

RECOMMENDED PLANNING CONDITIONS

1. The development hereby permitted shall commence within 18 months of the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. This planning permission is only for the extraction of sand and gravel together with the erection of a mobile processing plant and ancillary infrastructure within the area edged red on 'Drawing Number 14_C048_CROM_001 – Site Location' received by the Mineral Planning Authority (MPA) on 28 October 2014 and for the restoration of that land to a nature conservation lake, marginal reedbed habitat, seasonally wet grassland, neutral grassland and other associated habitat.

Reason: To define the permission and for the avoidance of doubt.

3. Except where amendments are made pursuant to the other conditions attached to this permission, the development hereby permitted shall be carried out in accordance with the following plans and documents:

- (a) Planning application forms, planning statement and environmental statement received by the MPA on 28 October 2014;
- (b) Regulation 22 submission received by the MPA on 6 March 2015;
- (c) Drawing Number P1/1379/6G – Method of Working Initial Plant Site Set Up received by the MPA on 6 March 2015;
- (d) Drawing Number P1/1379/6G – Method of Working Phase 1 received by the MPA on 6 March 2015;
- (e) Drawing Number P1/1379/6G – Method of Working Phase 2 received by the MPA on 6 March 2015;
- (f) Drawing Number P1/1379/6G – Method of Working Phase 3 received by the MPA on 6 March 2015;
- (g) Drawing Number P1/1379/6G – Method of Working Phase 4 received by the MPA on 6 March 2015;
- (h) Drawing Number P1/1379/6G – Method of Working Phase 5 received by the MPA on 6 March 2015;
- (i) Drawing Number P1/1379/6G – Method of Working Phase 6 received by the MPA on 6 March 2015;

- (j) Drawing Number P1/1379/6G – Method of Working Phase 7 received by the MPA on 6 March 2015;
- (k) Drawing Number P1/1379/6G – Method of Working Phase 8 received by the MPA on 6 March 2015;
- (l) Drawing Number P1/1379/6G – Method of Working Phase 9 received by the MPA on 6 March 2015;
- (m) Drawing Number P1/1379/6G – Method of Working Phase 10 received by the MPA on 6 March 2015;
- (n) Drawing Number P1/1379/6G – Method of Working Working of Plant Site received by the MPA on 6 March 2015;
- (o) Drawing Number P1/1379/6G – Method of Working Restoration of Plant Site and Silt Lagoons received by the MPA on 6 March 2015;
- (p) Drawing Number P1/1379/6G – Method of Working Restoration of the Land and Silt Lagoons received by the MPA on 6 March 2015;
- (q) Drawing Number P1/1379/9/D – Restoration Plan received by the MPA on 6 March 2015.

Reason: To define the permission and for the avoidance of doubt.

4. No development shall take place until revised phasing plans to replace those plans numbered P1/1379/6G in Condition 3 above have been submitted to, and approved in writing by, the MPA. The revised phasing plans shall clearly identify all three existing ponds on the site as being retained and shall be annotated to show a ten metre buffer zone around each. The development shall subsequently be carried out in accordance with these revised phasing plans.

Reason: For the avoidance of doubt, to ensure the protection of protected species and their habitats in accordance with Policy M3.21 of the Nottinghamshire Minerals Local Plan, and to allow for the phased extraction and restoration of the site in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan.

5. No excavation shall take place outside the extraction area as shown on the Method of Working Plans (Drawing Numbers P1/1379/6G – Initial Site Set Up through to Restoration of the Land and Silt Lagoons) received by the MPA on 6 March 2015.

Reason: To define the permission and for the avoidance of doubt.

6. From the commencement of the development to its completion a copy of this planning 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 an easy reference and to encourage compliance with the requirements of this permission.

7. The following dates shall be notified in writing to the MPA at least seven days prior to this planning permission being implemented.
 - (a) The commencement of site preparation works;
 - (b) The commencement of mineral extraction.

Reason: To enable adequate control of the development by the MPA and to minimise its impact on the amenities of the local area.

Duration

8. All mineral extraction shall cease on or before a date twelve years from the date of the commencement of mineral extraction, as notified under Condition 7 above. The MPA shall be notified in writing of the date when mineral extraction ceases within 14 days of its occurrence.

Reason: To minimise the duration of disturbance from the development hereby permitted, in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan.

9. All restoration operations in accordance with conditions 33-35 below shall be completed on or before a date thirteen years from the date of the commencement of mineral extraction, as notified under Condition 5 above.

Reason: To ensure the satisfactory restoration of the site in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan.

Operations – Access and Initial Construction

10. All vehicles accessing and leaving the site shall only do so via the access road highlighted in yellow and marked as 'Access Road to the Quarry' on 'Drawing Number P1/1379/13 – Weighbridge Location Plan' received by the MPA on 12 February 2009 and approved in writing by the MPA on 15 May 2009. The access road shall be hard surfaced in accordance with details previously submitted to, and approved in writing by, the MPA which shall include details of the repair or resurfacing of that part of the access road previously used to access the former quarry to the north of the site. The access road shall be surfaced or resurfaced/repared in accordance with the approved details prior to any vehicles accessing and leaving the site and shall thereafter be maintained to the satisfaction of the MPA to ensure that no vehicle shall leave the site in a condition whereby mud or other deleterious material is trafficked onto the public highway.

Reason: In the interests of road safety, in accordance with Policy M3.12 of the Nottinghamshire Minerals Local Plan.

11. Wheel cleaning facilities and procedures for outbound vehicles shall be provided in accordance with the document entitled 'Submission of Details under Condition 10 of Planning Permission 3/03/0262/CMA' received by the MPA on 29 September 2008 and approved in writing by the MPA on 15 May 2009.

Reason: In the interests of road safety, in accordance with Policy M3.12 of the Nottinghamshire Minerals Local Plan.

12. All outbound vehicles shall use the wheel cleaning facilities and procedures approved under Condition 11 above and the wheel cleaning facilities shall be maintained in an effective state for the duration of the development so that no vehicle shall leave the site in a condition whereby mud or other deleterious material is carried onto the public highway.

Reason: In the interests of road safety, in accordance with Policy M3.12 of the Nottinghamshire Minerals Local Plan.

13. All HGVs transporting minerals from the site shall be sheeted prior to leaving site.

Reason: In the interests of road safety, in accordance with Policy M3.12 of the Nottinghamshire Minerals Local Plan.

Hours of Working

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

	Mondays to Fridays	Saturdays	Sundays, Public and Bank Holidays
Mineral extraction, processing or treatment	7am to 7pm	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	7am to 5pm	7am to 4pm	Not at all
Heavy goods vehicles entering and leaving the site	7am to 6pm	7am to 1pm	Not at all

Reason: To protect the amenities of local residents in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.

Operations

15. Notwithstanding the generality of Condition 5 above, there shall be no excavation within 45 metres measured horizontally from the landward toe of the floodbank adjacent to the River Trent.

Reason: To ensure that existing flood defences remain effective in accordance with Policy M3.9 of the Nottinghamshire Minerals Local Plan.

16. Only electric pumps shall be used when required to dewater the workings except in cases of emergency which shall be notified immediately to the MPA.

Reason: To protect the amenities of local residents in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.

17. All plant and machinery on site shall be regularly serviced and maintained to ensure that noise emissions do not exceed the manufacturers' specifications. In the event that the manufacturers' maximum operating noise levels are exceeded then the machinery shall be switched off and repaired/adjusted so as to ensure compliance with these operating noise levels.

Reason: To protect the amenities of local residents in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.

18. All plant and vehicles under the control of the operator must only employ white noise (broadband) reversing alarms when operating on the site.

Reason: To protect the amenities of local residents in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.

19. Best practicable means shall be taken to minimise the generation of dust from operations at the site. These shall include, but not be restricted to, taking any or all of the following steps as appropriate.

(a) The use of water bowsers to dampen haul roads and other operational areas of the site;

(b) Upon request from the MPA, the temporary suspension of mineral extraction, soil and overburden stripping and replacement operations during periods of unfavourable dry and windy weather conditions.

Reason: To protect the amenities of local residents in accordance with Policy M3.7 of the Nottinghamshire Minerals Local Plan.

20. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious 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 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.

21. All foul drainage must be contained within a sealed and watertight cesspit fitted with a level warning device.

Reason: To minimise the risk of pollution to the local water environment in accordance with Policy M3.8 of the Nottinghamshire Minerals Local Plan.

Processing Plant

22. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order for the time being in force, no fixed plant or machinery shall be erected on the site until full details of the processing plant, other plant and any ancillary buildings to be erected, including their location and colour of external surfaces, have been submitted to, and approved in writing by, the MPA. The height of the processing plant shall not exceed approximately 15 metres above the base of the plant site. The processing plant and ancillary buildings shall be erected in accordance with the approved details and shall thereafter be maintained to the satisfaction of the MPA for the duration of the development hereby permitted.

Reason: To minimise any visual impact from the development in accordance with Policy M3.3 of the Nottinghamshire Minerals Local Plan.

23. The processing plant shall be removed from the site upon the completion of mineral extraction operations, to be notified in accordance with Condition 8 above, and all other plant, ancillary buildings and associated structures removed from the site within 12 months of the completion of mineral extraction.

Reason: In the interest of visual amenity in accordance with Policy M3.3 of the Nottinghamshire Minerals Local Plan.

24. No floodlighting or security lighting shall be used on site except in accordance with details previously submitted to, and approved in writing by, the MPA. The details shall ensure that the floodlighting or security lighting shall be angled downwards and suitably shielded to ensure that it does not result in glare or dazzle to surrounding land. The floodlighting and security lighting shall not be used outside the hours of operations detailed in Condition 14 above. Outside these hours any external lighting shall be individually operated through a movement sensor switch with a maximum lighting cycle not exceeding five minutes. The floodlighting and security lighting shall be implemented and maintained in accordance with the approved details for the life of the development hereby permitted.

Reason: To minimise the visual intrusion of the development in accordance with Policy M3.3 of the Nottinghamshire Minerals Local Plan.

Archaeology

25. Archaeological works at the site, and the reporting of findings to the MPA, shall be carried out in accordance with the Trent and Peak Archaeology document entitled 'Archaeological General Project Design for Sand and Gravel Extraction at Land East of Cromwell, Nottinghamshire' received by the MPA on 12 August 2009.

Reason: To ensure that adequate archaeological investigation and recording is undertaken in accordance with Policy M3.24 of the Nottinghamshire Minerals Local Plan.

Protected Species Mitigation Plan

26. No development shall commence until a Protected Species Mitigation Plan, based on the mitigation measures proposed in the Ecological Appraisal and Impact Assessment received by the MPA on 28 October 2014, has been submitted to, and approved in writing by, the MPA. The Mitigation Plan shall include details of the following:

- (a) Details of the fencing, including its type and precise location, to be used to fence off ten-metre buffer zones around the three existing ponds on the site in order to retain suitable amphibian and reptile habitat on site throughout the development hereby permitted;
- (b) Details of the fencing, including its type and precise location, to be used to fence off the eastern side of the site to prevent reptiles along the river corridor from entering the working quarry;
- (c) Details of the management of the three ponds and their ten-metre buffer zones to ensure the provision of suitable amphibian and reptile habitat throughout the development hereby permitted, including details of the monitoring of the levels and the quality of the water in the ponds;
- (d) Details of purpose built hibernacula to be provided in the buffer zones around each of the three ponds;
- (e) Details of the hand searching, including the timing of such hand searching, of each phase for amphibians and reptiles to be undertaken prior to any works commencing in that phase;
- (f) Details of the capture and translocation of any amphibians and reptiles discovered as a result of the hand searching undertaken in accordance with (d) above;
- (g) Details of pre-commencement checks of each phase to be undertaken for badgers prior to any works commencing in that phase;

- (h) Details of the measures to be undertaken to ensure that any vegetation in operational areas, and areas which have been previously hand searched and which are soon to become operational, is maintained as a very short sward or bare earth to deter amphibians and reptiles from entering these areas;
- (i) Details of all hedgerows, trees and shrubs within and on the boundary of the site which are to be retained, protected, enhanced and managed for the duration of the development hereby permitted and the subsequent aftercare period, including a plan which clearly identifies those hedgerows, trees and shrubs which are to be lost, and those which are to be retained, in addition to details of the measures to be used to protect retained vegetation, including the provision of suitable stand-off distances from operations on site and/or the use of protective fencing;
- (j) Details of the management of those hedgerows to be retained on site, including the frequency of strimming, in order to increase their size and density in order to provide enhanced habitat for birds and foraging habitat for bats;
- (k) Details of the protective barrier fencing to be erected between quarry operations and all hedgerows and trees to be retained on site, including details of their maintenance throughout the life of the development hereby approved, in order to prevent damage to hedgerow and trees from machinery;
- (l) Details of the provision of rough grassland banks on non-operational areas of the site, including details of the areas to be affected, the seed mix to be used, its rate of sowing, and its subsequent maintenance throughout the life of the development hereby approved;
- (m) Details of the provision of 10 metre wide field margins on all phases yet to be worked which shall be seeded with high energy rapid establishment seed mixes, the details to include the subsequent management of these margins until such time as that phase becomes operational;

Reason: To provide suitable protection and habitats for protected species on the site in accordance with Policy M3.21 of the Nottinghamshire Minerals Local Plan.

Protected species

- 27. Should there be a need to remove the tree identified on the Method of Working Plans (Drawing Number P1/1379/6G), as superseded through the submission under Condition 4 above, no works to the tree shall be undertaken until it has been the subject of a full bat emergence survey, undertaken in accordance with details previously submitted to, and approved in writing by, the MPA. The survey shall be carried out in accordance with the approved details and, should the presence of roosting bats in the tree be identified, details of mitigation measures to be implemented prior to the removal of the tree shall be submitted

to the MPA for its approval in writing. The approved mitigation measures shall be implemented in accordance with the approved details prior to the tree being removed.

Reason: To provide the necessary conservation of protected species in accordance with Policy M3.21 of the Nottinghamshire Minerals Local Plan.

Soil Handling

28. Soil handling on the site shall be carried out in accordance with the Method of Working Plans submitted and approved under Condition 4 above and the document entitled 'Cromwell Soil Handling Scheme' submitted as part of the Regulation 22 submission received by the MPA on 6 March 2015, except with respect to the seeding of soil mounds which shall be carried out in accordance with the details to be submitted pursuant to Condition 32 below.

Reason: To ensure that soil resources are preserved and used beneficially within the 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 site. No waste materials, including soils and mineral working wastes, shall be brought onto the site.

Reason: To ensure that soil resources are preserved and used beneficially within the restoration of the site in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

30. Site clearance operations that involve the removal and destruction of vegetation shall not be undertaken during the months of March to August inclusive except following the carrying out of a walkover survey of the affected area by a suitably qualified ecologist in accordance with details which have been previously submitted to, and approved in writing by, the MPA.

Reason: In the interests of protecting species and their habitats in accordance with Policy M3.21 of the Nottinghamshire Minerals Local Plan.

31. Soil stripping and replacement operations in each phase of the development shall not commence until at least seven working days after the MPA have been notified of such operations in writing.

Reason: To enable adequate control of the development by the MPA and to ensure compliance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

32. No development shall commence until a scheme for the seeding, establishment and maintenance of all soil and overburden storage mounds that remain in situ for more than six months, or over winter, has been submitted to, and approved in writing by, the MPA. The scheme shall provide for the seeding of the mounds

with high energy rapid establishment seed mixes that attract high levels of invertebrates for the benefit of foraging bats, farmland birds and reptiles. The scheme shall be implemented in accordance with the approved details and soil and overburden mounds shall be maintained in accordance with the approved scheme.

Reason: To ensure that soil resources are preserved and used beneficially within the restoration of the site in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

Restoration

33. The application site shall be subject to a phased restoration in order to achieve a final restoration which accords with the details, including final contours, shown on Drawing Number P1/1379/9/D – Restoration Plan received by the MPA on 6 March 2015.

Reason: To ensure that the site is restored to a condition capable of beneficial use at an early date in the interests of the amenity of the area and in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan.

34. Prior to the replacement of any overburden and topsoil within any phase of the site in accordance with the soil-handling programme approved under Condition 27 above, a topographical survey of the site, showing the surface contours of the replaced overburden in that phase, shall have been submitted to, and approved in writing by, the MPA.

Reason: To ensure that the site is restored to a condition capable of beneficial use at an early date in the interests of the amenity of the area and in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan.

35. No restoration works shall be undertaken within any phase until detailed restoration proposals have been submitted to, and approved in writing by, the MPA. The details shall include the following:

- (a) Full details of the seeding of tree and scrub planting areas; seasonally wet grassland areas; and neutral meadow grassland areas, including full seed mixes, sowing rates, establishment methods and maintenance regimes;
- (b) Full details of the planting of the aquatic margins/reedbed areas, including species, numbers, positions, establishment and maintenance regimes;
- (c) Underwater contours for the nature conservation lake to provide for shallow sloping margins and shallows.

The detailed restoration proposals shall be submitted for approval in advance of the completion of mineral extraction in that particular phase so that seeding and

planting can be carried out in the first seeding and planting seasons following the replacement of soils in that phase. The site shall be restored in accordance with the approved details.

Reason: To ensure the site is restored to a condition capable of beneficial ecological afteruse at the earliest possible date in the interests of protected species in the area and in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

Aftercare

36. Following the restoration of any phase of the site, that 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.

37. Prior to any 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.

38. An aftercare scheme and strategy for each phase shall be submitted for the written approval of the MPA at the same time as restoration details for that phase are submitted under Condition 35 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:

- (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 October and 31 December of each year;
- (f) Drainage provision;
- (g) Management practices such as the cutting of vegetation;
- (h) Tree protection and replacement;
- (i) Remedial treatments;

- (j) Fencing;
- (k) Proposals for a survey visit by a suitably qualified ecologist, to be undertaken in year 5, to assess the ecological interest of the site, including their habitats, flora and fauna, to inform management practices for the additional periods of aftercare secured through the legal agreement; and
- (l) A report detailing the findings of the survey visit referred to in (l) above, to be submitted to the MPA before 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.

39. Site management meetings shall be held with the MPA each year to determine the detailed annual programmes of aftercare operations referred to in Condition 38(e) above, having regard to the condition of the land and progress in its rehabilitation.

Reason: To enable adequate control of the development by the MPA and to ensure compliance with Policy M4.4 of the Nottinghamshire Minerals Local Plan.

40. The aftercare programme for each phase of the site shall be implemented in accordance with the details approved under Condition 38 above, as amended following the annual site meeting referred to in Condition 39 above.

Reason: To ensure that the site is restored to a condition capable of beneficial use at an early date in the interests of the amenity of the area and in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan.

Alternative Restoration

41. 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 to, for approval in writing by, the MPA. Such a scheme shall include a schedule of timings, final contours, provision of soiling, sowing of grass, planting of trees and shrubs, drainage and fencing in a similar manner to that submitted with the application and modified by these conditions.

Reason: To ensure that should mineral extraction ceases prior to the phased closure of the quarry interim restoration measures progress to reduce environmental impacts and to ensure compliance with Policy M4.7 of the Nottinghamshire Minerals Local Plan.

42. 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 36-40 above.

Reason: To ensure that should mineral extraction ceases prior to the phased closure of the quarry interim restoration measures progress to reduce environmental impacts and to ensure compliance with Policy M4.7 of the Nottinghamshire Minerals Local Plan.

Notes to applicant/informatives

Your attention is drawn to the consultation response from the Environment Agency dated 5 June 2014, a copy of which is attached to this decision notice.