological appraisal undertaken by an appropriately qualified person.

Reason To ensure that breeding birds are not adversely affected by the development in accordance with government policy set out within the National Planning Policy Framework.

22. Prior to any tree removal, a licensed bat worker shall re-survey all trees to be felled. The results of the bat survey shall be submitted in writing to the MPA. If bats are present, a working design, method and timetable to mitigate any undue adverse effects on the species involved shall be submitted to the MPA for approval in writing. The mitigation measures shall be implemented as approved.

Reason In the interest of protecting species and their habitats, in accordance with government policy set out within the National Planning Policy Framework.

23. Prior to any vegetation clearance within any phase of the development a walk over survey shall be carried out by an appropriately qualified ecologist to ensure that no badger setts have become established within the working area. The results of the walk over survey shall be submitted in writing to the MPA. If badgers are present, a working design, method and timetable to mitigate any undue adverse effects on these species shall be submitted to the MPA for approval in writing. The mitigation measures shall be implemented as approved.

Reason In the interest of protecting species and their habitats, in accordance with government policy set out within the National Planning Policy Framework.

24. Any protected amphibians or reptiles encountered during the operational life of the quarry shall be removed carefully by hand and moved to a safe location.

Reason In the interest of protecting species in accordance with government policy set out within the National Planning Policy Framework.

25. No floodlighting shall be installed on the site without the prior written consent of the MPA. In the event that consent is sought for floodlighting, the operator shall provide a specification of the proposed floodlighting including its location, angling, shielding and hours of operation which shall be submitted to and approved in writing by the MPA prior to its installation on site. Development shall be carried out in accordance with the approved details.

Reason To minimise impact on the amenity of the local area, in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan and to minimise disturbance to bat activity and their roosts.

26. Prior to the stripping of soils from the Eastern Extension area, a working plan shall be submitted setting out the methodology for the creation and subsequent management of the off-set/mitigation habitats that are to be created in the existing quarry, specifically:

- a. The methodology for creating the woodland soil receptor site (3.48ha) including arrangements for direct placement of stripped woodland soils and translocated tree root plates and selected felled timber.
- b. The methodology for creating the additional heathland (2.55ha) within the quarry floor and side slopes.
- c. The methodology for creating the additional woodland (2.42ha) within the quarry.

- d. The methodology for creating the new heath grassland (1.15ha) within the quarry.
- e. The methodology for creating the new wetland (0.34ha within the quarry).

Soil stripping in the Eastern Extension shall not commence until such time that off-set/mitigation strategy is approved in writing by the MPA. The habitats shall thereafter be provided and managed in accordance with the approved details.

Reason In the interest of protecting species and their habitats, in accordance with government policy set out within the National Planning Policy Framework.

- 27. Prior to the stripping of soils within the Eastern Extension the acoustic fence identified along the eastern boundary of the extraction area as identified on Drawing No. D16PD218.PDF – Eastern Extension Phase 2 Development shall be installed in accordance with the details provided as part of Appendix 4 of the Regulation 22 submission. The fence shall thereafter be retained throughout the operational life of the quarry.

Reason: To minimise noise emissions from the development into potentially noise sensitive bird breeding habitats, in accordance with government policy set out within the National Planning Policy Framework.

Soil Stripping, Handling and Storage

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

Reason To ensure satisfactory restoration of the site, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

- 29. No turf, topsoil, subsoil or overburden shall be removed from the Bestwood II Quarry. No waste materials including soils and mineral working wastes shall be brought onto the site.

Reason To ensure satisfactory restoration of the site, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

- 30. All soil handling shall be carried out in accordance with the MAFF 'Good Practice Guidance for Handling Soil' (2000) and the DEFRA 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (2009).

Reason: To ensure proper restoration and in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

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

- a. The size, location, volume and composition of soil to be stripped;

- b. Details of where the soils will be placed either for direct placement as part of phased restoration operations, or their storage within mounds;
- c. The types of machinery to be used;
- d. The routes to be taken by plant and machinery involved in soil handling operations;
- e. The depths of subsoil and topsoil to be replaced;
- f. The spacing and depth of any post-replacement soil ripping and cultivations.

The development of that phase shall thereafter be carried out in accordance with the approved scheme.

Reason To ensure satisfactory restoration of the site, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

- 32. The topsoil shall be stripped to the full depth of not less than 300mm, and all subsoil shall be stripped to its full depth.

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

- 33. 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 overburden or waste or mineral deposits until all available topsoil and subsoil to a minimum depth of 1000mm has been stripped from that part.

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

- 34. Soil stripping shall not commence until any standing vegetation has been cut and removed from the area to be stripped.

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

- 35. Topsoil, subsoil, and soil making material shall only be stripped when it is in a dry and friable condition and movements of soils shall only occur when all soil above a depth of 300mm is in a suitable condition that it is not subject to smearing and when topsoil is sufficiently dry that it can be separated from subsoil without difficulty.

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

36. All storage mounds that will remain in situ for more than 6 months, or over winter, shall be seeded with a suitable mix to benefit farmland birds within 3 weeks of their construction in accordance with a seed mixture which has been agreed in writing by the MPA. The mounds shall thereafter be maintained free of weeds until used for restoration purposes.

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

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

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

Soil Replacement

38. The MPA shall be notified in writing at least 5 working days before each of the following:

- a. overburden has been prepared ready for soil replacement to allow inspection of the area before further restoration of this part is carried out, and
- b. 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
- c. 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 proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

39. Subsoils shall only be replaced on those parts of the site which are restored above water level when the ground on which they are to be placed is in a dry and friable condition and no movements, re-spreading, 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 soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

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

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

41. Subsoil shall be re-laid so that the total thickness of settled subsoil is no less than 0.7 metres.

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

42. Each subsoil layer shall be cross-ripped:

- a. to provide loosening to a minimum depth of 450mm with tine spacings no wider than 1.5m, and
- b. 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 disposed of off-site or buried at a depth not less than 2 metres below the final contours.

Reason To ensure 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. Topsoil shall be evenly re-spread on the land to achieve at least a minimum of 300mm settled depth.

Reason To ensure 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. The re-spread topsoil shall be rendered suitable for agricultural cultivation by loosening:

- a. to provide loosening equivalent to a single pass at a tine spacing of 1.5 metres or closer;
- b. to full depth of the topsoil plus 100mm;
- c. and 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 removed from the site or buried at a depth not less than 2 metres below the final settled contours.

Reason To ensure 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. The operator shall take all reasonable precautions to prevent the mixing of topsoil, subsoil and overburden.

Reason: To ensure proper restoration and in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

Restoration

46. The phased restoration plan and landscaping scheme for the total application site shall be carried out in accordance with Drawing No. D16PD618.PDF: Eastern Extension Area – Final Restoration received by the MPA on 20th July 2018. The implementation of the restoration and landscaping scheme shall be carried out progressively in general compliance with the timetable shown on Drawing No.'s D16PD118/218/318/418/518.PDF: Eastern Extension Area – Phase 1 – Phase 5. The backfilled material shall be levelled and graded in accordance with the restoration contours identified on the plan and the level of the site.

Reason: To ensure proper restoration and in accordance with Policy M4.4 of the Nottinghamshire Minerals Local Plan.

47. At the completion of each phase of restoration the operator shall meet on site with representatives of the MPA, and other parties with an interest in the land. The purpose of the meeting shall be to agree that the replacement material conforms generally with the landform and levels as set out in the agreed restoration plan.

Reason: To ensure proper restoration and in accordance with Policy M4.4 of the Nottinghamshire Minerals Local Plan.

Aftercare

48. Following restoration the land shall undergo aftercare management for a 25 year period.

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

49. Prior to any area 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 aftercare period shall run from the agreed date.

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

50. An aftercare scheme and strategy shall be submitted for the written approval of the MPA no later than 3 months before the spreading of subsoil commences within each phase. The strategy shall outline the steps to be taken, the period during which they are taken, and who will be responsible for taking those steps to ensure the land is restored and brought back to a satisfactory condition. 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 arrangements;
- g. subsoiling and underdrainage proposals;
- h. management practices such as the cutting of vegetation;
- i. tree protection;
- j. remedial treatments;
- k. irrigation; and
- l. fencing.

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

51. 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 51(e) above, having regard to the condition of the land; progress in its rehabilitation and necessary maintenance.

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

52. The aftercare programme shall be implemented in accordance with the details approved under Condition 51 above, as amended following the annual site meeting referred to in Condition 52 above.

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

Cessation of Workings

53. Should, for any reason the winning and working of minerals from the application site cease for a period in excess of 6 months which in the reasonable opinion of the MPA constitutes a permanent cessation of mineral extraction, 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 to 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 modified by these conditions. The revised restoration scheme shall be implemented within 12 months of its approval by the MPA, and shall be subject to the aftercare provisions of Conditions 49 – 53.above.

Reason: To achieve a satisfactory restoration of the site in the event of premature closure of the site.

Notes to Applicant

1. The Environment Agency advise that abstractions for the purpose of dewatering mines, quarries or engineering excavations are currently exempt from the need for a licence under the Water Resources Act 1991. This changes under the Water Act 2003 and draft regulations have been laid in parliament before coming into force from 1st January 2018. Once the regulations become live on 1st January 2018 a licence will be required for the majority of dewatering activities. There will be a two year application window until December 2019 for applications for existing dewatering operations to be made, to be followed by a three year determination period (from January 2020) for the Agency to process them. If the dewatering operations will take commence after 1st January 2018 the applicant would need to consult us at the earliest opportunity to discuss licensing requirements. Any new licence would be dependent on whether resources are available as set out in the abstraction licensing strategy. The applicant should be aware that the Sherwood Sandstone aquifer at Bestwood is closed to further consumptive abstraction licences. A copy of the Abstraction Licensing Strategy for the Lower Trent and Erewash area can be found on Gov.uk following the link below:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/291403/LI
2. Cadent Gas advise that there is a 610mm high pressure gas pipeline which runs adjacent to the eastern boundary of the extension area. The applicant is reminded of their legal obligations to ensure the safety and integrity of this pipeline is protected. The scheme of protection shall have regard to the legal obligations imposed through the 1965 Deed of Grant which includes the provisions under the Mining Code.