

APPENDIX A**Conditions****Scope of Permission**

1. This permission relates to the extraction of sand and gravel within the Northern Extension Area, the construction and operation of an overland conveyor and associated conveyor bridge, mineral processing, the export of mineral via road, the retention of the existing plant site and all ancillary operations contained therein, the subsequent restoration of the northern extension area using imported material, the restoration of the plant site and the aftercare of the land all within the land edged red on drawing number L321-00063-1B entitled 'Location Plan' dated 16 September 2019.

Reason: For the avoidance of doubt and to enable the Mineral Planning Authority to effectively monitor the development.

2. The winning and working of minerals shall only take place within the extraction areas as defined by the orange dashed line titled 'Proposed Extraction Area' on drawing no L321-00063-3B entitled Proposed Working Plan dated 16 July 2019.

Reason: For the avoidance of doubt and to ensure that mineral extraction is restricted to the permitted areas.

Commencement

3. The development hereby permitted comprises both a continuation of operations in the existing plant site, the bagging plant, the aggregate waste recycling facility, site access and egress arrangements and the fresh water and silt lagoons at Lockington Quarry which hitherto were carried out under planning permissions 2000/0088/07, 2007/0357/07, 2007/1361/07 and 2014/0072/07 and an extension of the winning and working of minerals onto an area of land known as the 'Northern Extension' area. The commencement of development hereby permitted shall be implemented in accordance with the following details:
 - a) The processing and despatch of stone and all associated activities within the existing plant site, from the date of this permission.
 - b) The importation, processing and recycling of waste material within the Recycled Aggregate Processing area, from the date of this permission.
 - c) The operation of the ready-mix concrete plant and bagging plant and all associated activities, from the date of this permission.
 - d) The continued use of the fresh water and silt lagoons east of Warren Lane, from the date of this permission.
 - e) The commencement of operations within the Northern Extension area within three years of the date of this permission.

The Mineral Planning Authority shall be notified in writing of the date of commencement of operations in the Northern Extension area within 14 days of such commencement.

Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990 and to assist with the monitoring of conditions attached to the planning permission and for the avoidance of doubt.

Duration

4. All operations for the winning and working of minerals and the subsequent restoration with imported material of the Northern extension area as authorised or required by this permission shall be completed within fifteen years of the date of commencement of operations within that area as notified to the Mineral Planning Authority under condition 3(e) above. Within one year of the completion of restoration operations in the Northern extension area, all plant, machinery, structures, buildings and access and haul roads shall have been removed, and the whole site, including all areas occupied by plant, machinery, structures, buildings, access and haul roads shall have been restored in accordance with the further conditions to this permission.

Reason: In conformity with statutory time limits and to ensure that all operations are carried out within an acceptable timescale and to prevent prolonged disturbance to the local environment.

Approved Documents

5. Unless otherwise required pursuant to conditions of this permission, the development hereby permitted shall be carried out in accordance with the submitted application, documents and recommendations of reports, including the Environmental Statement dated 10 October 2019 submitted by David L Walker Associates Ltd on behalf of Tarmac, as amended by the further and supplementary information and plans received from David Walker Associates under cover of letters dated 14 December 2021; 22 and 26 January 2024, 21 May 2024 and 4 October 2024. For the avoidance of doubt, the approved development shall be carried out in accordance with the following plans and documents:
 - a) Drawing No. L321-00063-1B titled 'Location Plan' dated 16 September 2019
 - b) Drawing No. L321-00063-2B titled 'Existing Conditions' dated 16 July 2019
 - c) Drawing No. L321-00063-3B titled 'Proposed Working Plan' dated 16 July 2019
 - d) Drawing No. L321-00063-4B titled 'Phase 1 initial works' dated 16 July 2019
 - e) Drawing No. L321-00063-5B titled 'Phase 2 Initial Extraction' dated 16 July 2019
 - f) Drawing No. L321-00063-6B titled 'Phase 3 Initial Extraction' dated 16 July 2019
 - g) Drawing No. L321-00063-7B titled 'Phase 4 Initial Extraction' dated 16 July 2019
 - h) Drawing No. L321-00063-8B titled 'Phase 5 Initial Extraction' dated 16 July 2019

- i) Drawing No. L321-00063-9B titled 'Phase 6 Initial Extraction' dated 16 July 2019
- j) Drawing No. L321-00063-10B titled 'Final Restoration Operations' dated 16 July 2019
- k) Drawing No. L321-00063-11D titled 'Outline Restoration Proposals' dated 3 July 2023
- l) Drawing No. L321-00063-12a titled 'Proposed Restoration Cross Sections' dated 12 February 2020
- m) Drawing no EC-0002-S4-P2 entitled 'Restoration Ecology' dated July 2023
- n) Document titled 'Outline Habitat Restoration, Establishment Aftercare and Long-term Management Strategy' (Report ref: CE-LQ-1179-RT07) produced by Crestwood Environmental Ltd dated November 2021
- o) Document titled 'Supplementary Information on the Post Restoration Surface Water Drainage System' (report ref: TAR/LOC/CJC/2894/01/SW2) produced by MJCA dated November 2021
- p) Document entitled 'Biodiversity metric' (Report ref CEL – PEA template) produced by Crestwood Ecology dated 4 November 2023.
- q) Hydrogeological and Hydrological Impact Assessment (ref: TAR/LOC/CJC/2894/01HIA3) dated August 2019
- r) Flood Risk Assessment Addendum Report (ref: TAR/LOC/CJC/2894/01/A1) dated November 2021
- s) Document entitled 'Written Scheme of Investigation for a programme or archaeological investigation at Lockington' (ref: AC 3131/D5 vs. 2.0) produced by Archaeologica Ltd dated February 2023.

Waste Recycling

- t) Drawing no L1/PL13/02 titled 'Site Plan' dated January 2014
- u) Drawing No. L1/PL13/03 titled 'Site Layout Plan' dated November 2013
- v) Planning Supporting statement produced by David L Walker Limited dated January 2014

Bagging Plant

- w) Drawing no LOC/14/2 titled Lockington Quarry Bagging Plant Location dated 14 February 2007
- x) Letter from Lafarge Aggregates date 27 February 2007

Reason: For the avoidance of doubt as to the development that is permitted.

Availability of Approved Documents

6. From the date this permission comes into effect, a copy of this permission, the plans and documents referred to in Condition 5 above, and any other plans and documents subsequently approved in accordance with any condition of this permission, shall be kept available on site at all times for the duration of the development.

Reason: To ensure the site operators are fully aware of the requirements of these conditions throughout the period of the development.

Working Programme and Phasing Details

7. Mineral extraction operations shall be carried out sequentially as set out on drawing No. L321-00063-3B titled 'Proposed Working Plan' dated 16 July 2019

and in accordance with drawing nos L321-00063-4B to L321-00063-9B dated July 2019 inclusive. Written notification shall be sent to the Mineral Planning Authority within seven days of the commencement and completion of each phase of the development and shall provide at least seven days' notice of the intention to undertake soil stripping in each phase.

Reason: To ensure that the site is worked in accordance with the submitted working scheme and to ensure that the Mineral Planning Authority has sufficient time to make arrangements for the monitoring of the development in the interests of maintaining the amenity of the area in accordance with policy DM2 of the Leicestershire Minerals and Waste Local Plan (LMWLP) paragraph 187 e) of the National Planning Policy Framework (2024).

8. No later than two months prior to the commencement of operations within the Northern Extension area, and then subsequently before 31 March each year, a working plan covering the operational matters of the development hereby permitted shall be submitted to the Mineral Planning Authority for its approval in writing. The scheme shall, as appropriate, include details of:
- (a) operations carried out on the land during the previous 12 months in respect of soil stripping and storage, mineral extraction, waste disposal and restoration;
 - (b) a topographical survey carried out within the two months preceding the date of the submission of the plan consisting of a plan drawn to a scale of not less than 1:5000, which identifies all surface features within the site and levels relating to ordnance datum over all the land where operations have taken place;
 - (c) a plan showing the area stripped of topsoil and subsoil, the location of each soil and overburden storage mound and the quantity and nature of material therein;
 - (d) measures taken in respect of landscaping, restoration, and habitat protection/creation/establishment; and
 - (e) a summary of the forthcoming works programme for the following twelve months including the phasing and timing of operations for vegetation clearance, soil and overburden stripping and removal, overburden and soil replacement (including the construction of new landforms and new planting and seeding), the direction and depth of mineral working, the phasing and timing of any infilling operations and any measures to be taken in respect of landscaping, restoration, and habitat protection/creation/establishment.

The working of the site shall then be undertaken in accordance with the approved details.

Reason: To enable the Mineral Planning Authority to monitor and adequately control the development and to minimise its impact on the amenities of the local area. To accord with policy DM2 of the LMWLP and paragraph 187 e) of the NPPF (2024).

Mineral Processing

9. There shall be no importation of mineral to the site and no mineral shall be processed at the site except that which has been extracted under the terms of this planning permission and the following:

- cement and necessary raw materials not available from within the site for the purposes of manufacturing ready mixed concrete at the concrete batching plant; and
- aggregates for the purpose of producing bagged aggregate at the aggregate bagging plant.

Reason: For the avoidance of doubt, to control the extent of the development and in the interests of highway amenity and safety in accordance with policies DM2 and DM9 of the LMWLP.

Mineral Stockpiling

10. With the exception of temporary stockpiles of material waiting to be placed in the conveyor feed hopper, no stockpiling or storage of unprocessed or processed sand and gravel shall take place within the extraction areas as defined on drawing no L321-00063-3B entitled 'Proposed Working Plan' dated 16 July 2019.

Reason: In the interests of visual amenity and to protect the site and its surrounding area from impacts associated with flood risk and to comply with policies DM2 and DM5 of the LMWLP and paragraph 170 of the NPPF (December 2024).

11. The height of unprocessed and processed mineral stockpiles shall not exceed 5 metres in height (as measured from adjacent ground levels).

Reason: In the interests of visual amenity and to comply with policy DM5 of the LMWLP.

Importation and Management of Waste Materials

12. There shall be no importation of waste materials to the site except for the following:

- Inert waste materials for use in the infilling and restoration of the Northern Extension area.
- Waste materials associated with the operation of the recycled aggregate products facility.

Reason: To protect the amenities of the area and to comply with policies DM2 and W8 of the LMWLP.

13. Within twelve months of the date of this permission a plan setting out the layout of the waste reception area shall be submitted in writing to the Mineral Planning Authority for its prior written approval. The plan shall include the following details:

- location and number of stockpiles.
- internal haul roads and vehicle manoeuvring space.

The waste reception area shall then be laid out as approved and maintained thereafter for the duration of the development.

Reason: In the interests of visual amenity and to ensure the effective operation of the site and to comply with policy DM5 of the LMWLP. To allow the Mineral Planning Authority to monitor and ensure compliance with the approved conditions for the site.

14. The height of inert waste stockpiles shall not exceed 5 metres (as measured from adjacent ground levels).

Reason: In the interests of visual amenity and to comply with policy DM5 of the LMWLP.

15. With the exception of material which has been direct placed for infilling purposes, there shall be no stockpiling or storage of inert waste materials within the extraction areas as defined by the orange dashed line titled 'Proposed Extraction Area' on drawing no L321-00063-3B entitled Proposed Working Plan dated 16 July 2019.

Reason: In the interests of visual amenity and flood risk and to comply with policies DM2 and DM5 of the LMWLP and paragraph 170 of the NPPF (2024).

Plant Site

16. Within twelve months of the date of this permission, an up-to-date layout plan of the Plant Site, including the bagging plant and recycled aggregate product facility, shall be provided to the Mineral Planning Authority.

Reason: To enable the Mineral Planning Authority to effectively monitor the development and to comply with policy DM2 of the LMWLP.

17. Notwithstanding the requirements of conditions 1 and 2 above, mineral extraction may be carried out within the existing Plant Site once a detailed scheme of working and restoration has been submitted to, and been approved in writing by, the Mineral Planning Authority. The scheme, shall include proposals for the following:

- The removal of all plant, buildings, structures, machinery, roads and hardstandings, and stored materials;
- A detailed working scheme including, where relevant, direction of working, phasing and subsequent infilling works.
- Detailed information relating to the restoration of the ground surface in accordance with the principles set out on drawing no LG/RS/01a titled 'Restoration Scheme' dated July 2014;
- a scheme of five years agricultural aftercare management in line with the requirements of condition 73 below; and
- a programme of implementation.

Mineral extraction and restoration operations within the existing Plant Site shall then be carried out in accordance with the approved scheme.

Reason: To protect the amenities of the area and to ensure the appropriate restoration of the land in accordance with policies DM2 and DM12 of the LMWLP.

Restriction of Permitted Development Rights

18. Notwithstanding the provisions of part-17 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, replacing or re-enacting that Order), no fixed plant or machinery, buildings, structures and erections shall be erected, extended, installed or replaced at the site without the prior approval in writing of the Mineral Planning Authority.

Reason: To enable the Mineral Planning Authority to consider whether any such proposed further development in the site might have an unacceptable impact on amenity and the environment.

Fixed Plant and Buildings

19. All new and replacement fixed plant and buildings erected at the site shall be Goosewing Grey (RAL 080 70 05 / BS 10A05) in colour.

Reason: In the interests of protecting local and visual amenity and to comply with policies DM2 and DM5 of the LMWLP.

Lighting

20. No additional fixed lighting shall be erected at the site unless and until a lighting scheme has been submitted to, and approved in writing by, the Mineral Planning Authority. The scheme shall include details of the location, height, design, sensors, hours of operation and luminance of the existing and proposed lighting. The additional lighting shall be designed to minimise the potential nuisance of light spillage to the locality and shall be implemented in full accordance with the approved details.

Reason: To minimise the adverse impact of light generated by the operations on the local community and the historic and natural environment and to comply with policy DM2 of the LMWLP.

Waste Aggregate Recycling Facility

21. Waste recycling operations are permitted to take place within the areas edged yellow and red on drawing no L1/PL13/02 titled 'Site Plan' dated January 2014.

Reason: For the avoidance of doubt and to enable the Mineral Planning Authority to control the extent of the development.

22. The layout of the recycling area shall be as shown on Drawing No. L1/PL13/03 titled 'Site Layout Plan' dated November 2013.

Reason: To enable the Mineral Planning Authority to monitor the development and in the interests of visual amenity in accordance with policy DM5 of the LMWLP.

23. Stockpiles of imported waste or recycled material for use in the waste aggregate recycled facility shall not exceed a height of 5 metres (when measured from adjacent ground levels).

Reason: To enable the Mineral Planning Authority to monitor the development and in the interests of visual amenity in accordance with policy DM5 of the LMWLP.

24. The operation of the waste aggregate recycling facility shall cease within 3 months of the completion of mineral extraction and tipping operations in the Northern Extension area. All hard standings, bases, structures and machinery forming any part of the recycling facility shall then be removed, and the recycling area restored in accordance with details and a timetable which have been submitted to, and approved in writing by, the Mineral Planning Authority.

Reason: To ensure the prompt restoration of the site and in the interests of visual and local amenity and to comply with policies DM5 and DM12 of the LMWLP.

Bagging Plant

25. Imports of aggregate to the bagging plant shall not exceed 25,000 tonnes within any calendar year. Records of imported material shall be maintained on a quarterly basis and shall be made available to the Mineral Planning Authority at any time upon request. All records shall be kept for a period of no less than 12 months.

Reason: To ensure that the principal purpose of the development is related to the utilisation of minerals from Lockington Quarry in accordance with policy M3 of the LMWLP and to enable the Mineral Planning Authority to monitor the development.

26. The importation of aggregate to the bagging plant shall cease within three months of the cessation of sand and gravel extraction at Lockington Quarry.

Reason: The proposed development is only acceptable in this location as an ancillary activity to sand and gravel extraction operations at Lockington Quarry and in the interests of the prompt restoration of the site in accordance with policies M13 and DM12 of the LMWLP.

Hours of Operation

27. Except in emergencies to maintain safe quarry working (the details of which shall be notified to the Mineral Planning Authority as soon as practicable following the event) no operations (other than water pumping, servicing, maintenance and testing of plant) shall be carried out at the site except between the following times:

Main Quarry, Mineral Processing and Plant Site

- (i) no operations (other than water pumping, servicing, maintenance and testing of plant) shall be carried out at the site except between the following times:

0700 hours and 1900 hours Monday to Friday; and

0700 hours and 1300 hours Saturday

- (ii) notwithstanding (i) above, mineral extraction and processing operations are permitted to take place between the extended hours of 0700 hours and 2400 hours Monday to Friday. The extended operations shall be restricted to no more than one three-month period in any calendar year. The Mineral Planning Authority shall be notified of the commencement of operations within the extended hours in any given year within seven days from the date of such commencement. A record of the operational dates during these hours shall be maintained and made available to the Mineral Planning Authority at any time upon request. All records shall be kept for at least 2 years.
- (iii) servicing, maintenance and testing of plant shall only be carried out within the existing Plant Site between 0700 hours and 1900 hours Monday to Friday and 0700 hours and 1700 hours on Saturday;
- (iv) no operations associated with the formation and subsequent removal of material from soil storage areas shall be carried out within 200 metres of any occupied residential property except between 0900 hours and 1700 hours Monday to Friday;
- (v) no operations (other than water pumping) shall be carried out at the site at any time on Sundays or Public or Bank holidays.
- (vi) vehicle loading and dispatch operations within the existing Plant Site may take place at any time, outside the permitted hours specified in (i) above provided that no more than 250 tonnes of sand and gravel is supplied from the site for any day during such hours. Records of the amount of material exported from the site during these hours shall be maintained and made available to the Mineral Planning Authority upon request.
- (vii) The use of pumps for the purposes of dewatering excavations may take place at any time.

Waste Aggregate Recycling Facility

- (viii) The recycling of waste materials in the RAP facility shall only take place between 0700 hours and 1900 hours Mondays to Fridays; and 0700 hours and 1300 hours on Saturdays. There shall be no such operations on Sundays, Bank or other Public holidays.
- (ix) The import of recyclable material to and export of recycled product from the RAP facility may take place at any time.

Concrete Batching Plant

- (x) The concrete batching plant may operate at any time to serve specific contracts which require material to be removed off-site during the night-time, at weekends or on Public or other Bank holidays.

Bagging Plant

- (xi) The operation of the bagging plant and importation of aggregate to the bagging plant shall only take place between the hours of 0700 and 1900

Monday to Friday and 0700 and 1300 on Saturdays. No importation shall take place on Sundays, Bank or other Public holidays.

Reason: To protect the amenities of local residents and in the interests of the local environment and to comply with policy DM2 of the LMWLP.

Highways

28. The sole means of vehicular access to the site and egress from the site for any purpose in connection with the development hereby permitted shall be by the existing Plant Site access on Warren Lane as illustrated on drawing number RD1037/3aTR titled 'Proposed landfill Entrance' dated August 2012 and the dedicated site egress as illustrated on drawing number L321/00009 Rev A titled 'Revised Phasing' dated September 2015. There shall be no access into the Northern Extension area except via the Plant site and associated Warren Lane crossing point as shown on Drawing No. A109432-TTE-HSL-XX-DR-TS-00007 Rev. P04 and titled 'Indicative Haul Crossing on Warren Lane with Visibility Splays'.

Reason: For clarity and in the interests of highway safety, to ensure safe access and egress to and from the site and to comply with policy DM9 of the LMWLP.

29. No part of the development hereby permitted shall be occupied until such time as the access arrangements and off-site works shown on TetraTech 'Indicative Haul Crossing on Warren Lane with Visibility Splays' drawing (reference A109432-TTE-HSL-XX-DR-TS-00007 Rev. P04) have been implemented in full.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the NPPF (December 2024).

30. Within twelve months of the date of this permission detailed information relating to the proposed conveyor bridge shall be submitted to the Mineral Planning Authority for its prior written approval. The information shall include details of the external materials including colour and cladding materials, dimensions, construction methods and a programme of implementation. The scheme shall then be implemented as approved.

Reason: In the interests of highway safety and visual amenity and to comply with policies DM5 and DM9 of the LMWLP.

31. Within twelve months of the date of this permission a scheme relating to the construction, management and maintenance of the Warren Lane crossing point shall be submitted to the Mineral Planning Authority for its prior written approval. The scheme shall include a tree/hedgerow survey, an arboricultural method statement, details of those trees, hedgerows to be lost in order to construct the crossing and associated visibility splays, details of proposed management of the hedgerows required in order to maintain appropriate visibility splays for

vehicles using the crossing and a scheme of implementation. The scheme shall then be implemented as approved.

Reason: In the interests of highway safety and to control the extent of tree/hedgerow removal in this location and to comply with policies DM7 and DM9 of the LMWLP.

32. Prior to the cessation of extraction operations in Phase 6, a decommissioning management plan shall be submitted to, and approved in writing by, the Mineral Planning Authority agreeing details of removal of the conveyor which oversails the highway on Warren Lane. This should include as a minimum, details of the following, which shall be adhered to throughout the decommissioning period:

- (i) the parking of vehicles of site operatives and visitors;
- (ii) loading/unloading and storage of plant, materials, oils, fuels, and chemicals;
- (iii) the erection and maintenance of security hoarding;
- (iv) wheel washing facilities and road cleaning arrangements;
- (v) measures to control the emission of dust;
- (vi) a scheme for recycling/disposing of waste resulting from site works;
- (vii) measures for the protection of the natural environment;
- (viii) hours of work, including deliveries and removal of materials; and
- (ix) location of temporary buildings and associated generators, compounds, structures and enclosures; and
- (x) a programme of implementation.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase. To comply with the requirements of policy DM12 of the LMWLP.

Highway Cleanliness

33. a) Wheel cleaning facilities within the existing Plant Site shall be used as may be necessary to ensure that no mud or other detritus is carried onto the highway. The surfacing of the existing site access shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times until completion of site restoration and aftercare.
- b) Prior to the construction of the Warren Lane crossing, details of the proposed wheel wash facilities to be used at the crossing as indicated on drawing no A109432-TTE-HSL-XX-DR-TS-00007 Rev. P04 titled 'Indicative Haul Crossing on Warren Lane with Visibility Splays' dated September 2023 shall be submitted in writing to the Mineral Planning Authority for its prior written approval. The wheel washing facilities shall then be installed in accordance with the approved details and maintained for the duration of the development.

Reason: To ensure that deleterious material is not carried onto the public highway in the interests of highway safety and local amenity and to comply with policies DM9 and DM2 of the LMWLP.

34. All HGVs departing the site shall be securely sheeted or otherwise covered to prevent spillage of material onto the public highway.

Reason: To ensure that deleterious material is not carried onto the public highway in the interests of highway safety and local amenity and to comply with policies DM2 and DM9 of the LMWLP.

Public Rights of Way

35. No operations shall commence in the Northern Extension area until a scheme for the treatment of the Public Right(s) of Way has been submitted to, and approved in writing by, the Mineral Planning Authority. Such a scheme shall include provision for management during construction, surfacing, width, structures, signing, landscaping and the crossing point together with a timetable for its implementation. Thereafter, the development shall be carried out in accordance with the agreed scheme and timetable.

Reason: In the interests of amenity, safety and security of users of the Public Right of Way in accordance with policy DM10 of the LMWLP and the NPPF (December 2024).

Noise

36. The noise mitigation measures recommended within section 6 of the Noise Assessment (report ref R19.10418/1/AP) dated August 2019 shall be fully implemented at all times to ensure that the best practicable means are used to control noise from the site and to ensure so far as is reasonably practicable that noise impacts from the operations carried out within the site are minimised.

Reason: To minimise the adverse impact of noise generated by the operations on the local community and environment and to comply with policy DM2 of the LMWLP.

37. Except as may be provided at Condition 38 below, the free field Equivalent Continuous noise level LAeq, 1 hour, received at the noise sensitive receptors specified in the table below, shall not exceed the following limits:

Noise Sensitive Receptors	Daytime Noise Limit LAeq, 1h dB(A) (between the hours of 0700 and 1900)	Evening noise limits LAeq, 1h dB(A) (between the hours of 1900 and 2200)	Night time noise limits LAeq, 1h dB(A) (between the hours of 2200 and 0700)
Grounds Farm Cottage	55	55	42
Lockington Grounds Farm	55	55	42
Sawley Lock House	52	52	42
Sawley Marina	52	52	42
Grounds Farm	51	51	42
Redhill Marina (North)	52	52	42

Redhill Marina (Central)	52	52	42
Redhill Marina (South)	52	52	42

Reason: To control the adverse impact of noise generated by the operations on local amenity and the environment and to comply with policy DM2 of the LMWLP.

38. The noise levels referred to in Condition 37 above may be exceeded for noise emitted from temporary operations related to soil stripping, overburden removal, and construction and removal of soil mounds, and restoration activities. During such operations noise shall be minimised as far as is reasonably practicable and, in any case, shall not exceed 70dB LAeq (1 hour) freefield at any noise sensitive property. Such noisier activities shall not exceed a total of eight weeks in any 12-month period. At least three days prior notice of the commencement of such noisier activities shall be given to the Mineral Planning Authority. A written record shall be kept of the dates that these activities are taking place and made available to the Mineral Planning Authority upon request.

Reason: To control the impact of noise generated by the development and to provide for the monitoring of the impact in the interests of protecting local amenity. To minimise the adverse impact of noise generated by the operations on the local community and environment and to comply with policy DM2 of the LMWLP.

39. Noise levels arising from operations carried out between 1900 and 2400 hours shall be measured at least once every year at the sensitive receptor locations identified on Figure 2 Noise Assessment (report ref R19.10418/1/AP) dated August 2019. The survey shall report the LAeq (1 hour) and LA90 (1 hour) noise level, the weather conditions during the survey and annotated comments on the audible sources of noise and plant operating conditions. The measurements shall be taken for a minimum period of 3 hours. Results shall be forwarded to the Mineral Planning Authority within 10 days of their being taken. The monitoring arrangements shall be kept under regular review and may be varied or amended by agreement with the Mineral Planning Authority.

Reason: To control the impact of noise generated by the development and to provide for the monitoring of the impact in the interests of protecting local amenity. To minimise the adverse impact of noise generated by the operations on the local community and environment and to comply with policy DM2 of the LMWLP.

40. In the event of any complaint being received about operations being carried out within the site between 1900 hours and 2400 hours on Mondays to Fridays, the Mineral Planning Authority shall be informed within 24 hours. If, in the opinion of the Mineral Planning Authority, it is considered that the complaint warrants further investigation, a report shall be submitted to the Mineral Planning Authority prior to further operations taking place during those hours. Where necessary, a scheme of mitigating measures shall be submitted to the Mineral Planning Authority for its approval in writing and subsequently implemented. The scheme of measures shall seek to mitigate the effects of the operation that gave rise to the original complaint.

Reason: To control the noise emissions from the site having regard to the amenities of the area and the operational needs of the development. To minimise

the adverse impact of noise generated by the operations on the local community and environment and to comply with policy DM2 of the LMWLP.

41. Within twelve months of the date of this permission, a noise monitoring and mitigation scheme for the site as a whole, shall be submitted to the Mineral Planning Authority for its prior written approval. The scheme shall include details of:
- (i) noise monitoring at the sensitive receptors identified on page 11 of the Noise Assessment (report ref R19.10418/1/AP) dated August 2019 to assess whether the limits specified in conditions no. 39 and 40 are being complied with;
 - (ii) frequency of monitoring;
 - (iii) presentation of monitoring results, including details of dates, times and comments on significant noise emissions recorded;
 - (iv) specific measures to control noise emissions including those arising from soil stripping and mound construction including, when necessary, the suspension of operations when noise emissions arise where the amenities of local residents would be affected;
 - (v) maintenance and availability of monitoring results;
 - (vi) procedures to be implemented if noise emissions exceed approved levels; and
 - (vii) a methodology to keep the scheme under regular review subject to written agreement with the Mineral Planning Authority;
 - (viii) mitigation measures to be deployed to ensure noise emissions remain within permitted limits and do not impact adversely upon local amenity.

The development shall thereafter take place in accordance with the approved noise monitoring and mitigation scheme.

Reason: To control the impact of noise generated by the development and to provide for the monitoring of the impact in the interests of protecting local amenity. To minimise the adverse impact of noise generated by the operations on the local community and environment and to comply with policy DM2 of the LMWLP.

Dust

42. The mitigation measures recommended within section 3 of the Environmental Statement dated October 2019 and Appendix 3 of the Air Quality Assessment (report ref R19.10419/1/AG) dated August 2019 shall be fully implemented at all times to ensure that the best practicable means are used to control the emission of dust from the Site and to ensure so far as is reasonably practicable that dust emissions from the operations carried out within the Site are minimised.

Reason: To minimise the adverse impact of dust generated by the operations on the local community and environment and to comply with policy DM2 of the LMWLP.

43. All operations shall be carried out in a manner which minimises the emission of dust from the site. In order to minimise any dust created by site activities, the following steps shall be taken as appropriate:

- all haul roads within the site to be watered as necessary to control dust from internal traffic movements.
- water bowser to be available for use on site at all times.
- meteorological conditions to be monitored.
- volume of water applied to road surface to be monitored and adjusted according to weather conditions.
- any dry, exposed material to be watered as necessary in dry and windy conditions.
- haul roads to be compacted, graded and maintained.

Reason: To minimise the adverse impact of dust generated by the operations on the local community and environment and to comply with policy DM2 of the LMWLP.

44. Within twelve months from the date of this permission, a dust monitoring scheme shall have been submitted to the Mineral Planning Authority for its approval in writing. The scheme shall include details of:
- (i) dust monitoring at the sensitive receptors identified on Figure 1.0 and Table 3 of the Air Quality Assessment (report ref R19.10419/1/AG) dated August 2019 to assess whether the limits specified in condition no. 45 below are being complied with;
 - (ii) monitoring equipment to be used including the installation of appropriate equipment to continuously measure PM₁₀ concentrations at suitable locations outside the Site boundary;
 - (iii) presentation of monitoring results, including details of dates, times, prevailing weather conditions and comments on significant dust emissions recorded;
 - (iv) specific measures to control dust emissions arising from soil stripping and mound construction including when necessary the suspension of operations when weather conditions are creating conditions where the amenities of local residents would be affected;
 - (v) specific measures to control dust emissions arising from the importation, storage and placement of inert waste materials during infilling operations.
 - (vi) maintenance and availability of monitoring results;
 - (vii) procedures to be implemented if dust emissions exceed approved levels; and
 - (viii) a methodology to keep the scheme under regular review subject to written agreement with the Mineral Planning Authority.

Dust monitoring shall then be undertaken in full accordance with the approved details.

Reason: To minimise the adverse impact of dust generated by the operations on the local community and environment and to comply with policy DM2 of the LMWLP.

45. Notwithstanding the details contained within condition 44 above, in the event that monitoring results at any location exceeding a trigger level of 120 mg.m⁻²/day, the operator shall report in writing, within 14 days of the results being known to them, to the Mineral Planning Authority on the monitoring results and the quarry operations undertaken for the relevant period. If required by the Mineral Planning Authority, within 28 days the operator shall submit in writing a proposed scheme

of measures to reduce dust levels for approval. The scheme shall then be implemented as soon as practicable following its approval by the Authority.

Reason: To minimise the adverse impact of dust generated by the operations on the local community and environment and to comply with policy DM2 of the LMWLP.

Bird Hazard Management

46. Within twelve months of the date of this permission, an updated Bird Hazard Management Plan (BHMP) for the Lockington Quarry complex, shall be submitted to the Mineral Planning Authority for its prior written approval. The BHMP shall have regard to the control of water during the working phases of the Northern Extension area as well as during site restoration as set out in paragraph 4.1.2 of the Environmental Statement dated October 2019.

Reason: In the interests of aviation safety and to comply with policy DM2 of the LMWLP.

Flood Risk

47. At all times, the development shall be undertaken in accordance with the measures set out in Section 13 of the Hydrogeological and Hydrological Impact Assessment (ref: TAR/LOC/CJC/2894/01HIA3) dated August 2019 as amended by the Flood Risk Assessment Addendum Report (ref: TAR/LOC/CJC/2894/01/A1) dated November 2021. In particular, the development shall have regard to the measures set out in Sections 3 and 4 of the Addendum report where they relate to additional flood storage capacity, the configuration of acoustic and visual screening bunds and the provision and subsequent maintenance of adequate standoff distances between the areas of excavation and nearby rivers and flood defence infrastructure during the development.

Reason: In the interests of minimising flood risk within the site or elsewhere in accordance with policy DM2 of the LMWLP and paragraph 170 of the NPPF (December 2024).

Water Protection, Drainage and Pollution Prevention

48. At all times, the development shall be undertaken in accordance with the measures set out in sections 9, 10 and 11 and Table 2 of the Hydrogeological and hydrological impact assessment for the proposed Warren Lane Extension to Lockington Quarry, Leicestershire (ref: TAR/LOC/CJC/2894/01HIA4) dated October 2019 and Sections 2 and 3 of the MJCA report titled 'Supplementary Information on management of Suspended Solids in Runoff during the Mineral Extraction Operations' (ref TAR/LOC/CJC/2894/01/NE1) dated November 2021.

Reason: In the interests of the protection of the water environment, the Lockington Marshes SSSI and the Scheduled Monument 'Moated Site to the SE of Sawley Lock (National List 1003564). To comply with policies DM2, DM7 and DM8 of the LMWLP.

49. Within twelve months of the date of this permission, a detailed Water Management Action Plan (WMAP) based on the principles set out in the draft Water Action Management Plan provided at Appendix L of the Environmental Statement dated October 2019 shall be submitted to the Mineral Planning Authority for its prior written approval. The WMAP shall include details of the following:
- (i) A comprehensive review and update of all existing groundwater boreholes/monitoring locations as set out on Figure WMAP 1 and in Table WMAP1 to take account of any which are no longer in use, inaccessible or require replacement. Where groundwater monitoring boreholes do require replacement or are no longer in use, then details of their replacement (including location) and/or a statement of reasons as to why they are no longer in use should be provided.
 - (ii) Provision for a programme of water level monitoring to assess the effects of the development on, amongst other things, the Lockington Marshes SSSI and Scheduled Monument 'Moated Site to the SE of Sawley Lock (National List 1003564).
 - (iii) Provision for a tiered approach of mitigations to be provided in the form of a series of management actions.
 - (iv) Provision for update and review of the approved management actions where, in the opinion of the Mineral Planning Authority, they are not effective.
 - (v) Provision for monitoring results to be compiled in an annual report which shall be provided to the Mineral Planning Authority, Natural England and Historic England; and
 - (vi) A programme of implementation.

Reason: To enable the Mineral Planning Authority to monitor the effects of the development on Lockington Marshes SSSI and other nature conservation interests and on the Scheduled Monument. To comply with policies DM2, DM7 and DM8 of the LMWLP.

50. There shall be no interruption to the surface water drainage system of the surrounding land as a result of the operations on site. Provision shall be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and to comply with policy DM2 of the LMWLP.

51. No materials other than inert waste materials or site derived overburden or soils shall be used for the purposes of restoration.

Reason: To prevent pollution of the water environment and to comply with policy DM2 of the LMWLP.

52. Within twelve months of the date of this permission, a surface water drainage scheme shall be submitted to the Mineral Planning Authority for its prior written approval. The scheme shall be based on the following principles:

- the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality;
- the limitation of surface water run-off to equivalent greenfield rates; and
- the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations.

Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for event durations up to the 24 hour (or longer where required) for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods with results ideally showing critical details only for each return period.

The development shall then be carried out in accordance with these approved details in perpetuity.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and in the interests of the protection of Network Rail infrastructure.

53. Within twelve months of the date of this permission, details relating to the long-term maintenance of the surface water drainage system within the development shall be submitted to the Mineral Planning Authority for its approval in writing. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

Details of the surface water maintenance plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the surface water drainage system and a programme of implementation.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development.

Protection of Network Rail Property

54. No dewatering operations in the Northern Extension area shall commence until a scheme for the monitoring of the effect of the development (dewatering) on ground water levels adjacent to the railway. The scheme shall make provision for the installation of piezometers at identified locations, a programme of monitoring and reporting, provision for the reports to be provided to the Mineral Planning Authority and Network Rail at six monthly intervals; and a programme of implementation.

Reason: In the interest of the protection of nearby railway infrastructure.

Protection of Existing vegetation

55. No operations required or authorised by this permission, including the stripping and storage of soils, shall take place within 6 metres of the centre line of any

hedgerow and not within 10 metres of the trunk of any tree which is to be retained on site.

Reason: To ensure the protection and retention of existing vegetation that is to be retained in the interests of the visual appearance and amenity of the site in the context of the surrounding landscape.

Site Maintenance

56. All undisturbed areas of the site and all topsoil, subsoil, soil making material and overburden mounds shall be kept free from excessive plant growth and from agricultural weeds such as thistle, dock and ragwort. Cutting, grazing or spraying shall be undertaken, as necessary, to prevent the production of seed and subsequent spread of weeds onto adjoining agricultural land.

Reason: to ensure the protection and retention of existing vegetation that is to be retained in the interests of the visual appearance and amenity of the site in the context of the surrounding landscape.

Management of Land Prior to Extraction and/or in Areas Where no Extraction Will Take Place

57. All land in the extraction areas within the Northern Extension area shall be managed in accordance with good agricultural practice (including weed control) until such time as they are required for mineral extraction. Where it falls within the planning permission boundary, the land comprising the stand-off to the SSSI and the stand-offs to the Hemington Brook, Lockington Brook, the River Trent and flood defence infrastructure, that will not be disturbed by mineral extraction shall be managed in accordance with good agricultural practice (including weed control) throughout the period of development, restoration and aftercare.

Reason: To ensure that all land to remain undisturbed throughout the development and land that will not be worked until later in the extraction programme is properly maintained for the current usage and in the interests of local amenity and the environment.

Soils and Overburden Handling, Placement and Management

58. No stripping of soils shall take place within the Northern Extension Area, as defined on drawing no L321-00063-3B entitled Proposed Working Plan dated 16 July 2019 until a Soil Handling, Placement and Management Scheme has been submitted to, and approved in writing by, the Mineral Planning Authority. The Scheme shall be based on the principles set out in paragraphs 3.1.29-3.1.48 of the Environmental Statement dated October 2019, the DEFRA *Construction Code of Practice for the Sustainable Use of Soils on Construction Sites* and the *Good Practice Guide for Handling Soils In Mineral Workings* by The Institute of Quarrying.

All soil handling, storage and placement shall be undertaken in accordance with the approved Scheme for the duration of the development.

Reason: In the interests of the protection of the soil resource and to comply with policy DM6 of the LMWLP and paragraph 187) of the National Planning Policy

Framework (2024).

59. Notwithstanding the requirements of condition 58 above, prior to the commencement of any soil and overburden stripping within any phase of the site, details of the proposed soil and overburden movement shall be submitted to the Mineral Planning Authority for its prior written approval. The submitted details shall be based on the phasing proposals as shown on drawing nos L321-00063-4B to L321-00063-9B dated July 2019 inclusive contained within the Environmental Statement dated October 2019. Thereafter, soil and overburden movements shall be carried out in accordance with the approved details.

Reason: In the interests of the protection of the soil resource and to comply with policy DM2 of the LMWLP and paragraph 187 e) of the National Planning Policy Framework (2024).

60. No part of the site shall be excavated or traversed by heavy vehicles or machinery (except as necessary to strip that part of topsoil or subsoil) or used for a road or for the stationing of plant or buildings, or storage of subsoil or overburden or waste or mineral deposits, until all available topsoil and subsoil has been stripped from that part except that topsoils may be stored on like or similar topsoils and subsoils may be stored on like or similar subsoils.

Reason: To avoid soil smearing and compaction and to comply with policy DM6 of the LMWLP and paragraph 187) of the National Planning Policy Framework (2024).

61. All overburden materials shall be retained on site. where possible excavated overburden materials shall be directly placed into worked out parts of the site in connection with the ultimate restoration of the site. where direct placement is not feasible, overburden shall be stored in mounds, the location and dimensions of which shall have been previously approved in writing by the Mineral Planning Authority.

Reason: To ensure that the site is restored successfully and to comply with policy DM6 of the LMWLP and paragraph 187 of the National Planning Policy Framework (2024).

Archaeology – Protection of Scheduled Monument ‘Moated Site to the SE of Sawley Lock (National List 1003564)

62. Prior to the commencement of operations in the Northern extension area a scheme for the protection of Scheduled Monument ‘Moated Site to the SE of Sawley Lock (National List 1003564) shall have been submitted to, and approved in writing by, the Mineral Planning Authority. The scheme, which shall be based on the measures set out in Section 6 of the letter from Archaeologica Ltd dated 14 May 2024, shall include the following:

- An appropriately scaled plan (based on the drawing associated with List entry 1003564) which clearly defines the edge of the scheduled area relative to the proposed extraction area and the proposed position of the fencing at 10 metres and 20 metres from the defined edge of the scheduled monument;

- Details of the proposed fencing (which shall be no more than 2 metres in height);
- Details of the proposed construction and demolition methods to be used during installation and removal;
- Details of a monitoring scheme to be undertaken during mineral extraction operations which should have regard to the condition of the fencing; checks for animal activity and any vegetation establishment. The scheme should also include details of the frequency of monitoring and method of reporting, and
- A programme of implementation.

The scheme shall then be implemented as approved and maintained thereafter for the duration of the development.

Reason: In order to comply with the requirements of policy DM8 of the LMWLP and to ensure that the Scheduled Monument is protected from the direct and indirect effects of the development.

Archaeology - Written Scheme of Investigation

63. At all times, the development shall be undertaken in accordance with the measures set out in the Written Scheme of Investigation for a programme or archaeological investigation at Lockington' (ref: AC 3131/D5 vs. 2.0) produced by Archaeologica Ltd dated February 2023. In particular, regard should be had to Sections 7 and 8 of the document which set out the aims and objectives for future archaeological work and proposed mitigations.

Reason: To ensure the protection of the scheduled monuments and their setting and to record and advance understanding of the significance of the affected resource prior to its loss. To comply with the requirements of policy DM8 of the LMWLP.

Protection of Species and Habitats

64. Prior to the commencement of operations associated with the creation of the Warren Lane Crossing point and within the Northern Extension Area, and then prior to the commencement of operations in each subsequent phase, updated ecological surveys for badgers, water vole, bats, breeding birds (including ground nesting species), overwintering birds, invertebrates and great crested newts and details for any required mitigation work in the form of a method statement for their protection during the development, shall be submitted to, and approved in writing by, the Mineral Planning Authority. The mitigation measures as set out within the approved details shall be undertaken throughout the life of the development.

Reason: Up to date survey information is required to ensure the protection of species present within the site. To secure appropriate mitigation to avoid adverse impacts upon species and wildlife within the site and to comply with policy DM7 of the LMWLP.

65. No removal of hedgerows, trees or shrubs shall take place between 1 March and 31 August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site, have first been

submitted to, and approved in writing by, the Mineral Planning Authority and then implemented as approved.

Reason: To minimise the impacts of the development on the local environment and to protect the amenity of the area and to comply with policy DM7 of the LMWLP.

Construction Environmental Management Plan (CEMP: Biodiversity)

66. No works shall take place within the Northern extension area or within the area of the Warren Lane crossing (including ground works, vegetation clearance and movement of plant, machinery and materials) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Mineral Planning Authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts to existing features including any trees and hedgerows which are to be retained.
- d) A working method statement for the identification, handling and treatment of Himalayan Balsam where is found to be present at the site.
- e) The location and timing of sensitive works to avoid harm to biodiversity features.
- f) The times during construction when specialist ecologists need to be present on site to oversee works.
- g) Responsible persons and lines of communication.
- h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- i) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall then be adhered to and implemented throughout the development strictly in accordance with the approved details, unless otherwise agreed in writing by the Mineral Planning Authority.

Reason: To ensure the development is carried out as approved by the Mineral Planning Authority and to comply with the requirements of policy DM7 of the LMWLP.

Biodiversity Offsetting Management Plan (BOMP)

67. No development shall commence in the Northern Extension Area unless and until a Biodiversity Offsetting Management Plan (BOMP) has been submitted to, and approved in writing by, the Mineral Planning Authority. The BOMP should have regard to the results summary set out in paragraphs 5.4.18 – 5.4.20 of the Biodiversity Metric (ref: CEL-PEA Template) undertaken by Crestwood Environmental Ltd (4 November 2023) and should seek to achieve measurable biodiversity net gain through offsetting. The plan shall include the following details:

- a. Description and location plan of the area to be used for off-setting.
- b. description and evaluation of the features to be managed/created.

- c. aims and objectives of management.
- d. appropriate management options for achieving aims and objectives.
- e. prescriptions for management actions.
- f. work schedule.
- g. seed mixes/species to be sown/planted.
- h. ongoing monitoring and remedial measures.
- i. details on the mechanism by which this plan is to be legally secured for a period of 15 years.

The plan will be supported by an appropriate mechanism for calculating measurable net gain which is to be agreed in advance with the Mineral Planning Authority. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of ensuring that the development is capable of delivering measurable biodiversity net gain in accordance with policies DM7 and DM12 of the LMWLP and paragraph 187(d) of the NPPF (December 2024).

Ecological – Species Enhancements

68. Within twelve months of the date of this permission, an ecological enhancement scheme shall have been submitted to the Mineral Planning Authority for its prior written approval. The scheme shall make provision for the installation of the following species-specific enhancements within the Northern Extension Area:

- 5 No. Schwegler 3FN Bat Boxes (or similar);
- 5 No. Schwegler 1FS Large Colony Bat Boxes (or similar);
- 5 No. Schwegler 3FN Bat Boxes (or similar);
- 10 No. Bird Boxes of suitable for a number of species, including Stock Dove, Kestrel and Warbler species; and
- 4 hibernacula suitable for Invertebrates.

The scheme shall include a plan indicating the proposed location of the ecological enhancements, the precise specification of the boxes to be installed, proposed mechanisms for management and monitoring as well as a programme of implementation. The scheme shall then be implemented as approved.

Reason: In the interests of enhancing biodiversity at the site and in accordance with paragraph 187(d) of the NPPF (December 2024).

Differential Settlement of Land to be Restored to Agriculture

69. In any part of the site where differential settlement occurs during the restoration and aftercare period, the applicant, where required by the Mineral Planning Authority, shall fill the depression to the approved levels set out on the approved restoration contour plan required by condition 70 below with suitable imported soils, to a specification to be agreed in advance with the Mineral Planning Authority. Topsoil, subsoils and soil forming material moved in the course of regrading shall not be mixed and shall be handled and replaced in accordance with the above conditions.

Reason: To enable the Mineral Planning Authority to control the development and to ensure that the land is restored to a condition capable of beneficial after-use and to comply with policy DM12 of the LMWLP.

Landscaping and Restoration

70. Within twelve months of the date of this permission, a detailed scheme of final landscaping and restoration of the Northern Extension Area shall be submitted to the Mineral Planning Authority for its prior written approval. The submitted scheme shall be based on the restoration concept contained in section 4.2 of the Environmental Statement dated October 2019 submitted with the planning application and as shown on Drawing Nos L321-00063-11D titled 'Outline Restoration Proposals' dated 3 July 2023, L321-00063-12a titled 'Proposed Restoration Cross Sections' dated 12 February 2020 and EC-0002-S4-P2 entitled 'Restoration Ecology' dated July 2023. The scheme shall include details of: -

- (i) final ground levels, which shall be no higher than original ground levels;
- (ii) proposed restored soil profiles;
- (iii) planting of trees, shrubs and hedges to compensate for those removed during mineral working and shall include details of plant species, size, quantities and locations;
- (iv) proposals for the creation and management of grassland and other wildlife habitats;
- (v) drainage;
- (vi) maintenance proposals;
- (vii) proposals for the construction of reinstated Public Rights of Way; and
- (viii) a programme of implementation.

Reason: To ensure that the overall quarry complex is landscaped after being restored in the interests of assimilating it into the surrounding landscape and to comply with policy DM5 of the LMWLP.

71. Planting in accordance with the approved scheme shall be carried out, as far as reasonably practicable, within the first available planting season following the restoration of any substantial part of the site. All trees, shrubs and hedges planted in accordance with the approved scheme shall be maintained for a period of five years following planting and such maintenance shall include the 100% replacement of any trees or shrubs that may die or be seriously damaged or become seriously diseased.

Reason: To ensure the successful establishment of landscaping at the site in the interests of assimilating it into the surrounding landscape and the visual amenity of the area and to comply with policies DM5 and DM12 of the LMWLP.

72. The Plant site shall be restored in accordance with the requirements of drawing no LG/RS/01a titled 'Restoration Scheme' dated July 2014. Prior to the cessation of mineral extraction in the Northern Extension Area a detailed scheme of final landscaping and restoration of the Plant Site shall be submitted to the Mineral Planning Authority for its prior written approval. The scheme shall include details of: -

- (ix) final ground levels, which shall be no higher than original ground levels;

- (x) proposed restored soil profiles;
- (xi) planting of trees, shrubs and hedges including details of plant species, size, quantities and locations;
- (xii) proposals for the creation and management of grassland;
- (xiii) drainage;
- (xiv) maintenance proposals; and
- (xv) a programme of implementation.

The restoration shall take place in accordance with the approved scheme.

Reason: To ensure that the overall quarry complex is landscaped after being restored in the interests of assimilating it into the surrounding landscape and to comply with the requirements of policy DM12 of the LMWLP.

Aftercare

73. Following the restoration of any part of the Northern Extension Area, the restored land shall be treated and managed in accordance with an aftercare scheme which has previously been submitted to, and approved in writing by, the Mineral Planning Authority.

The scheme shall be submitted 12 months from the date of this permission and thereafter the scheme shall be implemented as approved. The scheme for areas to be restored to agriculture (Phases 1,2, 5 and 6) shall specify the steps to be taken to bring the land to the required standard so that the physical characteristics are, as far as it is practicable to be so, of those existing prior to working (as set out in the agricultural land classification and soil physical characteristics report by Land Research Associates Ltd dated 4th September 2015) and provide for a five year aftercare period.

The scheme for areas to be restored for the purposes of nature conservation (Phases 3 and 4 and SSSI stand-off zone) shall specify the steps that are to be taken over an extended fifteen year aftercare period in order to bring the newly restored land to the required standard of use for nature conservation and the subsequent management of the restored land and vegetation, and shall include proposals for bird management and control (based on the proposals contained in sections 4.1 of the Environmental Statement dated October 2019 submitted with the planning application) in order to minimise the potential for bird strike hazard at East Midlands Airport.

The scheme shall then be implemented as approved and maintained for the duration of the relevant aftercare period.

Reason: To ensure that those parts of the site that have been restored are subject to a programme of aftercare that has been approved by the Mineral Planning Authority in the interests of agricultural land quality, woodland and nature conservation and to ensure that the development does not result in any net gain of landscape features that will be attractive to species of birds that are known hazards to aircraft. To comply with policies DM2 and DM12 of the LMWLP.

Agricultural Aftercare

74. The agricultural aftercare period referred to in condition 73 above shall commence on the date of the written notification by the Mineral Planning Authority

that the land concerned has been satisfactorily restored. For each year that the site remains in aftercare, a detailed annual aftercare programme shall be submitted to the Mineral Planning Authority for approval setting out a) proposals to manage the land in accordance with the principles of good husbandry, including planting, cultivating, seeding, fertilising, weed control, draining, watering or otherwise treating the land for the forthcoming 12 months; and b) a record of aftercare operations carried out on the land for the previous 12 months. The annual programme, which shall be implemented as approved by the Mineral Planning Authority, shall be submitted three months prior to any part of the site being restored and every subsequent year during the aftercare period.

Reason: To ensure a suitable regime of aftercare is pursued to comply with the requirements of Schedule 5 of the Town and Country Planning Act 1990, as amended in order to bring each phase of restored land to the required standard for agriculture, woodland and nature conservation.

Nature Conservation After-Care and Long-Term Management

75. In addition to the aftercare requirements set out in Condition 73 above, the applicant shall submit a scheme for the approval in writing of the Mineral Planning Authority setting out details of a 15-year programme for the long-term management of the nature conservation interests of the restored site. The scheme shall be submitted at the same time as the nature conservation aftercare scheme required by condition 73 and shall be implemented as approved.

Reason: To ensure that the nature conservation benefits are fully established in the long-term interests of the ecological value of the site and to comply with policies DM7 and DM12 of the LMWLP.

Aftercare meeting

76. A site meeting shall be arranged before 30 June of every year during the aftercare period to discuss and agree the proposals and aftercare records prepared in accordance with conditions 73 and 74 above. This meeting shall be attended by the person(s) responsible for undertaking the aftercare steps.

Reason: To ensure a suitable regime of aftercare is pursued to comply with the requirements of Schedule 5 of the Town and Country Planning Act 1990, as amended in order to bring each phase of restored land to the required standard for agriculture, woodland and nature conservation.

Premature cessation

77. Notwithstanding the requirements of Conditions nos. 70 and 72 above; in the event of:
- (a) the cessation of winning and working of minerals prior to the achievement of the completion of the approved scheme of reclamation as defined in this schedule of conditions, and
 - (b) which in the opinion of the Mineral Planning Authority constitutes a permanent cessation within the terms of paragraph 3 of Schedule 9 of the Town and Country Planning Act 1990;

a revised scheme, to include details of reclamation and aftercare, shall be submitted to the Mineral Planning Authority within six months of the cessation of winning and working of minerals for its approval in writing. The revised scheme shall be implemented fully within 12 months of the written approval and otherwise in accordance with the terms and conditions of this decision notice.

Reason: To enable the Mineral Planning Authority to control the development and to ensure that the land is restored to a condition capable of beneficial after-use and to comply with policy DM12 of the LMWLP.

Notes to the Applicant

Lead Local Flood Authority – Standing Advice

Consent

Where there are any works proposed as part of an application which are likely to affect flows in an ordinary watercourse or ditch, the applicant will require consent under Section 23 of the Land Drainage Act 1991. This is in addition to any planning permission that may be granted. Guidance on this process and a sample application form can be found via the following website: <http://www.leicestershire.gov.uk/flood-risk-management>

Applicants are advised to refer to Leicestershire County Council's culverting policy contained within the Local Flood Risk Management Strategy Appendix document, available at the above link. No development should take place within 5 metres of any watercourse or ditch without first contacting the County Council for advice.

This consent does not consider local watercourse bylaws. It is the responsibility of the applicant to check if the local borough or district council has their own bylaws which the proposals will also need to consider.

Maintenance

Note that it is the responsibility of the Local Planning Authority under the DEFRA/DCLG legislation (April 2015) to ensure that a system to facilitate the future maintenance of SuDS features can be managed and maintained in perpetuity before commencement of the works.

Drainage and waste disposal

Where a drainage or waste disposal system is to be constructed or altered that is not proposed to be adopted by either the WASC (Water and Sewerage Company) or the County Council as highway authority then the system should be constructed in accordance with Part H of Building Regulations 2010.

Ditches

Where a drainage ditch adjoins or flows through a development, provision should be made such that the ditch can be made throughout the life of the development. The ownership and responsibility for maintenance of the ditch should also be clearly identified and conveyed to the relevant parties.

External surfaces

To prevent an increase in the discharge rate or volume due to development of external surfaces, permeable surface material should be utilised where possible, without an impermeable lining unless required to prevent mobilisation of contaminants or groundwater flooding. Additional information and guidance is available here:

<https://www.leicestershire.gov.uk/environment-and-planning/flooding-and-drainage/>

Network Rail - Informatives

Wayleaves and or easements for underline drainage assets

The position of any underline drainage asset shall not be within 5m of drainage assets, sensitive operational equipment such as switches and crossings, track joints, welds, overhead line stanchions and line side equipment, and not within 15m of bridges, culverts, retaining walls and other structures supporting railway live loading.

Protection of existing railway drainage assets within a clearance area

There are likely to be existing railway drainage assets in the vicinity of the proposed works. Please proceed with caution.

No connection of drainage shall be made to these assets without Network Rail's prior consent to detailed proposals. Any works within 5m of the assets will require prior consent.

There must be no interfering with existing drainage assets/systems without Network Rail's written permission.

The developer is asked to ascertain with Network Rail the existence of any existing railway drainage assets or systems in the vicinity of the development area before work starts on site. Please contact Matthew Shelton (matthew.shelton@networkrail.co.uk) for further information and assistance.

Environment Agency

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal).
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal).
- on or within 16 metres of a sea defence involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert.
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and are advised to consult with the Environment Agency at the earliest opportunity.

Local Highways Authority – Informatives

It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.

Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>

Any works to highway trees will require separate consent from Leicestershire County Council as Local Highway Authority (telephone 0116 305 0001). Where trees are proposed to be removed, appropriate replacements will be sought at the cost of the applicant.

To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).

Separate consent under Section 115 B (1) (b) (iii) / Section 176 / Section 177 of the Highways Act 1980 will be required from the Local Highway Authority for construction of the structure within the highway or bridge over the highway or building over the highway. In the first instance, please email road.adoptions@leics.gov.uk .

A Public Right of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.

A separate application for a diversion of an existing Public Right of Way should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The applicant is not entitled to carry out any works directly affecting the legal line of Public Rights of Way until a Diversion Order has become operative.

Public Rights of Way must not be further enclosed in any way without undertaking discussions with the local Highway Authority (telephone 0116 305 0001).

If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.

Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Local Highway Authority.

No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Local Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and Leicestershire County Council as Local Highway Authority may be obliged to require its immediate removal.

The Applicant should be advised to contact Leicestershire County Council's Network Management team at the earliest opportunity to discuss access to the road network to carry out works. The team can be contacted at: networkmanagement@leics.gov.uk

East Midlands Airport – Informative

The applicant's attention is drawn to the procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>

DEVELOPMENT CONTROL AND REGULATORY BOARD

The considerations set out below apply to all the preceding applications.

EQUALITY AND HUMAN RIGHTS IMPLICATIONS

Unless otherwise stated in the report there are no discernible equality and human rights implications.

IMPLICATIONS FOR DISABLED PERSONS

On all educational proposals the Director of Children and Family Services and the Director of Corporate Resources will be informed as follows:

Note to Applicant Department

Your attention is drawn to the provisions of the Chronically Sick and Disabled Person's Act 1970 and the Design Note 18 "Access for the Disabled People to Educational Buildings" 1984 and to the Equality Act 2010. You are advised to contact the Equalities function of the County Council's Policy and Partnerships Team if you require further advice on this aspect of the proposal.

COMMUNITY SAFETY IMPLICATIONS

Section 17 of the Crime and Disorder Act 1998 places a very broad duty on all local authorities 'to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all reasonably can to prevent, crime and disorder in its area'. Unless otherwise stated in the report, there are no discernible implications for crime reduction or community safety.

BACKGROUND PAPERS

Unless otherwise stated in the report the background papers used in the preparation of this report are available on the relevant planning application files.

SECTION 38(6) OF PLANNING AND COMPULSORY PURCHASE ACT 2004

Members are reminded that Section 38(6) of the 2004 Act requires that:

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Any relevant provisions of the development plan (i.e. any approved Local Plans) are identified in the individual reports.

The circumstances in which the Board is required to "have regard" to the development plan are given in the Town and Country Planning Act 1990:

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| Section 70(2) | : | determination of applications; |
| Section 77(4) | : | called-in applications (applying s. 70); |
| Section 79(4) | : | planning appeals (applying s. 70); |
| Section 81(3) | : | provisions relating to compensation directions by Secretary of State (this section is repealed by the Planning and Compensation Act 1991); |
| Section 91(2) | : | power to vary period in statutory condition requiring development to be begun; |
| Section 92(6) | : | power to vary applicable period for outline planning permission; |
| Section 97(2) | : | revocation or modification of planning permission; |
| Section 102(1) | : | discontinuance orders; |
| Section 172(1) | : | enforcement notices; |
| Section 177(2) | : | Secretary of State's power to grant planning permission on enforcement appeal; |
| Section 226(2) | : | compulsory acquisition of land for planning purposes; |
| Section 294(3) | : | special enforcement notices in relation to Crown land; |
| Sched. 9 para (1) | : | minerals discontinuance orders. |

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