

# Appendix A - Hope ARM Conditions

## General Principles

### Compliance with Approved Details

1. Unless modified or required by other conditions attached to this permission, the development shall be carried out only in accordance with the approved plans and documents submitted with the application, comprising the following:

Figure 2.1 General Site Location

Figure 2.2 Location Plan

Figure 6.44 Proposed Landscape Plan

70056391-52-1210-A1 Issue 02 Cut and Fill Exhibit for Proposed Material Storage Building

70056391-52-1211-A1 Issue 02 Cut and Fill Sections for Material Storage Building

70056391-54-0001-A1 Issue 02 Existing Site Layout

70056391-54-0002-A1 Issue 02 Proposed Site Layout

70056391-54-0003-A1 Issue 02 Building 01 - Rail Off-loading Facility - General Arrangement

70056391-54-0004-A1 Issue 02 Building 01 - Rail Off-loading Facility – N&W Elevations

70056391-54-0005-A1 Issue 02 Building 01 - Rail Off-loading Facility – S&E Elevations

70056391-54-0006-A1 Issue 02 Building 01 - Rail Off Loading Building – Sections

70056391-54-0007-A1 Issue 02 Building 02 - Off-Loading Building Link to Conveyor CV01

70056391-54-0008-A1 Issue 01 Buildings 03-07 - Conveyor CV01 - General Arrangement

70056391-54-0009-A1 Issue 02 Building 04 - CV01-ST1 - Southern Access Stairs

70056391-54-0010-A1 Issue 02 Building 06 - CV01-ST2 - Northern Access Stairs

70056391-54-0011-A1 Issue 02 Building 08 - Transfer Tower TT01 - General Arrangement

70056391-54-0012-A1 Issue 02 Building 08 - Transfer Tower TT01 - Elevations

70056391-54-0013-A1 Issue 02 Building 08 - Transfer Tower TT01 - Sections

70056391-54-0014-A1 Issue 02 Building 09 - General Arrangement Ground

70056391-54-0015-A1 Issue 02 Building 09 - Material Storage and Unloading Facility - General Arrangement Conveyor and Roof Level Plans

70056391-54-0016-A1 Issue 02 Building 09 - Material Storage and Unloading Facility - General Arrangement - Elevations Sheet 1 of 2

70056391-54-0017-A1 Issue 02 Building 09 - Materials Storage and Unloading Facility - General Arrangement Elevations Sheet 2 of 2

70056391-54-0018-A1 Issue 01 Building 09 - Materials Storage and Unloading Facility - General Arrangement Sections

70056391-54-0019-A1 Issue 02 Building 10 - Reclaim Feeder FD02 Conveyor CV10 - Plan and Elevations

70056391-54-0020-A1 Issue 02 Building 11 - Surge Bin B001 - General Arrangement Plans

70056391-54-0021-A1 Issue 02 Building 11 - Surge Bin B001 - Elevations

70056391-54-0022-A1 Issue 02 Building 11 - Surge Bin B001 - General Arrangement Sections

70056391-54-0023-A1 Issue 02 Building 12 - Power and Controls Building - Elevation and Section

70056391-55-3202-A1 Issue 03 Electrical Services - External Lighting - Site Layout

BRE-WSP-XX-ZZ-SK-CV-009 Rev P06 Indicative Proposed Surface Water Drainage Strategy

#### Availability of Plans

2. From the commencement of the development until its removal a copy of this permission including all approved plans and documents shall always be kept available at the Works office for inspection.

#### Timescales

##### Commencement

3. The development hereby permitted shall be commenced within 3 years from the date of this permission.

##### Duration of Planning Permission and Removal of Development

4. The importation of Alternative Raw Materials (ARM) to the Works shall cease on the 22 February 2042.
5. All buildings and infrastructure approved under this consent shall cease to operate on the 22 February 2042, or upon the permanent cessation of the winning and working of minerals at either the Works Limestone or Shale Quarries, or upon the permanent cessation of the production of cement, or upon the permanent cessation of the importation of ARM, whichever is the sooner, and will be dismantled and removed from the site by 22 February 2044 or within 2 years of the permanent cessation of one of the aforementioned operations, whichever is the sooner.

##### Notifications

6. The operator shall notify the MPA in writing of the permanent cessation of the importation of ARM within 7 days of the cessation of the activity.

##### Restoration

7. The application site shall be restored in accordance with plan ref: Figure 7.4 no later than the 22 February 2044, or within 2 years of the permanent cessation of the winning and working of minerals at either the Works Limestone or Shale Quarries, or upon the permanent cessation of the production of cement, or upon the permanent cessation of the importation of ARMs, whichever is the sooner.

#### Definition and Use of ARMs

##### Definition of ARMs

8. For the purposes of this consent Alternative Raw Materials (ARM) are defined as follows: 'Materials that are wastes or by-products in other (mainly industrial) processes or societal sectors i.e. 'secondary materials', imported to the Works solely for the purpose of use as a shale substitute in the raw kiln feed mix'.

**Material Types**

9. For the avoidance of doubt, and notwithstanding the definition of ARMs specified by condition 8 and the specification of ARMs defined by conditions 10, 11, 12 and 13, materials permitted for importation are restricted to the following, unless prior agreement has been obtained, in writing, from the MPA:
- Coal ash (PFA) - conditioned, dry & processed.
  - Quarry process fines & washings (Only to include waste derived from slate, shale and / or clays)
  - Quarry process over and inter burden (Only to include waste derived from slate, shale and / or clays)
  - Blast furnace slag
  - Biomass Ash
  - Bottom ash
  - Waste ceramic material
  - Lime waste
  - Used foundry sand
  - Secondary iron oxide
  - Alumina - containing materials (not including primary minerals containing alumina)
  - Iron containing materials (not including primary minerals containing iron)
  - Mill scale
  - Gypsum
  - Waste from stone cutting and sawing (not including limestone waste without prior agreement of the MPA)
  - Waste ceramics bricks, tiles

**Material Specification**

10. All ARMs permitted for importation under this consent must meet the following specification as defined by the Environmental Permit:

Minimum Mineral Content	At least 80% dry weight (w/w)
Organic Materials	Organic Materials as measured by net CV should be <10MJ/kg
Mercury	≤ 2 ppm
TOC/VOC	≤ 5000 mg/kg as organic hydrocarbon
No materials which are defined as carcinogens for the purposes of the COSHH Regulations 2002 (as amended) shall be used.	

11. The mean average of CaO content within all ARM imported to site in any calendar year shall not exceed 3% Ca expressed as CaO. Annual records of CaO importation

levels shall be kept by the operator and provided to the MPA on the 22<sup>nd</sup> February each year.

12. All ARM permitted for importation under this consent must meet the criteria in the submission document 'Specification for PFA Sources to Breedon Cement, Hope Works' dated 04/04/2022.
13. There shall be no importation of primary aggregates, industrial aggregates or virgin won minerals of any kind under this consent.

#### Restrictions on Importation

##### Quantities

14. The maximum quantity of ARMs (including PFA – conditioned, dry or processed) imported to the Works shall not exceed a combined total of 450,000 tonnes per annum wet weight or 361,000 tonnes per annum dry weight.

##### Precluded Materials

15. For the avoidance of doubt, the following materials are precluded from importation under this consent
  - Soils
  - Silica sand containing materials (sands)
  - Calcium sources including FGD material
  - Concrete waste
  - Pyrite ash

##### Mode of Importation

16. The ARM shall not be brought into the Works other than by rail, except in the event of an emergency (such as prolonged railway breakdowns or other impediment to rail deliveries that exceed the life of the ARM contingency storage), the details of which shall be notified to the Mineral Planning Authority in writing within 7 days of the start of the emergency event.

##### Rate of Importation relative to Storage Capacity

17. ARMs shall not be imported into the Works at a rate in excess of the available approved storage capacity (holding and throughput facilities including silos and other storage building) save for ARMs held in standing railway wagons. There shall be no open storage whether sheeted or otherwise of ARM within the Works and the Works Limestone and Shale Quarries.

##### Reporting

18. The operator shall keep a continuous record of all ARMs imported to site, including material types, any known chemical specification, quantity (dry and wet weights) and status (i.e. conditioned, dry or processed). Monthly records are to be made available to the MPA upon request on a confidential basis.
19. An annual report summarising all importation that has occurred over the preceding 12 months to December must be produced and provided to the MPA by the 31 March each year on a confidential basis. The report shall include:
  - monthly and annual totals of ARM imported to the Works

- the total imports of each material type
- annual input/throughput of ARM into the cement manufacturing process as a partial shale replacement at kiln feed stage
- ratios at which the ARM have been blended with indigenous site won shale before being fed into the kiln

## Landscape

### Enhancements

20. The removal of the overhead electricity lines as shown on plan ref: NT14126-100-3.3 and their undergrounding shall be completed prior to the operation of the ARMs Storage Building.

### Mitigation

21. A Landscape Environmental Management Plan (LEMP) shall be submitted to the MPA prior to the commencement of construction of the ARMs storage building, for approval in writing. The plan shall include:
- proposals for enhanced screening/planting on Haywood Hill
  - proposals for enhanced screening/ planting along the branch line
  - proposals for additional planting within the Works complex

The scheme shall be implemented in accordance with the approved details in the first appropriate available planting season.

22. Trees, shrubs and hedges planted in accordance with the approved scheme shall be maintained and any plants which at any time during the development period die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing with the Mineral Planning Authority.

### Colour Scheme

23. All buildings and conveyors consented under this development shall be finished in Olive-green BS 4800/ BS 4904/ BS5252 code 12.B.29.

### Rail Movements

Definition of 'Movement' for the avoidance of doubt - A 'movement' is defined as a single transit of a locomotive, without or without wagons, from either Earles Sidings or the Works onto the branch line.

### ARMs Deliveries

24. There shall be no more than 7 mainline rail deliveries of ARMs imported to the application site per calendar week.
25. Branch line Movements There shall be no more than 56 total branch line movements associated with the importation of ARM per calendar week.
26. There shall be no more than 7,500 total movements along the branch line in any one calendar year.
27. The movement of Alternative Raw Material (ARM) into Hope Works by rail shall be made using wagons with a double bogie arrangement.

## Hours of Operation

- 26 The movement of Alternative Raw Material (ARM) into Hope Works by rail, the return of ARM wagons to the Earles Sidings, or the movement of Locos (with or without wagons) associated with the collection or return of ARM wagons (from or to the Earles Sidings shall be prohibited between 2300hrs to 0700hrs unless subject to prior approval by the planning authority in an emergency situation.
- 27 No existing branch line movements that currently occur during the 0700 – 2300 time period shall be displaced by proposed movements such that they would have to occur during the 2300-0700 time period.

## Record Keeping

- 28 The operator shall keep a daily log of all branch line movements to include:
- Time of departure
  - Number of wagons (full and empty)
  - Type of material transported

The records shall be made available to the MPA upon request.

## Branch line Mitigation Measures

### Noise/Vibration

- 29 Prior to the first importation of ARMs, the operator shall implement a scheme of noise management measures to be agreed in writing by the Mineral Planning Authority, this shall include details for:
- implementation of a branch line speed monitoring system to allow review of train speed and its impact on noise and vibration levels.
  - Improvements to the existing branch line to include smoothing of the bend, welding of track and removal of points, as shown on Figure 13.7A in the Environmental Statement
  - Implementation of acoustic fencing as shown on plan ref: NT14126 500 Figure 13.8 Rev A.
- 30 Within 12 months of the date of this consent the operator shall submit to the MPA a study examining the potential benefits to residential amenity that could arise from the installation of further noise reduction measures along the branch line. Should the results of the study suggest a reduction in noise at any of the sensitive receptors the operator shall submit a further scheme and timetable for the implementation of the additional mitigation to the MPA for approval in writing. The scheme shall be implemented by the operator in accordance with the approved details and timetable.
- 31 The operation and maintenance of the branch line shall be carried out in accordance with the Rail Management Handbook submitted as part of the application submission and any future updated iterations.
- 32 Prior to the first importation of ARMs, the operator shall submit a locomotive driver training scheme to the MPA for approval in writing. The approved scheme shall be implemented in accordance with the details and timetable to be agreed.

- 33 Prior to the importation of ARMs, the operator shall submit a scheme for the monitoring of vibration caused by branch line movements at 'Orlecar Cottage' on a quarterly basis to the MPA for approval in writing. The scheme shall include:
- Monitoring location(s)
  - Length of monitoring period
  - Means of collecting vibration data
  - Means of reporting vibration data to the MPA

The scheme shall be implemented in accordance with the approved details for the life of consent subject to access being granted by the land owner, unless otherwise agreed in writing with the MPA.

- 34 No rail movements along the branch line shall result in a PPV value reading in excess of 0.6 mm/s when measured from the agreed monitoring point at 'Orlecar Cottage'.
- 35 Noise levels (LAeq dB) indicated at the façade points on plan ref: NT14126 500 Figure 13.8 Rev A shall not be exceeded during operation of the branch line.
- 36 Noise monitoring shall be conducted by the operator, at their expense, no more often than twice annually, at any of the façade points referenced on plan ref: NT141260 500 Figure 13.8 (provided that access is made possible by the residents) at the request of the MPA and in accordance with a scheme to be agreed in writing with the MPA. The results of the noise monitoring are to be reported to the MPA in writing at the end of the monitoring period.

#### Earles Sidings

##### Investigation into activities

- 37 The operator will use their best endeavours to investigate operational practices at Earles Sidings to determine if noise levels from the engines can be mitigated at source with the aim of reducing noise levels emanating from activities at Earles Sidings.

##### Liaison Committee

- 38 Prior to the first importation of ARM under this consent, the operator shall facilitate the creation of a liaison committee for the purpose of constructive discussion in regards to impacts upon amenity arising from activities at Earles Sidings. The 'Earles Sidings Liaison Committee' shall meet no less than 2 times during each calendar year during the life of this consent, unless otherwise agreed by the committee.

#### Conveying and Storage Facility

- 39 Prior to the proposal first being brought into operation, the applicant shall implement a scheme of noise mitigation measures to the extraction unit on the raw meal silo as identified in paragraph 13.5.8 of the Noise and Vibration Assessment (NT14126/EIA/2/013A, December 2021), to achieve a reduction in noise emissions so that noise levels at Pindale Farm (SK 16262 82545) meet the criteria of 55dB LAeq,1hour daytime (free field), and 42dB LAeq,1hour (free field) at night time, Validation that this has been achieved shall be submitted to the MPA for approval prior to first operation

of the proposal. Monitoring shall be carried out twice per calendar year subject to access being granted by the land owner.

### Demolition and Construction

#### CEMP

40 Prior to the commencement of development the operator shall submit a Construction Environmental Management Plan (CEMP) to the MPA for approval in writing. The CEMP shall include measures to minimise emissions of dust and noise during construction works, a construction timetable and vehicle movement forecasts and controls. The development shall be implemented in full accordance with the CEMP once approved.

#### Dust

41 There shall be no visible dust emissions beyond the site boundary associated with construction/demolition works undertaken at the site. In controlling dust on site, the contractor shall have due regard to the Institute of Air Quality Management Guidance on the assessment of dust from demolition and construction, 2014.

#### Construction & Demolition Hours of Operation

42 Unless prior permission has been obtained in writing from the Local Planning Authority, all noise-generating activities shall be restricted to the following times of operations.

- 07:00 - 18:00 hours (Monday to Friday);
- 08:00 - 14:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

#### Piling

43 No piling shall take place outside the hours 09:00 hours to 16:00 hours Mondays to Fridays.

#### Deliveries

44 Rail deliveries importing construction materials/equipment shall not exceed more than 1 per day and shall not push existing deliveries to the Works into night time (2300 – 0700) hours.

#### Use of Local Contractors

45 Contractors and companies based within a 15 mile radius of the application site will be selected to carry out construction and demolition work associated with the development if available. Such contractors shall meet the Operator's standard selection criteria.

### Amenity

#### Dust

46 The development shall be carried out in accordance with the details in the Dust Action Plan (September 2020) submitted in support of the application.



- 47 All road going vehicles transporting ARMs to the site shall be sheeted to avoid shedding of load or dispersal of dust. ARM in incoming rail wagons shall be treated with a polymer sealant, or contained by any alternative means as necessary to prevent fugitive dust .

#### Plant Noise

- 48 The operator shall submit a scheme for noise monitoring prior to the operation of the ARM storage building to be agreed in writing with MPA prior to the monitoring activity. This scheme shall be implemented and results of the noise monitoring are to be reported to the MPA in writing within 4 weeks of the monitoring.

#### Lighting

- 49 Lighting Scheme to be implemented in accordance with plan ref: 70056391-55-3202-A1 Issue 03 Electrical Services - External Lighting - Site Layout

#### Ecology

##### Habitat Enhancement and Creation

- 50 Prior to the use of the ARM storage building, the habitat enhancements and creation measures as detailed in Figure 7.5: Habitat enhancement and creation (rev a) 22.04.22 (BSG Ecology) shall be substantially implemented and then completed in the in the next available seeding/ planting season after operational use of the buildings.
- 51 Prior to the use of the ARM Storage Building the operator shall submit an aftercare scheme to the MPA for approval in writing. The scheme shall include measures to ensure habitat enhancement and creation measures are successful and establish successfully to provide biodiversity net gain.
- 52 One great crested newt hibernaculum will be provided off-site within the golf course grounds in a suitable location for the benefit of the great crested newt population associated with Pond 1 (P1), details to be identified in the CEMP/LEMP documents as appropriate.
- 53 Habitat piles shall be created from timber obtained from felled trees to accommodate the proposed development and be constructed within the retained woodland within and immediately off-site. These will provide additional habitat for small mammals such as hedgehog, a Species of Principal Importance, and other wildlife. The location of the habitat piles shall be detailed in the CEMP/LEMP documents.
- 54 Areas of habitat associated with the decommissioning of the storage facility and rail sidings, as shown on Figure 4 of the BSG Ecological Report shall be created within 2 years of decommission.
- 55 All habitat created, as shown on Figure 7.4 Rev A and 7.5 Rev A of the Environmental Statement, shall be managed and maintained as identified in the CEMP/LEMP for a minimum of 30 years after their creation.

- 56 All habitat enhancement and creation measures are subject to a 5 year aftercare period, should any of the proposed biodiversity enhancements be unsuccessful, continued attempts will be made to establish them unless an alternative means of on site biodiversity enhancement/creation is agreed in writing with the MPA.
- 57 The habitat enhancement/creation measures will be subject to an annual aftercare meeting for a period of 5 years commencing on date to be agreed by the MPA. The operator will provide an annual aftercare report prior to the meeting detailing the works undertaken thus far and works proposed for the forthcoming 12 month period.

#### LEMP

- 58 Prior to the commencement of development the operator shall submit a Landscape and Ecological Management Plan (LEMP) for the areas shown in Figure 7.5 Rev A to the MPA for approval in writing. The scheme shall be implemented fully in accordance with the approved details and timescales.
- 59 Biodiversity net gain enhancements secured through this permission will be subject to the LEMP to be implemented throughout the life of the development hereby permitted.

#### Trees

- 60 Protection of retained trees shall be provided with protective fencing positioned outside their RPA or crown spreads, whichever is greater. The tree protective fencing shall be as detailed in Appendix 4. The fencing shall be installed prior to any other work taking place and shall remain in place until all other work is completed.
- 61 Trees removed from the wooded area shall be used to create habitat/brush piles and new refuge areas for a wide range of wildlife in other areas of the quarry holdings. Locations to be agreed in writing with the MPA prior habitat creation.

#### Birds

- 62 Removal of potential nesting habitat shall take place between late August and mid-February. Any potential nesting habitat removed outside this period shall be checked for active bird nesting activity by a suitably experienced ecologist. Where active bird nests are present works in that area shall be postponed until birds fledge.
- 63 Ten bird nest boxes will be installed on retained broadleaved trees within the woodland (either on or immediately off-site) to provide additional habitat for woodland bird species. A selection of boxes will be chosen to provide habitat for a range of species. The location, positioning and maintenance requirements of the bat roost and bird nest boxes will be identified in the CEMP/LEMP documents as appropriate.

#### Supervision

- 64 Areas of ballast requiring disturbance in proximity to Pond 1 will be supervised by an attendant ecologist.

65 Pre-construction walkover survey for badgers shall be undertaken of the working footprint. The survey shall be undertaken within three months in advance of construction to allow sufficient time for the survey and any necessary licence application to be made to and granted by Natural England. Additional surveys to be undertaken immediately prior to construction as recommended by the advising ecologist.

66 Immediately prior to works a pre- construction inspection for bats shall be undertaken by and appropriately experienced ecologist.

#### Bats

67 Prior to the operation of the ARM Storage Building the operator shall install eight bat boxes at suitable locations in other areas of the quarry holdings. Design and locations to be agreed in writing with the MPA prior to installation. The location, positioning and maintenance requirements of the bat roost and bird nest boxes will be identified in the CEMP/LEMP documents as appropriate.

68 All luminaries used in the lighting scheme for the development shall be LEDs.

69 A warm lighting spectrum shall be used in all approved lighting within the site to reduce the blue light component.

70 All luminaries shall feature peak wavelengths higher than 55nm to avoid the component of light most disturbing to bats.

71 External fixed lighting shall be used for short duration during inspections and no more than 30 minutes per night shift except in the case of emergencies.

#### Climate Change

##### CO<sub>2</sub> Reductions

72 The operator shall make all best and reasonable endeavours to reduce the carbon footprint of the Works when the opportunities arise.

##### CO<sub>2</sub> Reporting

73 Annual records of CO<sub>2</sub> emissions arising from the Works shall be provided to the MPA no later than the 31st March each year. The records shall include a breakdown of emission from the stack and transportation of materials to the Works by road and rail. This data shall be kept confidential.

#### Contamination

74 Prior to any part of the permitted development being brought into use a remediation strategy to deal with the identified free phase hydrocarbon hotspot on site should be submitted to the MPA for approval in writing along with a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete.

- 75 A verification report demonstrating the completion of works set out in the approved contamination remediation strategy and the effectiveness of the remediation shall be submitted to the MPA for approval in writing. The report shall include results of sampling carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
- 76 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

### Flood Risk/Drainage

- 77 No development shall take place until a detailed design and associated management and maintenance plan of the surface water drainage for the site, have been submitted to and approved in writing by the Mineral Planning Authority in accordance with the principles outlined within:
- a. Flood Risk Assessment for Breedon Hope Cement Works, by WSP, file ref: 70056391- FRA-001 Rv7, May 2020. Including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team”
  - b. And DEFRA’s Non-statutory technical standards for sustainable drainage systems (March 2015)
- 78 No development shall take place until a detailed assessment has been provided to and approved in writing by the Local Planning Authority, to demonstrate that the proposed destination for surface water accords with the drainage hierarchy as set out in paragraph 80 reference ID: 7-080-20150323 of the planning practice guidance.
- 79 Prior to commencement of the development, the applicant shall submit for approval to the MPA details indicating how additional surface water run-off from the site will be avoided during the construction phase. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved system shall be operating to the satisfaction of the LPA, before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase.
- 80 Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Mineral Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).