# TWO OAKS QUARRY RESTORATION

**Waste Recovery Plan**
Mansfield Sand Company Limited

Version No: 3
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Version History

| Version | Date | Comment | Name |
|---|---|---|---|
| 1 | October 2022 | Draft prepared by Mansfield Sand Company Ltd | T. Herrick |
| 2 | May 2023 | Reviewed and updated by Envireau Water and RSK | D. Thomas/ A. Sowerby |
| 3 | Sept 2023 | Updated following review by Environment Agency | D. Thomas |

# 1 Introduction

Mansfield Sand Company Limited have instructed the management team to prepare a Waste Recovery Plan (WRP) in support of an Environmental Permit application for restoration of Two Oaks Quarry, Coxmoor Road, Mansfield, NG18 5BW, hereafter referred to as 'the site'.

This Waste Recovery Plan has been produced to obtain approval that the scheme will constitute deposit for recovery in accordance with prevailing Environment Agency (EA) guidance.

It will form part of a package of supporting documentation for the application for a bespoke Environmental Permit for the site which will be used for the importation of waste materials to support in the restoration of a sand and gravel quarry to agriculture and nature conservation in line with Nottinghamshire County Councils approved restoration scheme.

## 1.1 Planning Status

Planning permission (ref: 4/2010/0178) for mineral conveying, processing/treatment & servicing, testing, and maintenance of plant/machinery to enable restoration back to an area of heathland, wetland areas and woodland (Plan P22-10) was granted by Nottinghamshire County Council on 24th January 2013. A copy of Planning Permission 4/2010/0178 is provided in **Appendix A**.

Since Planning Permission was granted in 2013, the original Concept Restoration Masterplan (Plan R22-10) has been superseded with the Proposed Restoration Scheme and Cross Section (Plan PA3) within Planning Permission Ref: 4/V/2021/0397 provided in **Appendix A**.

## 1.2 Proposed Scheme

The site is approximately 173 acres. Phase 1 of the quarry workings accounts for 30% of the total acreage. Under planning condition 48, and 56 of Planning Permission Ref: 4/V/2021/0397 the site must be progressively restored, and a restoration scheme submitted to the County Council within 12 months of exhausted mineral extraction in each phase of working.

As such, mineral extraction of the whole quarry site will be carried out in 4 phases, with the whole site progressively restored during mineral extraction. The Site will be restored in line with the restoration schemes with imported inert materials, and the stockpiles of topsoil and subsoils previously stripped from the Site.

The restoration proposals aim to return the Site close to existing levels and its previous agricultural use to the South of the site. Deposit for Recovery operations will be located within the areas marked with a green line on the site plan at **Appendix B**.

The southern part of the site is to be restored to agricultural land with the northern areas returning to heathland with a small wetland area.

Suitable margins have been left at the perimeters of the excavations to ensure support to adjoining unworked land and to protect retained peripheral boundary features, hedgerows and fencing.

To ensure adequate drainage, there will be a slight gradient from the site boundaries towards the proposed wetland in the centre of the site. The final gradient will be approximately 1:30 to permit surface water runoff to thesouth and southwest of the Site to existing drainage ditches feeding an existing seasonal pond to the southwestof the Site.

## 1.3 Current Status

At the time of writing, mineral extraction enabling works has commenced at the Site. Topsoils and subsoils have been stripped and stockpiled separately on Site for later use in its restoration or processed into manufactured soil substitutes if the topsoil does not meet the standard for restoration.

There are currently 9 lagoons at the quarry- 2 have been capped and have sand stockpiles on them, lagoon 11 and 3 is partially capped, lagoons 4, 5 and 6 are serving as the site's freshwater reservoir, and lagoons 7 and 8 are active silt lagoons. (see **Appendix C**)

# 2 Site Location and Description

## 2.1 Site Location and Description

The 173 acre site is centered on grid reference SK 453699 356842, the Site is located approximately 3.5km South of Mansfield in Nottinghamshire.

Access to the Site is gained from the Southeastern corner of the Site via Coxmoor Road, approximately 400m West of Derby Road.

It is located within a predominantly agricultural landscape supplemented by woodland and surface water ponds. Thieves Wood is managed by the Forestry Commission and is located approximately 50m to the North and the East of the Site.

The Site sits within the footprint of a former agricultural complex known as Two Oaks Farm, previously operated by Woods & sons (Farming) Limited since 2014. Mansfield Sand Company limited have been processing silica sand within the Mansfield area since 1844 and the surrounding land has been worked for minerals and restored using imported materials previously. The Site is one of only two active operational sites within Nottinghamshire to contain high quality silica sand mineral resources. A plan showing the location of the site is provided in **Figure 1** below.

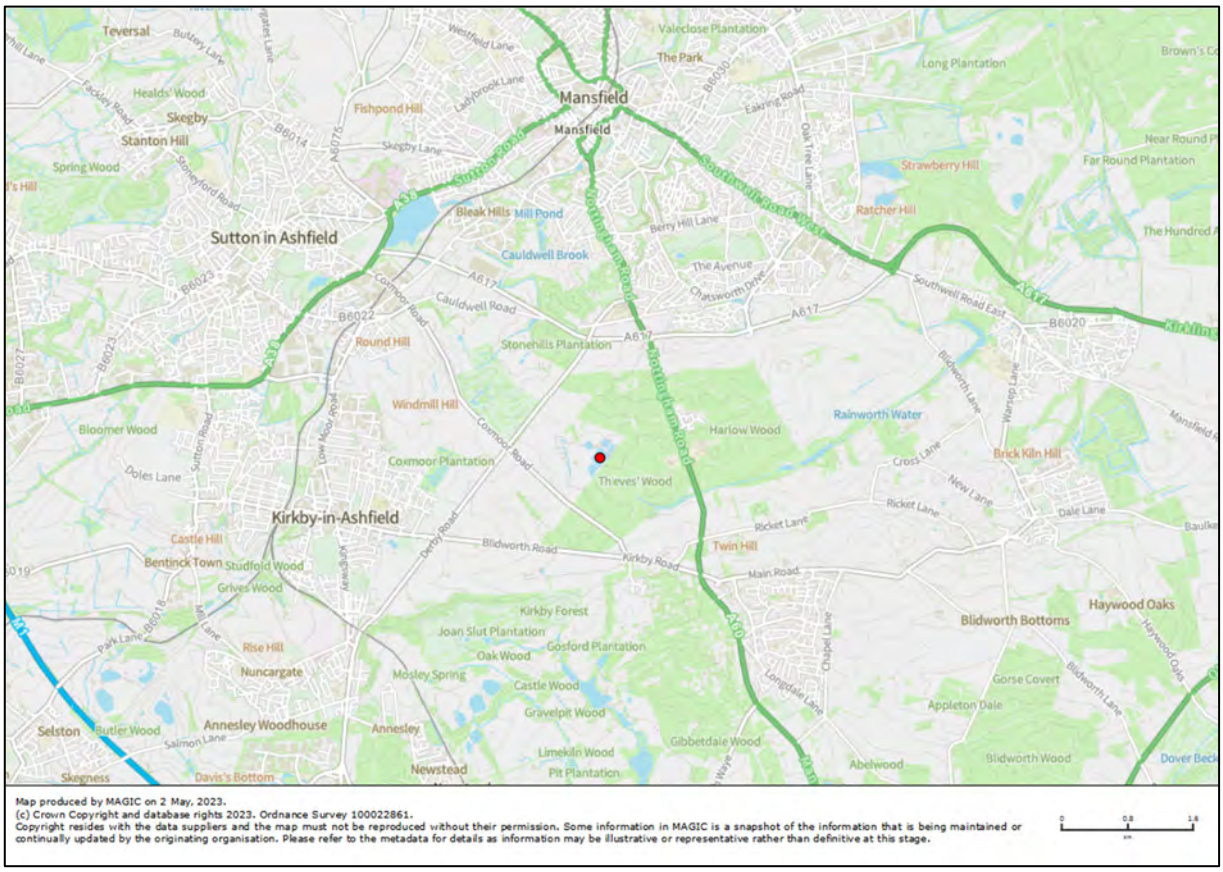



*Figure 1. Site Location*

To the north of the site is agricultural land while to the northwest is Coxmoor Golf Club. To the west is the A611 (Derby Road). To the south and east of the site lies Thieves Wood which contains walking trails for members of the public.

## 2.2 Geology, Hydrogeology and Hydrology

### 2.2.1 Geology

The underlying natural strata are recorded with the British Geological Survey (BGS) as Glaciofluvial deposits of sand and stone. These strata overlie the Chester Formation, which is comprised of sandstone, pebbly (gravelly).

A review of the relevant borehole records within the site boundary record ground conditions as being mainly topsoil overlying natural strata of Sand and Gravel then sandstone and marl bands.

### 2.2.2 Hydrogeology

The Environment Agency has classified the Glacial Till deposits as a Principal Aquifer (the geology supports high permeability and water storage capacity). The underlying Chester Formation is classified by the EA as Secondary A Aquifer (comprises of permeable layers that can support local water supplies and may form an important source of base flow to rivers).

The site is within a Source Protection Zone 3, which indicates the total catchment around a supply source within which all the groundwater may end up at an abstraction point.

### 2.2.3 Hydrology

The nearest main river is Rainworth Water located approximately 600m to the southeast of the site, within Thieves Wood. Ditches are present approximately 300m to the west where they flow along the boundary of the overall quarrying site.

The Flood Map for Planning shows that the entirety of the site is located within Flood Zone 1. Land within Flood Zone 1 is defined by the Environment Agency as being “low probability” and which is “assessed as having less than 1 in 1,000 annual probability of river or sea flooding (0.1%)”.

## 2.3 Statutory and Non-Statutory Environmental Designations

A review of all nature and heritage conservation sites and/or protected species and habitats within the vicinity of the site (screening radius of up to 1 km) was undertaken.

The review did not identify any statutory and non-statutory designated sites.

The closest is Oakham Local Nature Reserve located approximately 2.7 km to the north of the site.

# 3 Waste Recovery Proposal

This WRP demonstrates that the proposed restoration of land to agriculture, heathland and wetland after its original use constitutes a waste recovery activity by providing answers to the five questions below.

- Is the waste being used as a substitute for a non-waste material?
- Is there a clear benefit from the activity?
- Is the recovered waste material suitable for its intended use?
- Is the minimum amount of waste being used to achieve the intended benefit?
- Will the proposal be completed to an appropriate standard?

## 3.1 Proposed Development

This WRP, and if approved, Environmental Permit application, seek to authorise the use of suitable imported waste materials as a replacement for non-waste construction material, in the restoration of the quarry to agricultural land, heathland and wetland .

The proposed restoration of the quarry is illustrated in the following drawings:

- Plan No. TOQ Restoration May 2020 section + Current lagoon overlay – presents the restoration plan for the Site approved by the planning process. (see **Appendix D**)
- TOQ Lagoon 7, 8 & 9 Capping Cross Sections - presents cross sections of the proposed restoration and in situ bedrock illustrating the existing topography of the Site, the landform following completion of mineral extraction within the site and the approved restoration landform of the Site. (see **Appendix E**)
- TOQ Lagoon Capping Areas May 2023 outlines the maximum extraction profile and the areas that will be infilled with a combination of site derived and imported inert restoration materials. (see **Appendix F**)

Key points regarding the proposed restoration are as follows.

- Restoration will be progressive and will commence when mineral extraction is completed once the void has been backfilled with silt and the said silt has dried out sufficiently to allow the lagoon to be capped.
- Restoration will be undertaken in 0.3m layers, no deeper than 2m to achieve the restoration profile minus the topsoil and subsoil layer.
- The uppermost 0.5m of infill inert material of topsoils and subsoils will be ripped and stones and other ‘over size’ material greater than 150mm in diameter will be removed. The ground will then be prepared with a blinding layer of sand.
- Lagoons 7,8,9 and 10 which sit at 150m AOD are c. 9.5m above the water table. Final silt levels are proposed to sit at 147.5m AOD providing a depth of 8m of silt above the water table.

## 3.2 Material Overview

The phasing drawing provides void spaces to the existing and proposed lagoon systems within the quarry and proposed final levels. The original extraction volume of saleable mineral was 2,747,000 tonnes with a density of 1.66t/$m^3$. In preparing the inert landfill application the following calculation was used to differentiate the remaining void space and the composition of the materials needed to fill said void space.

- The total estimated volume of silt to be backfilled into the lagoon systems to 147.5m AOD is 1,189,000 tonnes.
- This results in the need for 296,000 tonnes of waste to bring the capped lagoons to 150m AOD. The capping area to cover the silt lagoons is approximately 2.5m in thickness. Based on a material density factor of 1.45 tonnes per cubic meter.
- The final silt level is at 147.5m AOD and groundwater is at expected to be approximately 9.5m meters below the silt. No waste is therefore to come into contact with ground water.
- A lagoon can only be capped once it has been excavated, filled to 147m AOD and is dry enough to allow tipping to occur and so the 296,000T of waste required cannot be pro rata'ed. It will also be seasonal depending on the weather/ground conditions on the site it is being imported from.

All waste materials for the restoration would be sourced from the local area and will be imported to the Site via a weighbridge. Each load will have its own waste transfer note which will be retained on site for the duration of the environmental permit plus 2 years.

## 3.3 Substitution of non-wastes with wastes to produce the same outcome.

The restoration of the site is considered to be a waste recovery activity as the primary reason for the work is to achieve a clear benefit which Mansfield Sand Company Ltd has an obligation to undertake.

To support the recovery of waste, evidence can be provided that there is an obligation to complete the scheme. This can be demonstrated where there is a requirement to do the work whether waste or non-waste is used. The following is a summary of the obligation to carry out the required restoration.

In the case of the Site, planning conditions under application number 4/2010/0178 (Appendix A) issued 7th March 2013 require that the site is restored. This provides a clear obligation that the work must be completed. This is described in more detail below in extracts from the sites planning conditions.

**Condition 5** states that development is only permitted if it is in accordance with details contained within the planning application forms. In particular the plans and details identified. Amongst those identified are:

> Plan R22-10 – Concept Restoration Masterplan' received by the MPA on 30 March 2012 (**Appendix G**): and
>
> Plan R22-11 – Restoration Cross Sections received by the MPA on 30 March 2012.

**Condition 20** states that "*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*."

**Condition 41** states "*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*"

**Condition 47** refers to the restoration of the four main phases of the site. It provides dates by which restoration details need to be submitted to Nottinghamshire County Council**.**

**Condition 48** refers to the reuse of overburden/sand substrate and soils for restoration

**Conditions 49-54** refer to how soil replacement for agricultural and woodland restoration will be undertaken

**Condition 55** refers to the timescales outlined in Condition 47, Plan R22-10 -Concept Restoration Plan and R22-11 – Restoration Cross Sections. It outlines the details to be submitted for approval.

**Conditions 56-62** refer to the aftercare of the site following restoration.

It is important to note that in line with the planning conditions that "The development hereby permitted must be carried out in accordance with the conditions attached to this planning permission and any approved plans and details. Failure to implement the permission in accordance with the planning conditions and approved details may render the development unlawful and could lead to enforcement action and prosecution."

The original Concept Restoration Masterplan included in planning Permission 4/2010/0178 (P22-10 in **Appendix G**) was revised to the 'new' scheme Plan PA3 (**Appendix H**) within planning application 4/V/2021/0397.

This design change was based upon advice from Nick Crouch, the county ecologist of Nottinghamshire Wildlife Trust, that there was insufficient acid grassland and low-level heathland habitat. Therefore, the ephemeral lake areas in the location of the proposed waste recovery boundary were removed. This was granted permission under Planning Reference 4/V/2021/0397.

In the case of the Site, planning conditions under application number 4/V/2021/0397 (Appendix A) issued 16th September 2021 typically mirror the Conditions of 4/2010/0178. Key deviations in respect to this Waste Recovery Plan are in relation to the updated Conceptual Restoration – Plan PA3 (Appendix H) and are included below.

**Condition 5** states that development is only permitted if it is in accordance with details contained

within the planning application forms. In particular the plans and details identified. Amongst those identified are:

> Plan PA3 – Proposed Restoration Scheme & Cross Section' received by the MPA on 28 February 2019 (in respect of application ref 4/V/2019/0614).

**Condition 56**. Within the timescales prescribed in Condition 48 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.

Given the position of current national policy on the 'economic and other benefits of the best and most versatile agricultural land', it is not considered reasonable to anticipate that the Mineral Planning Authority would (or could) be agreeable to consider land uses other than that has already been agreed.

Due to the water table sitting approximately 1-2m from the extracted surface and the shallow gradient of the restoration, an alternative scheme using a lesser amount of materials would preclude the Site from being returned to agriculture and reduce the final topographic levels of lagoons 7-10.

As Mansfield Sand Company Limited are legally obliged to restore the land in accordance with the plans outlined above, it is clear that if waste is not used then non-waste materials would be required.

Using suitable waste materials as a substitute for non-waste material will avoid the depletion of natural resources and prevent the landfilling of these materials, thus promoting sustainability and the waste hierarchy.

It is therefore clear that the proposed use of waste would be a substitute for non-waste material.

## 3.4 Is there a clear benefit from the activity?

Restoration of former mineral workings is valuable, necessary, and an appropriate use of utilising suitable wastes. Article 11(2)(b) of the Waste Framework Directive also recognises that backfilling can be a recovery operation if the recovery test is met.

The Site will be restored close to existing levels at low level and returned to agricultural use. The upper lagoon systems of 7,8,9, and 10 will also be restored to a broad sweep of acid grassland and a mosaic of low-level heathland.

In order to ensure adequate drainage there will be a slight but unnoticeable height decrease towards the centre of the site and is designed to create a bowl to form a small wetland area.

The proposed restoration profile will be in the region of a 1 in 30 slope, ensuring that the restored landfill will shed surface water to the south and southeast and the East of the site that will discharge toward the small wetland area.

The restoration scheme was designed with great weight given to the following paragraph of national policy (at the time)*; 'to ensure worked land is reclaimed at the earliest opportunity, taking account of aviation safety, and that high-quality restoration and aftercare of mineral sites takes place, including for agriculture (safeguarding the long term potential of best and most versatile agricultural land and conserving soil resources), geodiversity, biodiversity, native woodland, the*

*historic environment and recreation'.*

The benefits associated with the proposed restoration are as follows:

- The proposed restoration will return the site from a mineral working to gentle gradients appropriate for agriculture, wetland margins, acid grassland and heathland mosaic providing a significant biodiversity net gain for the site. This ensures water drains to the south and southwest of the Site and there will be ease of access by agricultural machinery for irrigation.
- From a landscape perspective, the restoration is designed to assimilate the Site with the surrounding area and create additional heathland synonymous with Nottinghamshire that has been lost over the decades.
- Exposed weathered sandstone faces will encourage natural regeneration of local flora and provide sheltered habitats for sandmartins, lizards and other protected species that are present at the site.

The restoration of land to agriculture, heathland and wetland would be undertaken irrespective of restraints on the materials which could be employed. Mansfield Sand Company Limited have opted to make use of waste materials in place of non-waste materials as this is a more sustainable use of resources by avoiding the depletion of natural resources and diversion of waste from disposal by landfill.

To conclude, by using waste materials to achieve the restoration levels set out, this will enable the land to be restored to best and most versatile agricultural land, combining this with marginal wetland and heathland habitats to benefit the area. Without the use of imported materials, the benefits associated with the restoration scheme would not be realized and would fall far short of the mark for biodiversity net gain.

A plan showing the restored site was submitted with Planning Permission 2010/4/0178. This plan was later updated following guidance from the Local Authority under Planning Permission 4/V/2021/0397. A copy of the latest restoration plan (PA3) is provided at **Appendix H**.

## 3.5 Is the recovered waste material suitable for its intended use?

Wastes to be used at the site will be consistent with those acceptable for recovery schemes of this type. The material to be used can be categorised as outlined in the tables below and can be accepted and used as inert without any further testing as there is no reason to suspect they are contaminated.

The waste types specified in Table 1 and 2 have historically been described in EA guidance (for example RGN13 and/or Standards and Measures for the Deposit of Inert Waste on Land) as being potentially suitable for landscaping and agricultural improvement schemes. As landscape and agricultural improvement are the primary objectives of the restoration works at the site, these waste types are thus considered as being suitable for the restoration of the Site.

It is proposed that a quarter of the 2.5m of capping be suitable non-hazardous wastes and three quarters will be capped with inert waste of soils, sub soils and sand.

Therefore 222,000 tonnes of inert waste (Table 1) required to cap off lagoon systems and approximately 74,000 tonnes of suitable non-hazardous waste (Table 2) required to cap off the lagoon systems. This will be completed over the quarry's current life expectancy of 15 years.

### 3.5.1 General fill

The waste categories which will be employed for general fill at the Site are detailed in Table 1 below.

All waste accepted at the Site will be inert, and no contaminated materials will be accepted. Documentation will accompany all waste material accepted, which will be reviewed in accordance with the Site's waste pre- acceptance and acceptance procedures to ensure any materials used are suitable for use in the restoration operations.

**Table 1. Proposed Waste Types for General Fill of the top layer of lagoons.**

| European Waste Code | Description |
|---|---|
| 01 | WASTES RESULTING FROM EXPLORATION MINING, QUARRYING AND PHYSICAL ANDCHEMICAL TREATMENT OF MINERALS |
| 01 01 | Waste from mineral extraction |
| 01 01 02 | Wastes from mineral non-metalliferous excavation[1] |
| 01 04 | Wastes from physical and chemical processing of non-metalliferous minerals |
| 01 04 08 | Waste gravel and crushed rocks other than those containing dangerous substances |
| 01 04 09 | Waste sand and clays |
| 17 | CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROMCONTAMINATED SITES) |
| 17 01 | Concrete, bricks, tiles and ceramics |
| 17 01 01 | Concrete |
| 17 01 02 | Bricks |
| 17 01 03 | Tiles and ceramics |
| 17 01 07 | Mixtures of concrete, bricks, tiles and ceramics[2] |
| 17 05 | Soils Stones and Dredging Soil |
| 17 05 04 | Soil and Stones |
| 19 | WASTES FROM WASTE MANAGEMENT FACILITIES, OFF-SITE WASTEWATER TREATMENT PLANTS AND THE PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION AND WATER FOR INDUSTRIAL USE |
| 19 12 | Wastes from the mechanical treatment of waste |
| 19 12 09 | Minerals (excluding residual fines)[3] |
| 20 | MUNICIPAL WASTE (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL ANDINSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS |
| 20 02 | Garden and Park Wastes |
| 20 02 02 | Soil and Stones |

[1] Restricted to waste overburden and interburden only
[2] Metal from reinforced concrete must have been removed
[3] Restricted to wastes from treatment of waste aggregates that are otherwise naturally occurring mineral. Does not include fines from treatment of non-hazardous waste or gypsum from recovered plasterboards.

### 3.5.2 Fill for Basal Layer of Lagoon

The backfilling of the lagoons will be completed in stages and certain suitable non-hazardous and non-contaminated waste for the filling of high-level lagoons 7 (a and b), 8, 9 and 10 will be accepted. Documentation will accompany any waste material accepted, which will be reviewed in accordance with the Site's waste pre- acceptance and acceptance procedures to ensure any materials used are suitable for use in the restoration operations. The wastes outline in Table 2 below can be utilized as a basal capping layer for lagoons which sit high above the water table. This will be deposited in layers no thicker than 0.5m and will be capped by inert waste (as outlined in Table 1 above).

The waste categories which will be employed for the basal layer of capping the high-level lagoons are detailed in Table 2 below.

## Table 2. Proposed Waste Types for the basal layer of high-level lagoons.

| European Waste Code | Description |
|---|---|
| 01 | WASTES RESULTING FROM EXPLORATION MINING, QUARRYING AND PHYSICAL ANDCHEMICAL TREATMENT OF MINERALS |
| 01 01 | Waste from mineral extraction |
| 01 01 02 | Wastes from mineral non-metalliferous excavation[1] |
| 01 04 | Wastes from physical and chemical processing of non-metalliferous minerals |
| 01 04 08 | Waste gravel and crushed rocks other than those containing dangerous substances |
| 01 04 09 | Waste sand and clays |
| 17 | CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROMCONTAMINATED SITES) |
| 17 01 | Concrete, bricks, tiles and ceramics |
| 17 01 01 | Concrete |
| 17 01 02 | Bricks |
| 17 01 03 | Tiles and ceramics |
| 17 01 07 | Mixtures of concrete, bricks, tiles and ceramics[2] |
| 17 05 | Soils Stones and Dredging Soil |
| 17 05 04 | Other stones and soils |

[1] Restricted to waste overburden and interburden only
[2] Metal from reinforced concrete must have been removed

Only non-hazardous waste materials suitable for the capping of lagoons will be used.

As previously mentioned the high level lagoons of 7, 8, 9 and 10 are intended to be restored to heathland, which requires a very poor, slightly acidic growing medium for acid grass land and heather to establish, and so a stable basal layer made predominantly from construction and demolition waste and quarry waste provide both a stable base layer for the capping silt but also a nutrient poor substrate. The final capping layer of inert waste which will comprise of soils, subsoils and sand to create the perfect healthy growing mediums for heather to flourish.

The proposed imported waste materials would be limited to a non-hazardous classification.

To ensure that environmental risk is kept to a minimum, all of the imported waste material will meet strict criteria. Screened materials on site will undergo a programme of chemical analysis to ensure compliance is met prior to placement on site.

The waste acceptance criteria (WAC) that will apply to waste soils being accepted at the site will be inert with the exception being that the limit value for total organic carbon will not apply.

No contaminated materials will be accepted. Documentation will accompany all waste material accepted, whichwill be reviewed in accordance with the Site's waste pre-acceptance and acceptance procedures to ensure any materials used are suitable for use in the restoration operations.

Should any accepted waste material be considered unsuitable (i.e., contaminated) it will either be returned to the waste producer or removed off-site for disposal at an appropriate facility.

A description of the waste pre-acceptance and acceptance procedures for the restoration of the site, including basic characterisation and on-Site verification will be included in the environmental permit application. These procedures will ensure that only materials that are both chemically and physically suitable for use in the recoveryactivity will be accepted at the Site.

## 3.6 Is the minimum amount of waste being used to achieve the intended benefit?

Drawing 5 "TOQ Lagoon 7, 8 & 9 Capping Cross Sections" (Appendix D) presents a cross section of the Site's restoration. Drawing 5 "TOQ Lagoons Fill Extent (7a,7b,8,9 and 10)" also highlights the maximum extraction profile and areas that will be infilled with a combination of site derived and imported inert restoration material deposits.

The combined site derived and imported inert restoration materials will be placed up to a maximum depth of 2.5m which includes 1m of sub soil and topsoil that is to be placed to finished levels for the final restoration.

The volume of material required to restore the site in accordance with the consented restoration scheme is approximately 296,000 tonnes as estimated using LSS surveying and modelling software as part of the design process. The software was used to analyse the existing topography of the Site, the model of the proposed extraction void, and the proposed restoration scheme to determine the amount of material that is required to be cut to achieve the void, and the amount of fill required to restore the Site.

Mansfield Sand have sought to minimise the amount of imported materials required by:

- proposing a restoration design which achieves the intended benefit with the minimum amount of materials; and
- minimising the need for imported materials by using Site-won materials as part of the restoration.

### Table 3. Material Sources

| Material source | Volume |
|---|---|
| Site-derived soils/soil forming materials | 1,474,362 tonnes silt to bring final levels to 147.5m AOD<br>11,600T of sand to blind over capped lagoons. |
| Imported suitable waste materials | 296,000 tonnes of wastes as outlined in Tables 1 and 2. |

The figures quoted in Table 3 have been estimated from scaled drawings using LSS software.

To achieve the intended benefit, further opportunities to reduce the volume of imported material required are limited.

The proposed restoration scheme was arrived at as the optimal scheme based on the requirements of Nottinghamshire County Council while minimising the volume of material required.

The process of the restoration landform design sought to manipulate and move contours within the Site to mimicthe existing topography of the site both within the central area as well as around the edges. Inevitably the designer has considered the relationship to other boundaries. Steepening up of Northern and Eastern faces to provide a weathered sandstone face for natural regeneration. Restoration using a smaller quantity of material in the case of Two Oaks Quarry would also result in the centre of the Site becoming bowled and incorporating surface water bodies as part of the restoration due to the water table sitting approximately 1-2m from the surface.

On this basis, it can be concluded that a restoration landform requiring a lesser volume of material would not have provided the benefits of the approved scheme but moreover, has weaknesses

surrounding the drainage of surface water that would impede the quality of the agricultural restoration and fall short of final levels of 150m AOD on the upper sections of the quarry for heathland. In addition, it can be seen that there is an opportunity to import a greater quantity of waste material to restore the site but this would not provide further benefits beyond the approved scheme and as such was not selected.

To conclude, by using waste materials to achieve the restoration levels set out, this will enable the land to be restored to best and most versatile agricultural land. Without the use of imported waste materials, a number ofbenefits associated with the restoration scheme would not be realised.

Therefore, the overarching intention of the restoration scheme is to ensure the absolute minimum quantity of selected materials are utilised to compliment internally available infill so to achieve the proposed benefits of such a scheme in line with the intentions of local planning restoration requirements for agricultural benefit.

## 3.7 Will the proposal be completed to an appropriate standard?

The proposed restoration of the Site will be carried out in accordance with the scheme approved by Nottinghamshire County Council, under application reference number 4/2010/0178, 4/V/2021/0397 and the Section 106 agreement.

The recovery activities will be supervised by technically competent persons who hold the necessary Certificate of Technical Competence (CoTC) under the Waste Management Industry Training and Advisory Board (WAMITAB).

The activities to be carried out on Site will be managed and operated in accordance with Mansfield Sand Company Limited Environmental Management System (EMS).

Consequently, operational procedures for the management of the Site will ensure that all appropriate pollution prevention and control techniques are delivered reliably and on an integrated basis. The EMS assists in maintaining compliance with regulatory requirements and managing environmental impacts.

Furthermore, the proposed development will be carried out in accordance with the conditions of an Environmental Permit issued and regulated by the Environment Agency under the provisions of the Environmental Permitting (England and Wales) Regulations 2016 (as amended). Reclamation operations will be conducted in accordance with an approved method statement and risk assessments, to ensure that the work is carried out to an appropriate standard.

Material will be placed and compacted in accordance with the requirements set out in part VI of the 1999 Quarry Regulations for formation and compaction and in line with QNJAC guidance for the safe working practices of constructing/capping of lagoons.

The earthworks methodology will be set out in detail in an engineering specification that will be completed priorto undertaking any works. This will set out requirements for:

- Material acceptance testing and classification;
- Requirements for placement trials, should it be required;
- Material placement and compaction requirements (method or end product placement);
- Requirements for in-situ testing during and following placement of materials, should it be required;
- Procedures to be followed where materials or compaction are deemed not to have met the specification; and

- Requirements for any monitoring of the compaction / engineering works should it be required.

Following completion of the works a Construction Quality Assurance (CQA) Report will be prepared summarisingthe works undertaken and presenting the results of laboratory and in-situ testing carried out during the works. Details of any remedial works undertaken will also be presented.

The finished re-profiling layer will be engineered and suitable for its intended purpose.

The finished scheme will be designed and operated to ensure that it does not result in any environmental problems such as soil erosion, pollution or increase the risk of flooding in the surrounding area.

Once the restoration is complete, the Site will be landscaped in accordance with the scheme shown in Drawing 'Plan PA3 – Proposed Restoration Scheme & Cross Section' (in respect of application ref 4/V/2021/0397). Aftercare will be undertaken in accordance with the Aftercare Scheme submitted and approved to discharge conditions associated with the planning permission.

It is therefore concluded that the foregoing factors will ensure that the proposal will be completed to an appropriate standard.

# 4 Conclusion

In view of the foregoing details, it is concluded that the proposed use of suitable imported waste material in therestoration of the Site, satisfies all the requirements of a recovery operation as:

- There is a clear benefit from the activity;
- The recovered waste material is suitable for its intended use;
- The minimum amount of waste is being used to achieve the intended benefit;
- The waste is being used as a substitute for a non-waste material; and

The proposal will be completed to an appropriate standard.

# Appendix A. Two Oaks Planning Permissions

Nottinghamshire County Council

# Notice of Planning Decision
## Town and Country Planning Act 1990

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010**

**TOWN AND COUNTRY PLANNING (CONSULTATION) (ENGLAND) DIRECTION 2009**

**TOWN AND COUNTRY (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011**

**APPLICATION REF. NO.:** **4/2010/0178**

**APPLICANT:** **MANSFIELD SAND COMPANY**

**DEVELOPMENT:** **THE EXTRACTION AND PROCESSING OF SILICA SAND AND GRAVEL, INCLUDING THE PROVISION OF A NEW 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**

**LOCATION:** **LAND AT TWO OAKS FARM, DERBY ROAD, MANSFIELD**

Following consideration of an application for the above development as shown on the submitted plans, NOTTINGHAMSHIRE COUNTY COUNCIL, in pursuance of their powers under the above Act, hereby

## GRANT PLANNING PERMISSION

for the development in accordance with the application, subject to compliance with the attached conditions and for the following reasons.

**Failure to comply with the terms of this permission may render the development unlawful.**

Date of decision 7 March 2013

Authorised to sign on behalf of the County Council

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State, in accordance with section 78 of the Town and Country Planning act 1990, within six months of the date of this notice. Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol BS1 6PN. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (*) to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

**(*) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely sections 70(1)-(3) and 72(1) of the Act.**

(2) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or on the Council of the County Borough, London Borough or Country District in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

(4) The validity of this decision maybe challenged by persons with sufficient interest through a claim for judicial review. Any such claim must be filed with the Administrative Court promptly and in any event not later than three months after the date of the decision. Such claims can be costly and should be pursued as a last resort after all other action has been exhausted. You would be advised to seek professional legal advice before pursuing a claim for judicial review. The full procedures governing the making of such a claim are set out in the Civil Procedure Rules Part 54.

**NOTE:** THIS PERMISSION REFERS ONLY TO THAT REQUIRED UNDER THE TOWN AND COUNTRY PLANNING ACTS AND DOES NOT INCLUDE ANY CONSENT OR APPROVAL UNDER ANY OTHER ENACTMENT, BYLAW, ORDER OR REGULATION.

**APPLICATION REF NO. 4/2010/0178**

**SUMMARY OF REASONS FOR GRANTING PERMISSION**

This is a significant proposal for a new quarry in the county which would be in operation for 40 – 50 years. The proposed quarry would require significant new infrastructure and plant on what is a greenfield site in the Green Belt and would result in increased levels of HGV traffic in the area, as well as impacts from noise and dust.

The county's silica sand landbank is at a critical level at around three years supply and the county does not presently meet the Government landbank target which is at least ten years supply for individual silica sand sites. It is therefore clear that additional reserves are required and, as a further extension to the applicant's existing quarry at Ratcher Hill is not possible, a new quarry is required. Although the reserves within the quarry would significantly increase the landbank beyond the ten year target, it should be highlighted that the target is an 'at least ten year' target which needs to be considered against the significant investment required at the new quarry. It is considered that this level of investment justifies the additional reserves that would be released and that the proposed development is in line with the National Planning Policy Framework and Policy M7.6 of the Nottinghamshire Minerals Local Plan.

Mineral extraction is not an inappropriate form of development in the Green Belt so long as the openness of the Green Belt is preserved. The siting of the plant in the lowest part of the proposed quarry would help to reduce its impact on the Green Belt's openness, as would the phased working of the site which would ensure that significant areas would not be worked for a number of years. It should also be highlighted that the site, and the openness of the Green Belt, would ultimately be restored. However, it is accepted that the openness of the Green Belt would not be totally preserved, although the proposed perimeter landscaping would help to reduce the visual impact of the site to acceptable levels in accordance with Policy M3.3 of the Nottinghamshire Minerals Local Plan. The proposals have accordingly been treated as a departure for referral to the Secretary of State.

The proposed number of HGVs entering and leaving the site would not cause a significant adverse impact on the local highway network and it is considered that the provision of a legal agreement to ensure that HGVs do not travel past residential properties on Coxmoor Road to the west of the A611, a concern highlighted by members of the public, or past residential properties close to Ravenshead to the east of the site would reduce any impact further and ensure compliance with Policy M3.13 of the Nottinghamshire Minerals Local Plan. It is also considered that noise and dust impacts can be kept to acceptable levels in accordance with the National Planning Policy Framework and Policies M3.5 and M3.7 of the Nottinghamshire Minerals Local Plan respectively and restricting the hours of operation so that quarrying does not take place on Saturday afternoons would be beneficial to members of the public who use local recreational facilities close to the site. Furthermore, it is considered that the impact of any lighting on the site can be minimised through careful design and restrictions in the hours of operation in light of the nearby astronomical society which relies on dark skies in the area.

The proposed development has the potential to impact on features of ecological importance in the area, including nightjar and woodlark which are the species at the

centre of consideration around the potential designation of the Sherwood Forest proposed Special Protection Area. As a result of additional survey work undertaken by the applicant, Natural England is satisfied that the proposed development could operate without detriment to any future ecological designation in the area in accordance with the Conservation of Habitats and Species Regulations 2010. The restoration of the site, which would include a significant area of heathland, would be of benefit to these and other bird species along with other wildlife.

The County Council is therefore of the opinion, having taken into account the information included in the Environment Statement and the responses received on this information, that the proposed development is in accordance with the above policies and regulations, along with the National Planning Policy Framework when read as a whole. There are no material considerations that indicate that the decision should be made otherwise. The County Council considers that any potential harm as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions and the legal agreement to cover lorry routeing, junction visibility, the translocation of common lizards, and long term aftercare.

**Statement of Positive and Proactive Engagement**

In determining this application, the Minerals Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussions and encouraging pre-application community engagement which the applicant acceded to by holding a pre-application exhibition. The proposals and the content of the Environmental Statement have been assessed against relevant policies in the Nottinghamshire Minerals Local Plan, the National Planning Policy Framework, including the accompanying technical guidance, and European Regulations. The Minerals Planning Authority has identified all material considerations and has sought solutions to a number of complex planning matters raised through the consultation and publicity processes, including the impacts on protected species and their habitats, highways issues, and the impacts of light pollution, dust and airborne emissions. This has involved detailed discussions not only with the applicant but also with key consultees including Natural England, Nottinghamshire Wildlife Trust, Ashfield District Council and County Council officers. Additional information has been submitted under Regulation 22 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 to address the concerns raised and the proposed development has been revised as a result of the discussions that have taken place, particularly with regards to the phasing and restoration of the site. The applicant has been given advanced sight of the draft planning conditions and the Minerals Planning Authority is also in the process of engaging positively in the preparation of a draft legal agreement. This approach accords with the requirements set out in the National Planning Policy Framework.

This application was accompanied by an **ENVIRONMENTAL IMPACT ASSESSMENT**. In accordance with Regulation 3(4) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 the Authority hereby states that before granting planning permission they have first taken into consideration the environmental information as defined in Regulation 2 of the same regulations.

**APPLICATION REF NO. 4/2010/0178**

**SCHEDULE OF CONDITIONS AND REASONS**

**Commencement and duration of the development**

1. The development hereby permitted shall be begun within three years from the date of this permission.

   *Reason:* *To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.*

2. The Minerals Planning Authority (MPA) shall be notified in writing of the date of commencement of the following at least seven days, but not more than 14 days, prior to their commencement:

   (a) The commencement of the development, i.e. the commencement of site preparation works associated with the construction of the access road and the plant site;

   (b) The export of sand and sand-based products from the site.

   *Reason:* *To enable the MPA to monitor compliance with the conditions of the planning permission.*

3. The extraction of minerals from the application site shall be completed no later than 50 years from the date of the commencement of the export of sand and sand-based products from the site, as notified under the requirements of Condition 2(b) above.

   *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, 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) 'Figure L4 – Mitigation (Screening) Plan' received by the MPA on 30 March 2010;

(iii) 'Figure L5 – Mitigation Cross Sections' received by the MPA on 30 March 2010;

(iv) 'Figure 6 – Proposed Access Layout off B6139 Coxmoor Road' included in the Highway Statement of the ES received by the MPA on 30 March 2010;

(v) 'Plan PA9 – Conjectural Plant Layout' received by the MPA on 30 March 2010;

(vi) 'Plan PA10 – Cross-Sections Through Proposed Design' received by the MPA on 30 March 2010;

(vii) 'Plan R22-3 – Working Method Phase 1' received by the MPA on 30 March 2012;

(viii) 'Plan R22-4 – Working Method – Phase 2a + 2b' received by the MPA on 30 March 2012;

(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 R22-10 – Concept Restoration Plan' received by the MPA on 30 March 2012;

(xv) 'Plan R22-11 – Restoration Cross Sections' received by the MPA on 30 March 2012;

(xvi) 'Plan R22-12 – Site Location and 400m Margin to Residential Properties' received by the MPA on 30 March 2012.

*Reason:* *To enable the MPA to monitor compliance with the conditions of the planning permission.*

**Site screening, planting and security**

6. No development shall commence until a scheme for the landscape protection and planting of the perimeter of the site in accordance with 'Figure L4 – Mitigation (Screening) Plan' received by the MPA on 30 March 2010 has been submitted to, and approved in writing by, the MPA. The scheme shall provide for:

   (i) The identification of trees and hedgerows to be retained and removed;

   (ii) Details of the measures of protection for those trees and hedgerows to be retained;

   (iii) Details of all proposed screening bunds, screen planting areas and hedgerows on the perimeter of the site including, where relevant, their location, footprint, height, contours, composition and time of formation;

   (iv) Details of the seeding of all screening bunds detailed in (ii) above, including seed mixes, rate of sowing, ground preparation and maintenance. Seed mixes should aim to provide a suitable grass sward on the outside faces of the screening bunds and high energy seed yielding plant species on the inside faces of the screening bunds which shall remain intact during the winter months;

   (v) Details of the planting of all screening bunds, screen planting areas and hedgerows detailed in (ii) above, including proposed tree species mixes (including proportions) which should be of native genetic origin and appropriate to the local area, size, spacing, positions, densities, ground preparation, protection and maintenance, including the replacement of any failed planting;

   (vi) Details of the landscaping of the site access off the B6139 to reduce its visual impact, including planting and seeding details, the type of security gates to be installed, and any signs to be erected.

   All perimeter landscape seeding and planting shall be carried out in accordance with the approved details and within the first seeding and planting seasons following the completion of any bund.

   *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. No development shall commence until details of the security fencing to be erected around the perimeter of the site have been submitted to, and approved in writing by, the MPA. The fencing shall be erected prior to any development works taking place on site and shall be maintained so as to ensure the site's security throughout the life of the development.

*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. Prior to the commencement of any development works associated with the construction of the plant site or mineral extraction, the new quarry access road shall be constructed in accordance with the details in 'Figure 6 – Proposed Access Layout off B6139 Coxmoor Road' received by the MPA on 30 March 2010 and 'Plan R22-3 – Working Method – Phase 1' received by the MPA on 30 March 2012. The access road shall be hard surfaced with bitmac or concrete from its junction with the B6139 Coxmoor Road to the plant site to the satisfaction of the MPA. Measures shall be put into place during the construction of the access road to ensure that mud and other deleterious materials do not enter the public highway.

*Reason:* *To ensure that all quarry traffic, including traffic associated with the initial site development, obtains access to the site along a hard surfaced road thus ensuring that there is no damage to the public highway and to accord with Policy M3.12 of the Nottinghamshire Minerals Local Plan.*

9. 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 details set out in Condition 8 above. 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. Within one month of the date of the commencement of the planning permission, as notified under Condition 2(a) above, details of the measures which shall be employed throughout the life of the development to prevent the deposit of mud, clay and other deleterious materials upon the public highway shall be submitted to the MPA for its approval in writing. Such measures shall include the following as appropriate:

    (i) Sweeping and cleaning of internal access and haul roads;

    (ii) Provision and use of wheel-cleaning facilities;

    (iii) Provision and use of lorry sheeting bays;

    (iv) Provision for the maintenance of wheel cleaning facilities and haul roads;

    (v) The sheeting of all vehicles entering and leaving the site;

(vi) Any other facilities as may be deemed necessary.

The measures to be employed shall be provided in accordance with the approved details prior to any processed material leaving the site and thereafter be maintained and used as approved.

*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 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.*

12. Within one month of the date of commencement of the planning permission, as notified under Condition 2(a) above, details of the signs to be erected on the site to notify HGV drivers of the lorry routeing agreement in place shall be submitted to the MPA for its approval in writing. The details shall include a scaled drawing of the signs and details of where they are to be located on the site. The signs shall be erected and maintained for the life of the development in accordance with the approved details.

*Reason: In the interest of local amenity in accordance with Policy M3.13 of the Nottinghamshire Minerals Local Plan.*

13. 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). Over the course of any calendar year, total HGV movements to and from the site shall not exceed 27,800 (13,900 in, 13,900 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. Within one month of the date of commencement of the planning permission, as notified under Condition 2(a) above, details of the quarry plant site including layout plans (including ground levels), elevations, external materials and colours of all fixed plant, equipment and supporting infrastructure shall be submitted to the MPA for its approval in writing. The details shall be broadly in accordance with the details on 'Plan PA9 – Conjectural Plant Layout' received by the MPA on 30 March 2010 and 'Plan PA10 – Cross-Sections Through Proposed Design' received by the MPA on 30 March 2010. The plant area, plant, equipment and supporting infrastructure shall thereafter be installed in accordance with the approved details.

*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. Within one month of the date of commencement of the planning permission, as notified under Condition 2(a) above, details of all floodlighting to be used at the site shall be submitted to the MPA for its approval in writing. The details shall ensure that the 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). Details shall be included of how these measures can be achieved including the use of UV filters. 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.

The floodlighting shall be implemented and maintained for the life of the development in accordance with the approved details.

*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) Order 1995, 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 R22-3 – 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 |
|---|---|---|---|
| Site development works including construction of the access road and plant area | 7am to 7pm | 7am to 1pm | Not at all |
| 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 the single motorised scraper, 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. No development shall commence until a noise management plan has been submitted to, and approved in writing by, the MPA. The noise management plan shall detail the ways in which the site shall be managed to ensure 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. The noise management plan shall:

(i) Identify those activities likely to result in high noise levels;

(ii) Provide a schedule showing the timings of activities to avoid noisy activities during the most sensitive time of the year, i.e. the bird breeding season;

(iii) Detail any noise mitigation measures necessary to ensure that any noisy activities which cannot be scheduled outside the bird breeding season can be undertaken without exceeding the continuous and peak sound levels detailed above; and

(iv) Detail the noise monitoring to be undertaken to confirm that the continuous and peak sound levels detailed above are not exceeded.

The noise management plan 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. No development shall commence until a dust management plan has been submitted to, and approved in writing by, the MPA. The dust management plan shall set out measures 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. These measures shall include, but not necessarily be limited to, any or all of the following steps as appropriate:

(i) The use of water bowsers to dampen haul roads, stock-piles and other operational areas of the site;

(ii) The sweeping of access and haul roads, where necessary;

(iii) The minimisation of drop heights during loading and unloading of sand and gravel;

(iv) Limiting on-site vehicle speeds;

(v) Provisions for the temporary suspension of mineral processing, mineral extraction or soil movements during periods of unfavourably dry or windy weather conditions;

(vi) Details of the conveyors, including the means of enclosure, to be used to transport the excavated sand to the plant site;

(vii) Details of the mechanism to be employed to monitor dust, the monitoring locations (which shall reflect the areas of working) and the mechanism to record the dust monitoring data, including its submission to the MPA.

The dust management plan shall be implemented in accordance with the approved details.

*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. No development shall commence until details of a scheme for archaeological mitigation has been submitted to, and approved in writing by, the MPA. The scheme shall be implemented in accordance with the approved details.

*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 'Plan R22-3 – Working Method Phase 1' received by the MPA on 30 March 2012, 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 a single motorised scraper and 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. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to, and approved in writing by, the MPA. The submitted scheme shall include the following details:

(i) Calculations to demonstrate the existing Greenfield run-off rate;

(ii) Calculations to demonstrate how the proposed surface water management scheme shall maintain Greenfield discharge rates from the site;

(iii) A demonstration of the management of surface water up to the 1 in 100 year plus climate change critical storm;

(iv) Detailed design drawings for sustainable drainage features;

(v) Details of how the scheme shall be maintained and managed after the restoration of the site following the completion of the development.

The scheme shall be implemented and maintained in accordance with the approved details.

*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. No development shall commence until a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the MPA. The scheme shall be implemented in accordance with the approved details.

*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 filing 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 the construction of the plant site and prior to the commencement of mineral extraction in each phase or sub-phase of the development, as identified on Plans R22-3 – 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 sown with high energy seed yielding plant species that shall remain intact during the winter months;

(iii) Timescales for the provision and ongoing maintenance of the proposed measures.

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 Plans R22-3 – 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. 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 storage mounds that will remain in situ for more than 6 months, or over winter, shall be seeded within 3 weeks of their construction in accordance with a seed mixture which has been previously agreed in writing by the MPA. The seed mixes should aim to provide a suitable grass sward on the outside faces of any perimeter storage mounds/screening bunds; high energy seed yielding plant species which shall remain intact during the winter months on the inside faces of any perimeter storage mounds/screening bunds; and high energy seed yielding plant species which shall remain intact during the winter months

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:

| Phase | Date for restoration details to be submitted |
|---|---|
| 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 that 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 R22-10 – Concept Restoration Plan' received by the MPA on 30 March 2012 and 'Plan R22-11 – Restoration Cross Sections' received by the MPA on

30 March 2012 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 flora, 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.*

**NOTES TO APPLICANT**

**1. The development hereby permitted must be carried out in accordance with the conditions attached to this planning permission and any approved plans and details. Failure to implement the permission in accordance with the planning conditions and approved details may render the development unlawful and could lead to enforcement action and prosecution.**

**2. If, at any stage, it becomes necessary to vary any of the approved plans or details you should contact the County Planning Authority in advance of implementing any changes to ascertain whether the proposed changes require any further planning approval.**

**3. Where appropriate there is a fee payable currently £97 where a written request is made for the discharge of one or more conditions on the same permission or for confirmation that condition(s) on a permission have been complied with. The fee is payable for each request and not for each condition. When submitting a fee, please provide the planning application reference number making cheques payable to Nottinghamshire County Council and send them to the Planning Support Officer in Planning Services at Nottinghamshire County Council, Trent Bridge House, Fox Road, West Bridgford Nottingham NG2 6BJ.**

**4. 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.**

**5. Your attention is drawn to the Standing Advice from The Coal Authority dated 1st October 2008, set out below.**

DN11-4

**APPLICATION REF NO. 4/2010/0178**

**IMPORTANT NOTICE: REVISED STANDING ADVICE**
**Town and Country Planning (General Development Procedure) Order**
**Planning Application Consultations with the Coal Authority**

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained by

contacting the Coal Authority's Property Search Service on 0845 762 6848.or at www.groundstability.com

Nottinghamshire County Council

# Notice of Planning Decision
## Town and Country Planning Act 1990

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**

| | |
|---|---|
| **APPLICATION REF. NO.**: | 4/V/2021/0397 |
| **APPLICANT:** | The Mansfield Sand Company Limited |
| **DEVELOPMENT:** | Variation to hours of working and lighting (conditions 21 and 15 of planning permission 4/V/2019/0300). Mineral conveying, processing/treatment, & servicing, testing, maintenance of plant/machinery to 24 hours per day Mondays to Saturdays inclusive. (No working on Sundays or Bank/Public Holidays). No changes to the times for mineral extraction, soils or overburden stripping, or the hours that vehicles may enter or leave the site. Variation to allow for floodlighting during extended working hours |
| **LOCATION:** | Two Oaks Quarry, Coxmoor Road, Sutton In Ashfield, NG17 5LZ |

Following consideration of an application for the above development as shown on the submitted plans, NOTTINGHAMSHIRE COUNTY COUNCIL, in pursuance of their powers under the above Act, hereby

## GRANT PLANNING PERMISSION

for the development in accordance with the application, subject to compliance with the attached conditions and for the following reasons.

**Failure to comply with the terms of this permission may render the development unlawful.**

Date of decision 16/09/2021

Jonathan Smith

Authorised to sign on behalf of the County Council



**DN1 (FULL P.P.)**

**Appeals to the Secretary of State**

If you are aggrieved by the decision of the local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against the local planning authority's decision then you must do so within six months of the date of this notice

Appeals can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order, and to any directions given under a development order.

**NOTE:** THIS PERMISSION REFERS ONLY TO THAT REQUIRED UNDER THE TOWN AND COUNTRY PLANNING ACTS AND DOES NOT INCLUDE ANY CONSENT OR APPROVAL UNDER ANY OTHER ENACTMENT, BYLAW, ORDER OR REGULATION.

## STATEMENT OF POSITIVE AND PROACTIVE ENGAGEMENT

In determining this application the Minerals Planning Authority has worked positively and proactively with the applicant by assessing the proposals against relevant Development Plan policies, all material considerations, consultation responses and any valid representations that may have been received. Issues of concern have been raised with the applicant and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

## SCHEDULE OF CONDITIONS AND REASONS

### Commencement and duration of the permission

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 subject to not complying with the hours of operation under conditions 21 and 15 as previously approved, but for the avoidance of doubt does not change the authorised hours for undertaking mineral extraction.

   *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.*

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 this permission.

   *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) and as further amended by dwg titled 'Quarry Site Plan- May 2020', dated 11/05/2020 and received by the MPA on 10/06/2020 (pursuant to NMA/4144 for a new fresh water storage lagoon in lieu of planned silt lagoon no. 11 within phase 1c).

(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;

*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:

i) 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:

ii) 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);

iii) 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: In the interests of visual amenity and biodiversity in accordance with policies DM1 and DM4 of the Nottinghamshire Minerals Local Plan.*

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 DM9 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 DM9 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 DM9 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 DM9 of the Nottinghamshire Minerals Local Plan.*

12. Signage erected on the site to notify HGV drivers of the lorry routeing 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 DM1 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 April to 31 July inclusive there shall be no more than 320 HGV movements to and from the site in any one working day (160 in, 160 out) and no more than 1650 HGV movements to and from the site in any one week (675 in, 675 out).

b) For the period 1 April to 31 July inclusive there shall be no more than 380 HGV movements to and from the site in any one working day (190 in, 190 out) and no more than 1950 HGV movements to and from the site in any one week (825 in, 825 out).

Over the course of any calendar year, total HGV movements to and from the site shall not exceed 50,000 (25,000 in, 25,000 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 DM9 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:

(a) 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:

(b) 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;

(c) 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 and;

(d) Dwg titled 'Gravel Stocking Area Design' dated 15/10/2020, received by the MPA on 30/10/2020 (Revision to include cut 1 and cut 2) pursuant to NMA/4194 for an enlarged gravel stocking area.

*Reason: In the interest of visual amenity to ensure compliance with Policy DM1 of the Nottinghamshire Minerals Local Plan and to protect the openness of the Green Belt in accordance with the National Planning Policy Framework.*

15. Unless a new scheme is subsequently approved by the MPA pursuant to this condition, all floodlighting to be used at the site shall be maintained for the life of the development in accordance with Drawing Number D21071/PY/I, dated 22/04/21 and received by the MPA on 28/04/21 and the accompanying statement - Condition 15 Floodlighting Revised (appendix D) received by the MPA on 06/05/21.

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 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 DM1 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 DM1 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 phasing plans listed in condition 5 above. 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 timely restoration of the site in accordance with Policy DM12 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 DM12 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 | 6am to 8pm | 7am to 1pm | Not at all |
| Mineral conveying, processing or treatment | 24 hours | 24 hours | 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 | 24 hours (urgent or emergency situations only 8pm-6am) | 24 hours (urgent or emergency situations only 8pm-6am) | Only with the prior written consent of the MPA |
| Vehicles entering and leaving the site for the purposes of collecting | 6.30am to 7.30pm | 7.30am to 12.30pm | Not at all |

| | | | |
|---|---|---|---|
| mineral or delivering soils, compost and synthetic fibres | | | |

*Reason:* *To minimise the impact of the development on the amenity of the local area in accordance with Policy DM1 of the Nottinghamshire Minerals Local Plan, to minimise the impact of the development on the public highway network in accordance with Policy DM9 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 use 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 DM1 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 DM1 of the Nottinghamshire Minerals Local Plan, and to ensure that breeding birds are not adversely affected.*

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 – 10pm) | LAeq (10pm– 7am) |
| Bright Sparks/ Stonehills House, Derby Road | 55 | 52 | 42 |

| | | | |
|---|---|---|---|
| Coxmoor House, Derby Road | 55 | 52 | 42 |
| Forest Farm, off Derby Road | 55 | 52 | 42 |
| Forest House, Thieves Wood Lane | 55 | 52 | 42 |

*Reason:* *To minimise the noise impact of the development on the amenity of the local area, in accordance with Policy DM1 of the Nottinghamshire Minerals Local Plan.*

25. Prior to commencing mineral extraction in each of phases 3 and 4, where this would involve any new or relocated conveyor system, an updated Noise Impact Assessment shall be submitted to and approved in writing by the MPA. The assessment shall inform the methods of working and design/location of any conveyor system and shall demonstrate that the noise limits set out in conditions 24 and 27 can be complied with.

*Reason:* *To inform the future design and working arrangements for phases 3 and 4 should this involve conveying of minerals and to ensure that noise levels including from extended night time operations would be minimised and remain within the noise limits set to protect nearby residential and ecological receptors.*

26. 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 DM1 of the Nottinghamshire Minerals Local Plan.*

27. 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) 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**

28. 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 DM1 of the Nottinghamshire Minerals Local Plan.*

29. 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 DM1 of the Nottinghamshire Minerals Local Plan.*

**Archaeology**

30. 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 policies SP5 and DM6 of the Nottinghamshire Minerals Local Plan.*

**Stockpile heights**

31. Following the commencement of extraction from Phase 1b, 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 DM1 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**

32. 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 DM1 of the Nottinghamshire Minerals Local Plan.*

33. 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 in accordance with Policy DM1 of the Nottinghamshire Minerals Local Plan.*

34. 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 DM9 of the Nottinghamshire Minerals Local Plan.*

**Pollution control**

35. 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 DM2 of the Nottinghamshire Minerals Local Plan.*

36. 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 DM2 of the Nottinghamshire Minerals Local Plan.*

37. 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 DM2 of the Nottinghamshire Minerals Local Plan.*

38. 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 filing 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 DM2 of the Nottinghamshire Minerals Local Plan.*

**Ecology**

39. Prior to the commencement of mineral extraction in each phase or sub-phase, 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.*

40. Site clearance works within each phase and sub-phase, 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**

41. 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 DM3 of the Nottinghamshire Minerals Local Plan.*

42. 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 DM3 of the Nottinghamshire Minerals Local Plan.*

43. 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 DM3 of the Nottinghamshire Minerals Local Plan.*

44. 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 DM3 of the Nottinghamshire Minerals Local Plan.*

45. 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 DM3 of the Nottinghamshire Minerals Local Plan.*

46. 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/m2 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 DM3 of the Nottinghamshire Minerals Local Plan and in the interests of biodiversity.*

47. 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 DM3 of the Nottinghamshire Minerals Local Plan.*

**Phased restoration**

48. 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:

| Phase | Date for restoration details to be submitted |
|---|---|
| 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 DM12 of the Nottinghamshire Minerals Local Plan.*

**Soil replacement for agricultural and woodland restoration**

49. 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 policies DM3 and DM12 of the Nottinghamshire Minerals Local Plan.*

50. 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 policies DM3 and DM12 of the Nottinghamshire Minerals Local Plan.*

51. 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 policies DM3 and DM12 of the Nottinghamshire Minerals Local Plan.*

52. 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 policies DM3 and DM12 of the Nottinghamshire Minerals Local Plan.*

53. 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 policies DM3 and DM12 of the Nottinghamshire Minerals Local Plan.*

54. 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 policies DM3 and DM12 of the Nottinghamshire Minerals Local Plan and in the interest of habitat creation.*

55. 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 policies DM3 and DM12 of the Nottinghamshire Minerals Local Plan and in the interest of habitat creation.*

**Restoration of areas to heathland, wetland areas and woodland**

56. Within the timescales prescribed in Condition 48 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 54 and 55 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 DM12 of the Nottinghamshire Minerals Local Plan and to provide for extensive heathland and acid grassland afteruse in accordance with Policy SP2 of the Nottinghamshire Minerals Local Plan.*

**Aftercare**

57. 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 DM12 of the Nottinghamshire Minerals Local Plan.*

58. 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 DM12 of the Nottinghamshire Minerals Local Plan.*

59. 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 48 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 flora, 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 DM12 of the Nottinghamshire Minerals Local Plan.*

60. 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 59 (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 DM12 of the Nottinghamshire Minerals Local Plan.*

61. The aftercare programme shall be implemented in accordance with the details approved under Condition 59 (vi) above, as amended following the annual site meeting carried out in accordance with Condition 60 above.

*Reason: To provide for the aftercare of the restored site, in accordance with Policy DM12 of the Nottinghamshire Minerals Local Plan.*

**Alternative Restoration**

62. 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.*

63. The revised restoration scheme approved under Condition 62 shall be implemented within 12 months of its approval by the MPA, and shall be subject to the aftercare provisions of Conditions 59 – 61 above.

*Reason: To secure the proper restoration of the site within an acceptable timescale.*

**NOTES TO APPLICANT**

1. **The development hereby permitted must be carried out in accordance with the conditions attached to this planning permission and any approved plans and details. Failure to implement the permission in accordance with the planning conditions and approved details may render the development unlawful and could lead to enforcement action and prosecution.**

2. **If, at any stage, it becomes necessary to vary any of the approved plans or details you should contact the County Planning Authority in advance of implementing any changes to ascertain whether the proposed changes require any further planning approval.**

3. **Where appropriate there is a fee payable, currently £116, where a written request is made for the discharge of one or more conditions on the same permission or for confirmation that condition(s) on a permission have been complied with. The fee is payable for each request and not for each condition. When submitting a fee, please provide the planning application reference number. Fees can be paid in several ways, either:**

- **using a debit/credit card by calling 0115 9932584;**
- **by paying online at www.nottinghamshire.gov.uk/planning-and-environment/planning-applications/pay-a-planning-fee; or**
- **by sending a cheque payable to 'Nottinghamshire County Council' to the Planning Support Officer, Development Management, Nottinghamshire County Council, County Hall, Loughborough Road, West Bridgford Nottingham, NG2 7QP. Please mark the envelope 'Private and Confidential'.**

4. **Where pre-commencement conditions may be specified in this decision notice, the justification as to why such conditions are imposed and need to be discharged prior to the commencement of development is stated in accordance with Article 35 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.**

5. **This notice of planning permission and the attached conditions should be read alongside the associated Section 106 legal agreement dated 19 September 2017.**

6. **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.**

7. **It is the objective of the Nottinghamshire Minerals Local Plan (Policy SP3) that all aspects of minerals development should minimise impacts on the causes of climate change by reducing greenhouse gas emissions and move towards a low-carbon economy. Technological improvements (particularly LEDs) mean that there are more energy efficient floodlighting products on the market compared to the existing fittings. The company should take the opportunity to review the floodlighting and the energy and costs savings that may be available from fitting new products.**

8. **Your attention is drawn to the Standing Advice from The Coal Authority set out below.**

DN1-759

**APPLICATION REF NO.** 4/V/2021/0397

**IMPORTANT NOTICE: STANDING ADVICE**
**Planning Application Consultations with the Coal Authority**

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

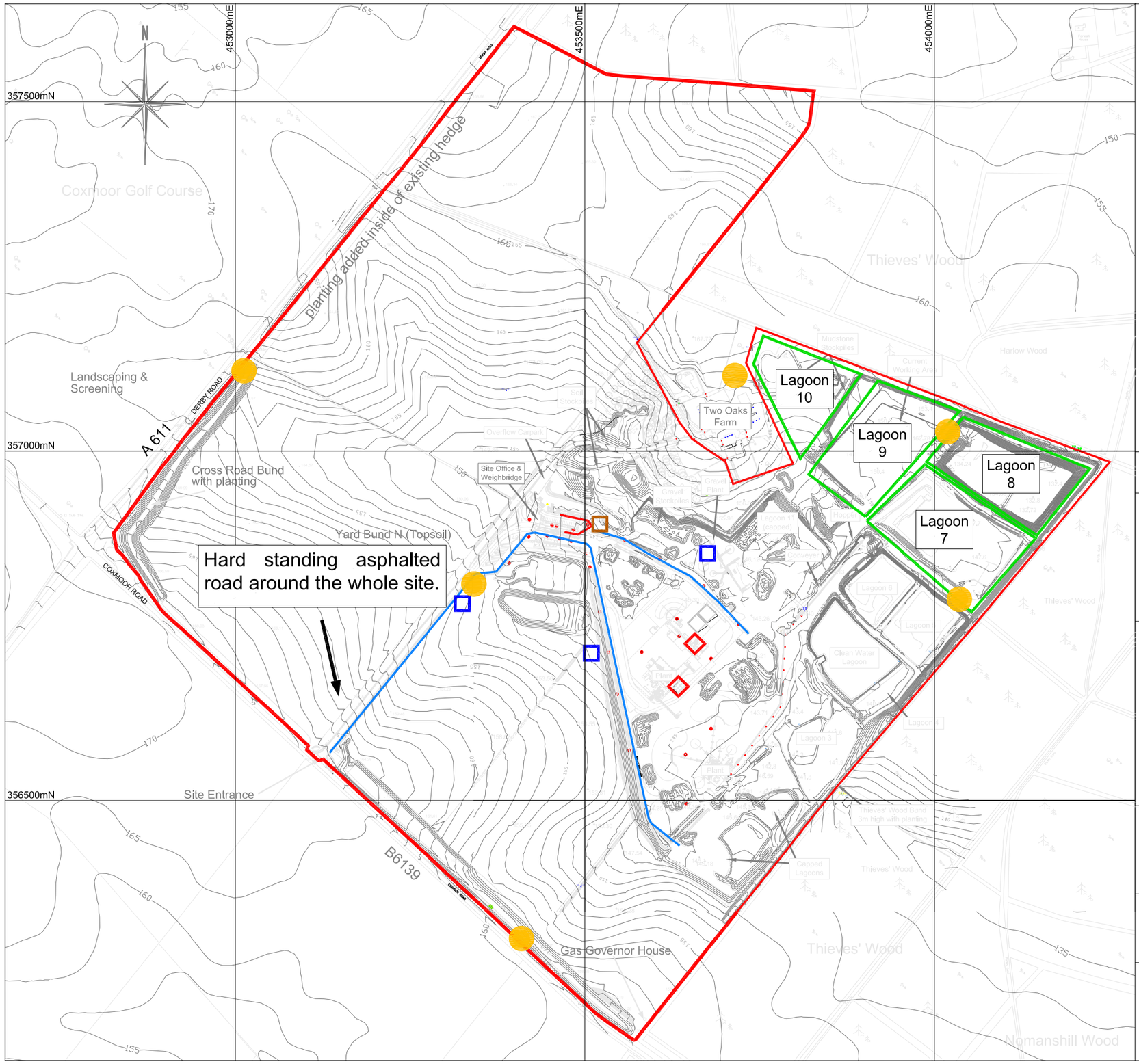
Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:
www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

*Informative Note valid from 1st January 2021 until 31st December 2022.*

# Appendix B. TOQ Site Plan April 23 (Shows Green Line Boundary for Deposit for Recovery Areas)




## KEY

- Quarry Boundary
- Waste Recovery Boundary
- 160 Contour (mAOD)
- Surface Water Drain
- Foul Water Drain
- Surface Water Soakaway
- Cesspit
- Foul Water Soakaway
- Sample Point Location

Operator: Mansfield Sand Company Ltd.

Site Name: Two Oaks Quarry

National grid reference from the site centre: SK53747 56838

Date: 26/05/2023

NOTE: Two Oaks Farm is derelict

0m 100m 200m
Scale

Site surveyed by Greenfield Environmental November 2021
Site surveyed by Peak Surveying Services March 2023



Site
Two Oaks Quarry
Kirkby in Ashfield

Project
Site Development

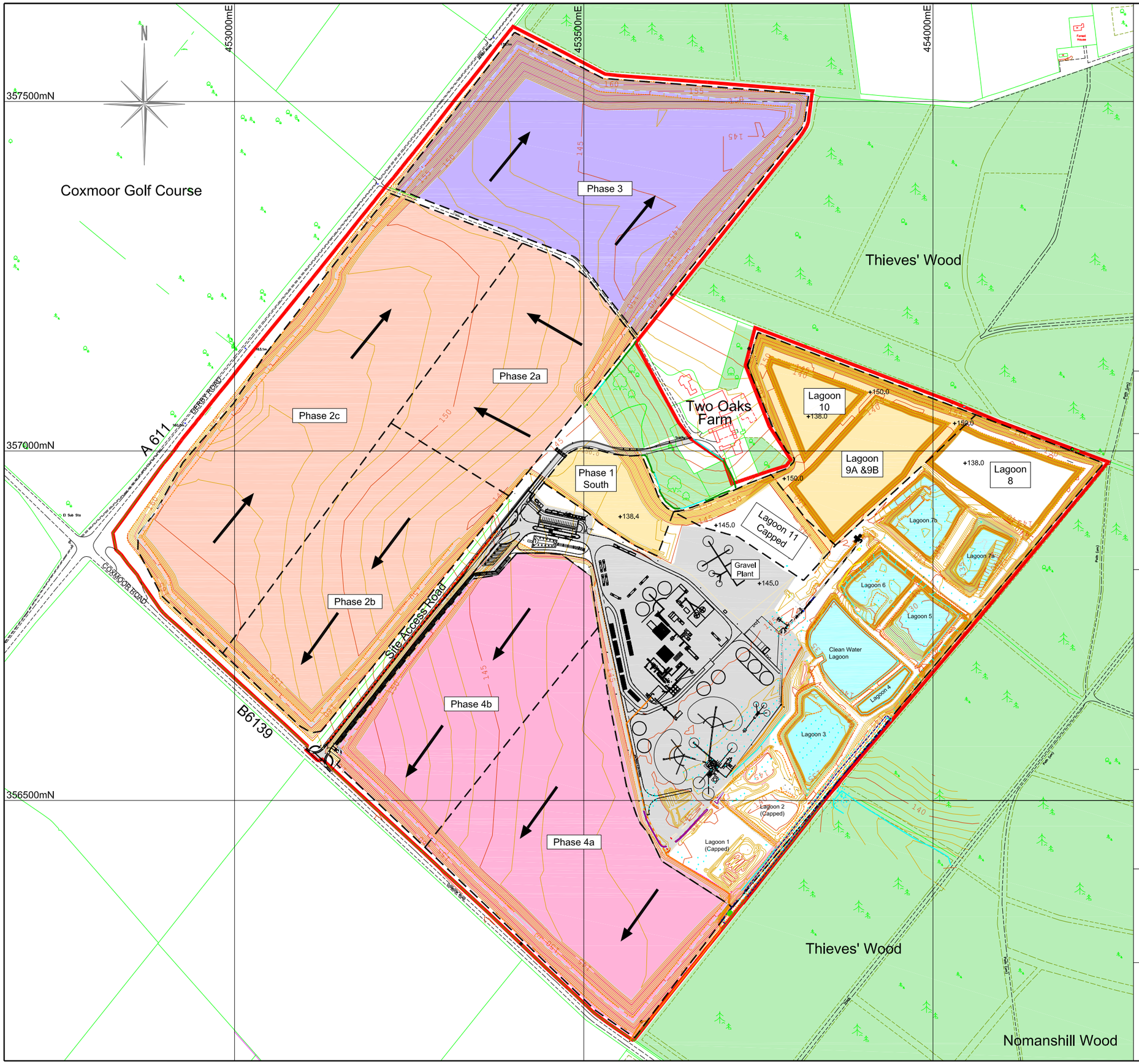
Title
Proposed Waste Recovery Areas

Scale 1:6,000 @A3
Project No. MSF/TOF/116
File: TOQ Site Plan April 23 Full Site and Waste Services.dwg
Drawn by: BGD Date:26/05/2023

Mansfield Sand

Greenfield enviro

# Appendix C. TOQ August 22 Extraction Design v2




# KEY

- Application Area
- Phase 1 (Remaining)
- Phase 2
- Phase 3
- Phase 4
- Production/ Plant Area
- Woodland
- Lagoons Completed
- Lagoons Proposed
- Direction of Working

0m 100m 200m

Scale

Notes

Site surveyed by Greenfield Environmental April 2021 & Peak Surveys July 2022

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Site

Two Oaks Quarry
Kirkby in Ashfield

Project

Site Development

Title

Extraction Design August 2022 v2

Scale: 1:6000 @ A3

Project No. MSF/TOQ/114

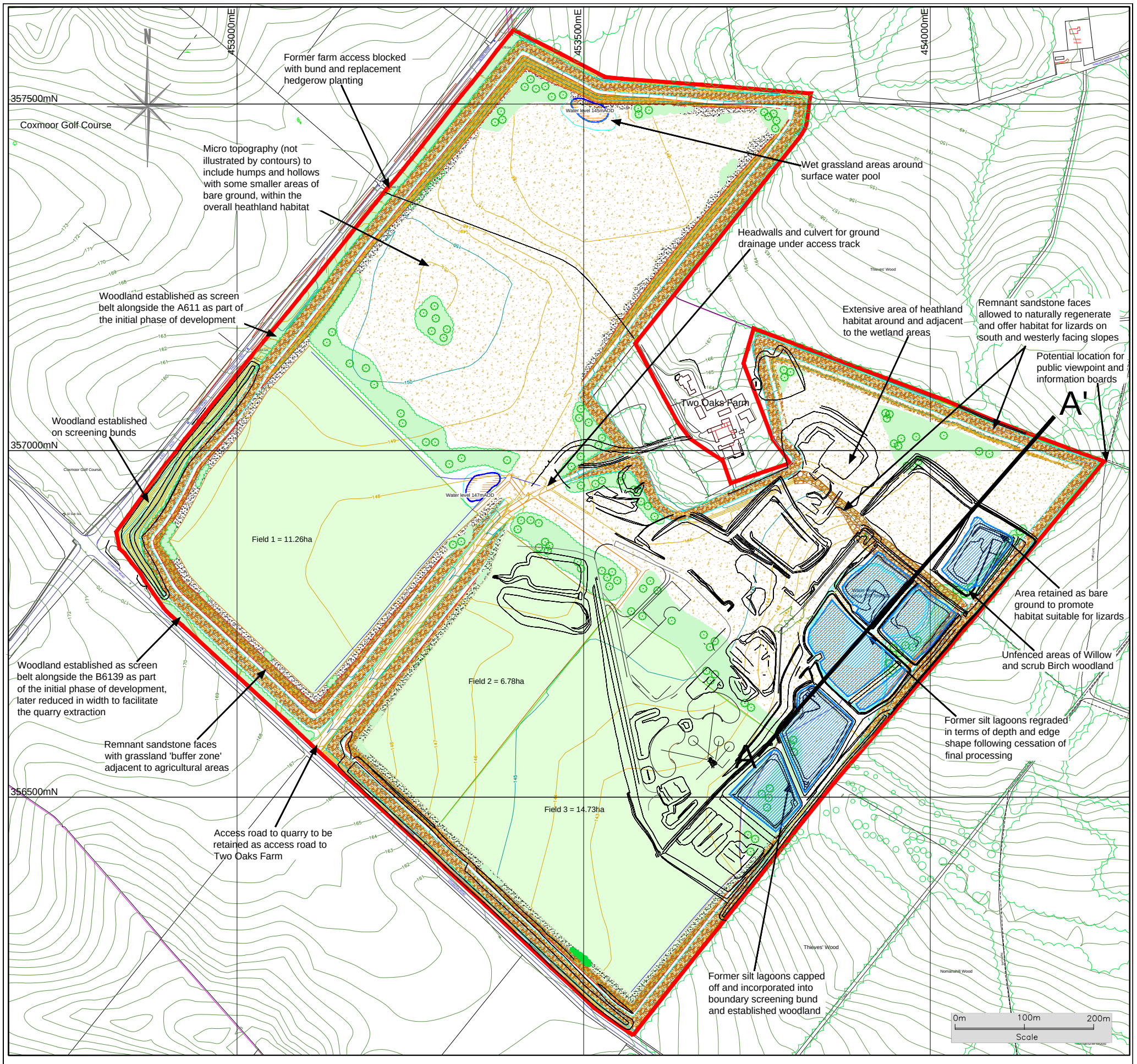
File: TOQ August 22 Extraction Design.dwg

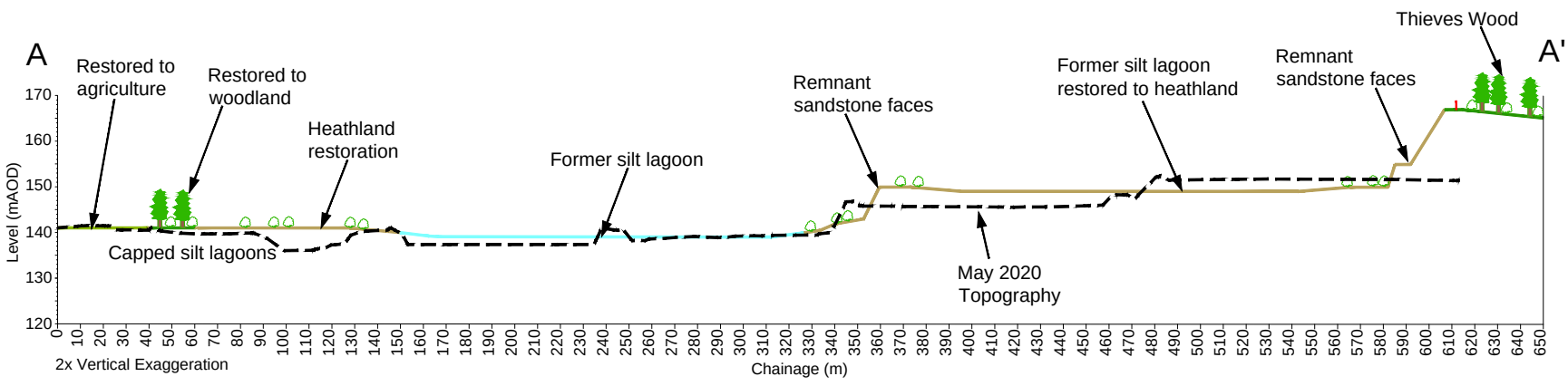
Drawn by: ISC Date: 11/08/2022

Mansfield Sand

Greenfield enviro
1 Commercial Road, Keyworth,Nottingham NG12 5JS
Email: admin@greenfieldenviro.co.uk
Tel: 0115 937 2002

# Appendix D. TOQ Restoration May 2020 Section + Current Lagoon Overlay




Site
Two Oaks Quarry
Kirkby in Ashfield

Project
Conceptual Restoration

Title
Proposed Restoration Scheme & May 2020 Survey Site Overlay

Key
- Proposed Restoration Contours
- Proposed Grassland
- Proposed Woodland
- Proposed Wetland Area
- Proposed Shallow Wetland Areas
- Proposed Heathland
- Current Lagoon (May 2020 Survey)
- Current Site Layout (May 2020 Survey)

| | |
|---|---|
| Map Scale: | 1:6,000 @A3 |
| Section Scale: | 1:3,000 @A3 |
| Project No. | MSF/TOF/116 |
| File: | TOQ Restoration May 2020 + Overlay.dwg |
| Drawn by: | TJS |
| Date: | 2nd June 2020 |

Notes
Site surveyed by Greenfield Environmental May 2020
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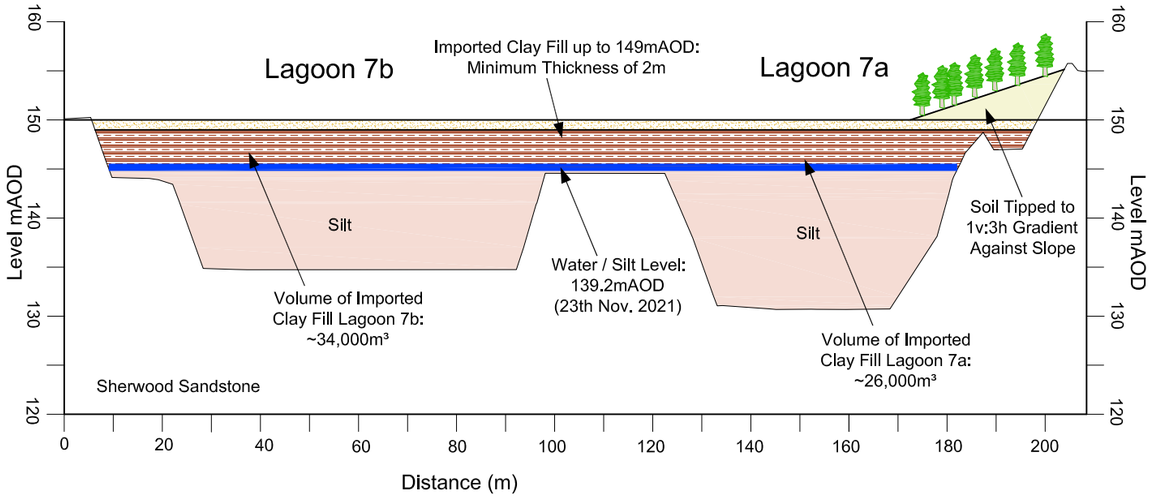
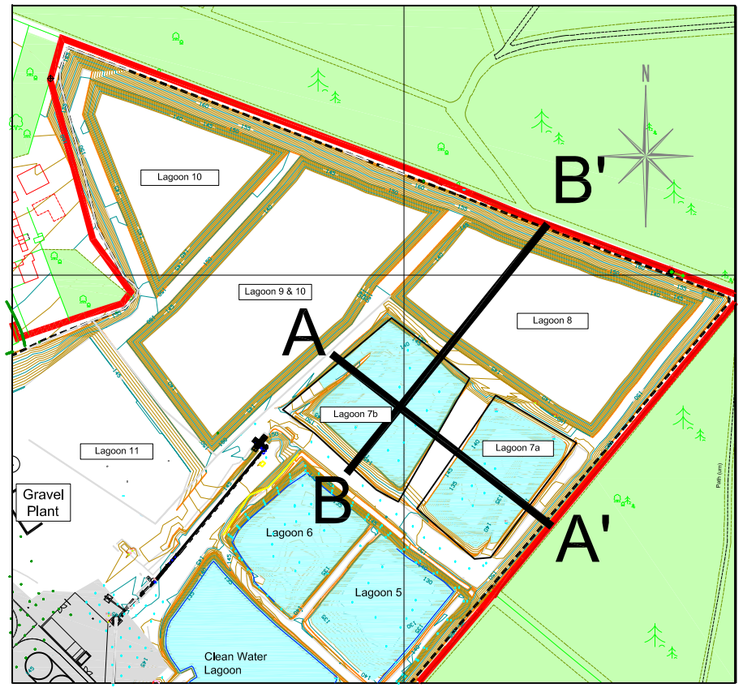
Greenfield enviro

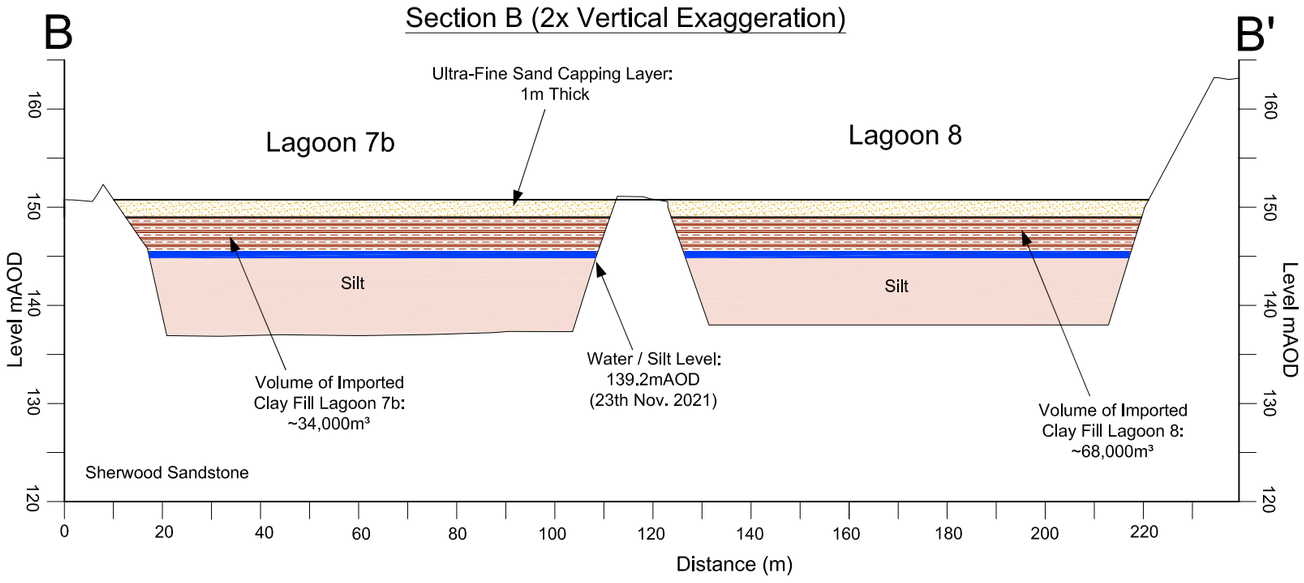
# Appendix E. TOQ  Lagoon 7, 8 & 9 Capping Cross Sections

## Section A (2x Vertical Exaggeration)




## Section B (2x Vertical Exaggeration)




Key

- Ultra-Fine Sand
- Imported Clay Fill
- Silt
- Soil
- Water Level

Scale

0m 20m 40m



Site
Two Oaks Quarry

Project
Proposed Restoration

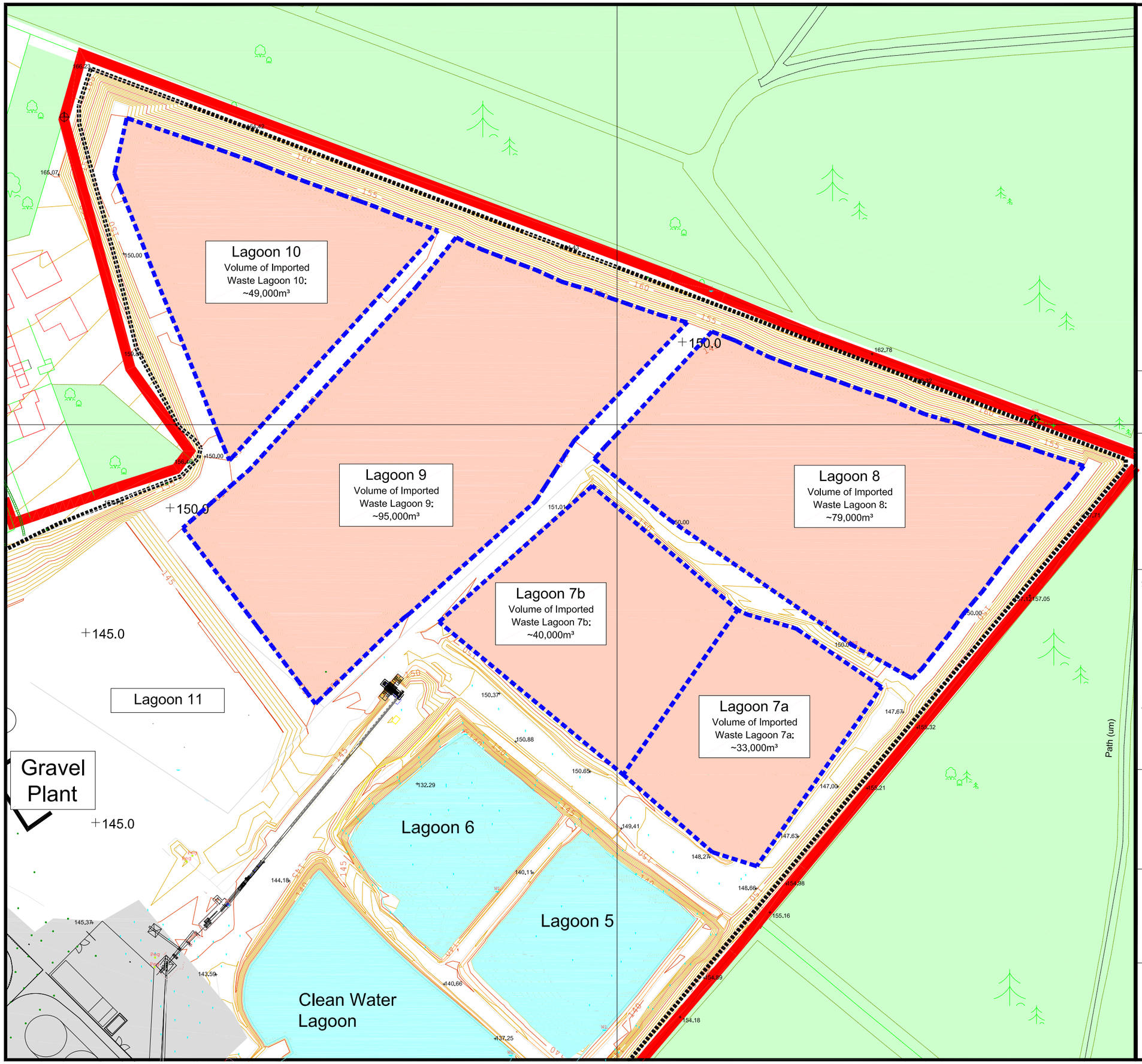
Title
Lagoon 7 & 8 Capping

| | |
|---|---|
| Scale: | 1:1250 @ A3 |
| File: | TOQ LAgoon 7 and 8 Capping X sec.dwg |
| Drawn by: | BGD |
| Date: | 28/11/2022 |

Mansfield Sand

Greenfield enviro
1 Commercial Road, Keyworth, Nottingham NG12 5JS
Email: admin@greenfieldenviro.co.uk
Tel: 0115 937 2002

# Appendix F. TOQ Lagoon Capping Areas




## KEY

- Application Area
- Production/ Plant Area
- Woodland
- Lagoons Completed
- Capping Extents

0m 100m 200m
Scale

Notes

Site surveyed by Greenfield Environmental April 2021 & Peak Surveys July 2022

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Site
Two Oaks Quarry
Kirkby in Ashfield

Project
Proposed Restoration Scheme

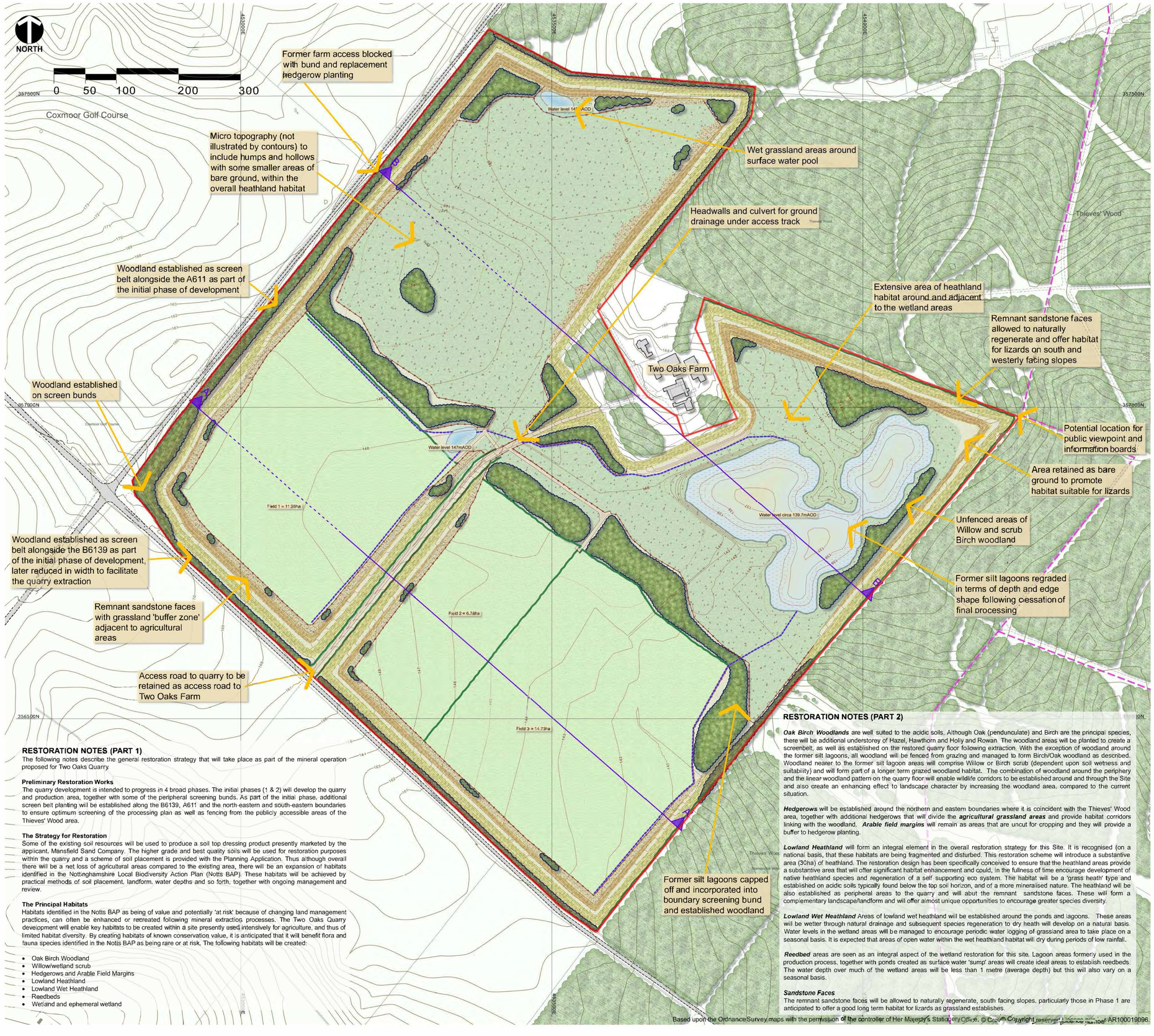
Title
Lagoon Capping Areas May 2023

Scale: 1:2000 @ A3
Project No. MSF/TOQ/114
File: TOQ Lagoon Capping Areas.dwg
Drawn by: BGD Date:26/05/2023

Mansfield Sand

Greenfield enviro
1 Commercial Road, Keyworth,Nottingham NG12 5JS
Email: admin@greenfieldenviro.co.uk
Tel: 0115 937 2002

# Appendix G. Plan R22-10 – Concept Restoration Masterplan [Now Superseded]




## RESTORATION NOTES (PART 1)

The following notes describe the general restoration strategy that will take place as part of the mineral operation proposed for Two Oaks Quarry.

**Preliminary Restoration Works**

The quarry development is intended to progress in 4 broad phases. The initial phases (1 & 2) will develop the quarry and production area, together with some of the peripheral screening bunds. As part of the initial phase, additional screen belt planting will be established along the B6139, A611 and the north-eastern and south-eastern boundaries to ensure optimum screening of the processing plan as well as fencing from the publicly accessible areas of the Thieves' Wood area.

**The Strategy for Restoration**

Some of the existing soil resources will be used to produce a soil top dressing product presently marketed by the applicant, Mansfield Sand Company. The higher grade and best quality soils will be used for restoration purposes within the quarry and a scheme of soil placement is provided with the Planning Application. Thus although overall there will be a net loss of agricultural areas compared to the existing area, there will be an expansion of habitats identified in the Nottinghamshire Local Biodiversity Action Plan (Notts BAP). These habitats will be achieved by practical methods of soil placement, landform, water depths and so forth, together with ongoing management and review.

**The Principal Habitats**

Habitats identified in the Notts BAP as being of value and potentially 'at risk' because of changing land management practices, can often be enhanced or recreated following mineral extraction processes. The Two Oaks Quarry development will enable key habitats to be created within a site presently used intensively for agriculture, and thus of limited habitat diversity. By creating habitats of known conservation value, it is anticipated that it will benefit flora and fauna species identified in the Notts BAP as being rare or at risk. The following habitats will be created:

- Oak Birch Woodland
- Willow/wetland scrub
- Hedgerows and Arable Field Margins
- Lowland Heathland
- Lowland Wet Heathland
- Reedbeds
- Wetland and ephemeral wetland

## RESTORATION NOTES (PART 2)

***Oak Birch Woodlands*** are well suited to the acidic soils. Although Oak (pendunculate) and Birch are the principal species, there will be additional understorey of Hazel, Hawthorn and Holly and Rowan. The woodland areas will be planted to create a screenbelt, as well as established on the restored quarry floor following extraction. With the exception of woodland around the former silt lagoons, all woodland will be fenced from grazing and managed to form Birch/Oak woodland as described. Woodland nearer to the former silt lagoon areas will comprise Willow or Birch scrub (dependent upon soil wetness and suitability) and will form part of a longer term grazed woodland habitat. The combination of woodland around the periphery and the linear woodland pattern on the quarry floor will enable wildlife corridors to be established around and through the Site and also create an enhancing effect to landscape character by increasing the woodland area, compared to the current situation.

***Hedgerows*** will be established around the northern and eastern boundaries where it is coincident with the Thieves' Wood area, together with additional hedgerows that will divide the ***agricultural grassland areas*** and provide habitat corridors linking with the woodland. ***Arable field margins*** will remain as areas that are uncut for cropping and they will provide a buffer to hedgerow planting.

***Lowland Heathland*** will form an integral element in the overall restoration strategy for this Site. It is recognised (on a national basis, that these habitats are being fragmented and disturbed. This restoration scheme will introduce a substantive area (30ha) of heathland. The restoration design has been specifically conceived to ensure that the heathland areas provide a substantive area that will offer significant habitat enhancement and could, in the fullness of time encourage development of native heathland species and regeneration of a self supporting eco system. The habitat will be a 'grass heath' type and established on acidic soils typically found below the top soil horizon, and of a more mineralised nature. The heathland will be also established as peripheral areas to the quarry and will abut the remnant sandstone faces. These will form a complementary landscape/landform and will offer almost unique opportunities to encourage greater species diversity.

***Lowland Wet Heathland*** Areas of lowland wet heathland will be established around the ponds and lagoons. These areas will be wetter through natural drainage and subsequent species regeneration to dry heath will develop on a natural basis. Water levels in the wetland areas will be managed to encourage periodic water logging of grassland area to take place on a seasonal basis. It is expected that areas of open water within the wet heathland habitat will dry during periods of low rainfall.

***Reedbed*** areas are seen as an integral aspect of the wetland restoration for this site. Lagoon areas formerly used in the production process, together with ponds created as surface water 'sump' areas will create ideal areas to establish reedbeds. The water depth over much of the wetland areas will be less than 1 metre (average depth) but this will also vary on a seasonal basis.

***Sandstone Faces***

The remnant sandstone faces will be allowed to naturally regenerate, south facing slopes, particularly those in Phase 1 are anticipated to offer a good long term habitat for lizards as grassland establishes.



## Key

- Application boundary (The Site)
- Existing woodland and vegetation adjacent to the Site, or retained within the Site
- Proposed Oak Birch woodland (broadleaf woodland planting with additional understorey of Hazel, Hawthorn, Holly and Rowan). Most woodland areas are to be fenced from grazing with rough grass regeneration within
- Proposed hedgerow planting
- Proposed agricultural grassland areas
- Proposed lowland heathland (areas restored to lowland heathland habitat, with woodland illustrating potential areas of Birch and scrub growth)
- Proposed wetland areas, including the establishment of reed bed areas and peripheral wet grassland areas. These ponds are likely to dry during periods of low rainfall
- Silt lagoons regraded and reformed following mineral cessation of production and allowed to naturally recolonise with reeds and wetland plant species. (Underwater contour levels shown).
- Quarry access tracks retained for access to Two Oaks Farm and other agricultural areas
- Proposed stock fencing and gateways
- Existing restoration contours retained on periphery of the Site and includes contours outwith the Site
- Proposed restoration contours
- Existing footpaths and bridleways (beyond site boundary)
- Remnant sandstone faces allowed to naturally regenerate
- Base of sandstone faces/slopes seeded with acid grassland mix and then left to naturally regenerate
- Alignment of surface water ditches
- Restoration cross section alignment (dashed line indicates omitted flat agricultural portion of section), see Figure L16a for restoration cross sections

| Revision | Details of revision | Date |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

Client: **MANSFIELD SAND COMPANY LTD.**

Project: **Two Oaks Farm**

**Planning Application Reg 22 Submission 2012**

Title: **Concept Restoration Masterplan**

Bar Tree House
Dovaston
Oswestry
Shropshire, SY10 8DP
Tel 01691 682773
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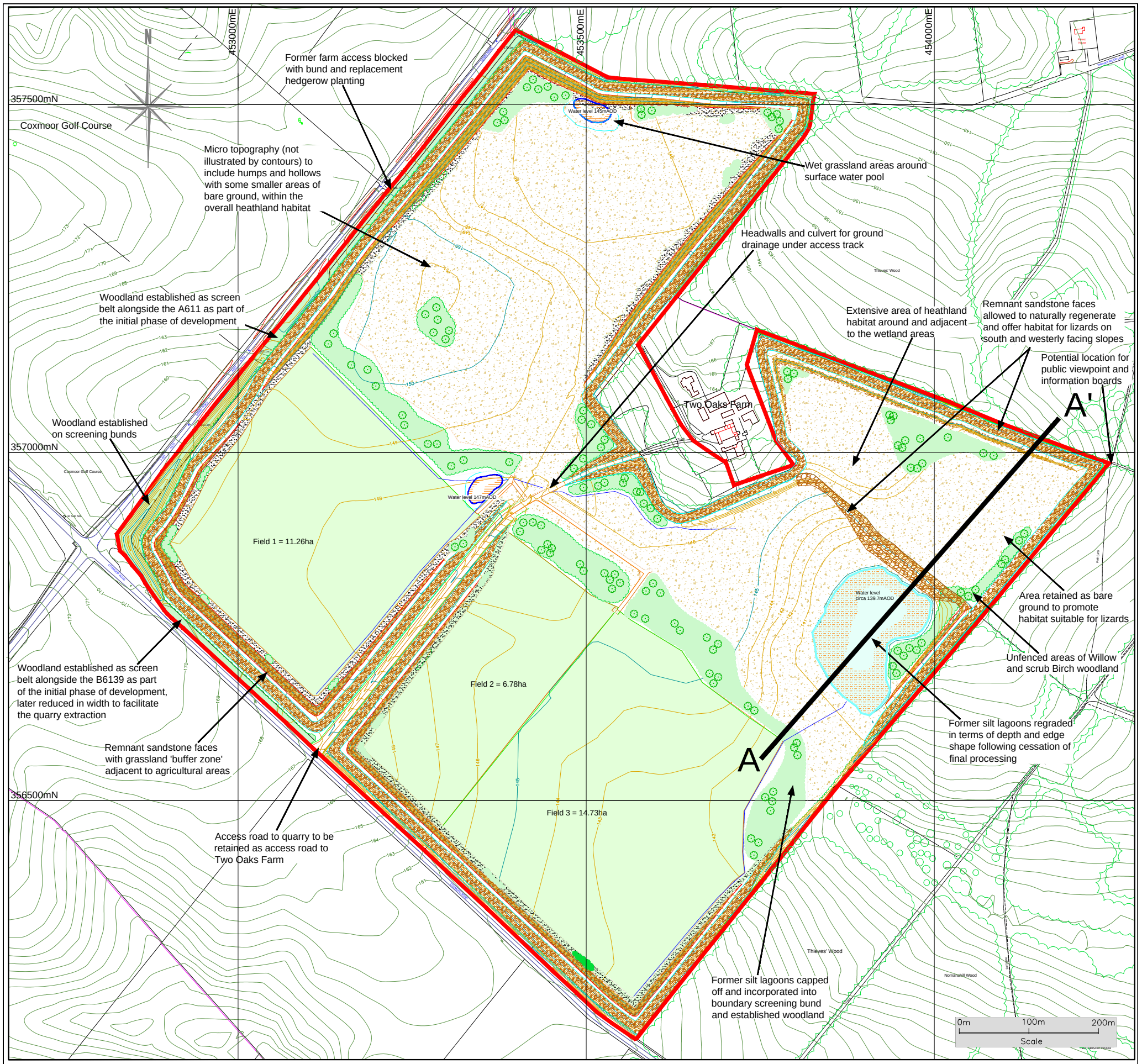
Bright & Associates
Landscape & Environmental Consultants

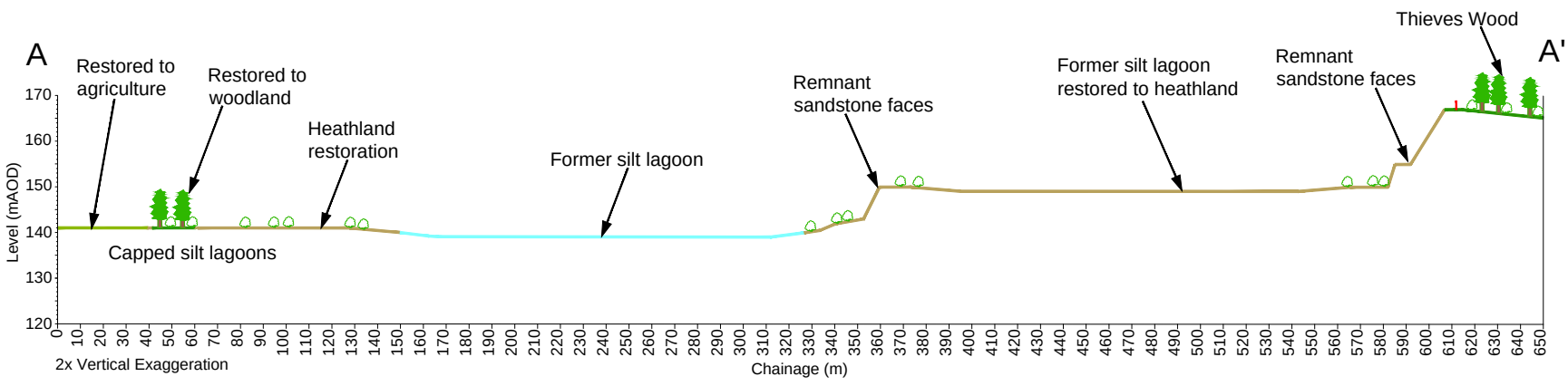
Restoration layout is indicative only. All site details to be measured, underground services checked and layout adjusted accordingly prior to implementation
Levels in metres above Ordnance Datum. All dimensions to be checked on site.

| Drawn by: | Date: | Scale: |
|---|---|---|
| RB | January 2012 | 1:3000 |
| CAD Ref: TW894-D20 | Version: 1 | Plot size: A1 |

Drawing: **Plan R22-10**

# Appendix H. Plan PA3 Proposed Restoration Scheme and Cross Section




Site

Two Oaks Quarry
Kirkby in Ashfield

Project

Conceptual Restoration

Title

Plan PA3 - Proposed Restoration Scheme & Cross Section

Key

- Proposed Restoration Contours
- Proposed Grassland
- Proposed Woodland
- Proposed Wetland Area
- Proposed Shallow Wetland Areas
- Proposed Heathland

| | |
|---|---|
| Map Scale: | 1:6,000 @A3 |
| Section Scale: | 1:3,000 @A3 |
| Project No. | MSF/TOF/116 |
| File: | TOQ Restoration Nov 2018 section.dwg |
| Drawn by: | TJS |
| Date: | 25th February 2019 |

Notes

Site surveyed by Greenfield Associates January 2008

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