

Development Control Committee
Meeting to be held on 12th April 2017

Electoral Division affected:
Preston Rural

Preston City: Application number LCC/2017/0019
Variation of condition 31 of planning permission 06/07/1197 to extend the hours of working to between 0630 to 1800 hours, Mondays to Fridays (except Public Holidays), and 0800 to 1300 hours on Saturdays. Bradley's Sand Pit, Lightfoot Green Lane, Fulwood, Preston.

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Executive Summary

Application - Variation of condition 31 of planning permission 06/07/1197 to extend the hours of working to between 0630 to 1800 hours, Mondays to Fridays (except Public Holidays), and 0800 to 1300 hours on Saturdays. Bradley's Sand Pit, Lightfoot Green Lane, Fulwood, Preston.

Recommendation – Summary

That subject to the applicant first entering into a Section 106 Agreement for details of aftercare and a ten year aftercare period following completion of restoration, planning permission be **granted** to vary condition 31 of planning permission 06/07/1197 to extend the hours of working to between 0700 to 1800 hours, Mondays to Fridays (except Public Holidays), and 0800 to 1300 hours on Saturdays, subject to conditions controlling time limits, working programme, site operations, soils and overburden, safeguarding of watercourses and drainage, highway matters, hours of working, control of noise, dust, soil stripping in the proposed western extension area, ecological mitigation measures, restoration and monitoring.

Applicant's Proposal

Planning permission 06/07/1197 was granted in July 2009 for an extension of the existing quarry to allow the extraction of sand and gravel over a period of 12 years, restoration of the extension area using imported inert materials, the continuation of waste transfer and recycling operations until completion of site restoration with progressive restoration of the entire site to a nine-hole golf course, three fishing lakes and ancillary woodland and grassland areas

Condition 31 to the permission relates to the hours of working and states that no development shall take place outside the hours of 0730 to 1800 hours, Mondays to Fridays (except Public Holidays), 0800 to 1300 hours on Saturdays, with no development taking place at any time on Sundays or Public Holidays.

Planning permission is now sought to vary condition 31 to extend the hours of working to between 0630 to 1800 hours, Mondays to Fridays (except Public Holidays). The existing hours of working between 0800 to 1300 hours on Saturdays, with no development at any time on Sundays or Public Holidays, would remain.

Description and Location of Site

Bradley's Sand Pit is an existing sand quarry with landfilling and recycling operations located 5 km north of Preston City Centre. The site is accessed off Lightfoot Green Lane, a minor road which links with the B6241 Lightfoot Lane, a distributor road linking the northern and western edges of Preston with the M55 / M6. Directly to the south of the quarry is the M55 motorway.

The nearest residential properties are located between the quarry boundary and the M55 motorway immediately adjacent to the boundary of the site. Two properties are located to the south of the M55 on the quarry access road (Lightfoot Green Lane). A 125 dwelling residential development is currently under construction on land at the junction of Lightfoot Lane and Lightfoot Green Lane including adjacent to the site access road.

Background

Bradley's Sand Pit is long standing sand and gravel quarry, landfill site and waste transfer station, the quarrying operations having commenced over 30 years ago. The operations at the site including mineral extraction, inert landfill and waste transfer are the subject of a single consolidating planning permission granted in July 2009 (ref: 06/07/1197). The permission is subject to a Section 106 Agreement regarding the funding of highway improvements at the junction of Lightfoot Green Lane and Lightfoot Lane and long-term aftercare of the nature conservation to include wildlife ponds, seasonal wetland and woodland and landscaping for a total period of ten years following completion of restoration. The highway improvements the subject of the Section 106 Agreement have been undertaken.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11 – 14, 17 - 19, 56 – 66, 125 and 144 are relevant with regard to the requirement for sustainable development, core planning principles, building a strong and competitive economy, the requirement for good design, noise and facilitating the sustainable use of minerals.

National Planning Practice Guidance

Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD (LMWDF)

Policy CS3
Policy CS5

Meeting the demand for new Minerals
Achieving Sustainable Minerals Production

Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One (LMWLP)

Policy NPPF 1	Presumption in favour of sustainable development
Policy DM2	Development Management

Preston Local Plan

Policy V1	Model Policy
Policy AD1 (a)	Development within (or in close proximity to) the Existing Residential Area
Policy EN1	Development in the Open Countryside
Policy EN9	Design of New Development

Consultations

Preston City Council – No observations received.

Woodplumpton Parish Council – Object on the grounds that the earlier start time would result in noise and distraction both to residents on Lightfoot Green Lane and to residents living in close proximity to the road network serving the site.

LCC Highways Development Control - No objection as the increased one hour operation time would fall outside the peak traffic hours.

Representations – The application has been advertised by press, site notice and neighbouring residents have been notified by letter. One representation has been received from a housing developer objecting to the application due to the negative impact upon the amenity of the residents of the new housing development on Lightfoot Green Lane from an increase in traffic on the local road network at the earlier time, particularly from loaded HGV's, that have the potential to cause noise, vibration and disturbance. The objector considers that the standard practice for hours of working in the housebuilding industry is 8am and that the proposal would be contrary to Policy CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, and Policy AD1 (a) of the Preston Local Plan.

Advice

Condition 31 to the permission for operations at Bradley's Sand Pit relates to the hours of working and requires that no development shall take place outside the hours of 0730 to 1800 hours, Mondays to Fridays (except Public Holidays), 0800 to 1300 hours on Saturdays, with no development at any time on Sundays or Public Holidays. This condition also limits the hours when HGVs can access the site.

Planning permission is sought to vary condition 31 of the existing permission for the site to extend the hours of working to between 0630 to 1800 hours, Mondays to Fridays (except Public Holidays). There would be no change to permitted hours on Saturdays or Sundays or Public Holidays.

The applicant has advised that the change in the start time from 0730 to 0630 Mondays to Fridays is required to ensure timely deliveries of aggregates to the construction industry who tend to start work at an early hour. Allowing for the earlier delivery of materials to customers would help to secure the existing customer base of Bradley's Sand Pit, and also to secure contracts with new customers, helping to sustain the future of the operator.

The main issues associated with the application are the impact upon existing and future residents of Lightfoot Green Lane from noise, vibration and disturbance associated with the HGV's accessing Bradley's Sand Pit.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In considering the issues that arise from the proposed development it is not only necessary to take into consideration the relevant policies of the Development Plan but also the planning history of the site and all other material planning considerations. Government policy is a material consideration that should be given appropriate weight in the decision making process. The Development Plan for the site is made up of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD (LMWDF), Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One (LMWLP), and the Preston Local Plan.

The NPPF seeks to ensure that the planning system supports and secures sustainable economic growth in order to create jobs and prosperity.

Policy CS5 of the LMWDF seeks to achieve sustainable minerals production by, amongst other things, protecting the amenity and health of the population by the introduction of sensitive working practices that minimise harm and nuisance to the environment and local communities throughout the life of the development. Policy DM2 of the LMWLP requires that development for minerals or waste management operations will be supported where it can be demonstrated to the satisfaction of the mineral or waste planning authority that all material social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels. Policies AD1 (a) and EN9 of the Preston Local Plan have similar criteria in relation to the protection of local amenity.

As explained above, the main issues associated with the application are the impact upon the residents of Lightfoot Green Lane from noise, vibration and disturbance associated with the HGV's passing along the lane to and from Bradley's Sand Pit in the extra hour between 0630 to 0730 Mondays to Fridays.

A noise assessment has not been submitted with the application, largely because such assessments tend to be based on average noise levels over a given period and so the nature of HGV's passing down the access road would be a short term impact that would not readily lend itself to an accurate noise assessment. However, it is still necessary to make an assessment of the impacts of noise arising from HGV movements.

In relation to the earlier start time, the applicant has advised that the number of vehicle movements between the hours of 06.30 – 07.30 would be approximately 30 comprised of articulated tippers, 8 wheeler tippers and skip wagons. At least 50% of the HGVs are based at the site overnight with the remainder arriving from outside the site. Therefore this would generate 30 vehicle movements comprised of 10 site based HGVs leaving and 10 HGVs based off site arriving and leaving loaded. All HGVs use Lightfoot Green Lane to access to the quarry, this being the only access to the site. From the access onto the B6241 the majority of vehicles turn east along the B6241 and access the principal road network via the A6, M55 and the M6.

The applicant argues that the area is noisy from early in the morning with constant ambient traffic noise from the M55, the M6, the A6 and traffic flow along the B6241 (Lightfoot Lane). When the previous application for the extension of the quarry was considered, there were only two properties close to the quarry and a further two houses located adjacent to Lightfoot Green Lane. However, in August 2013 planning permission was granted for a new housing development on land to the east of Lightfoot Green Lane. This development has now commenced and therefore the character of the lane, particularly that part south of the M55, will experience considerable change as the housing development is built out.

An objection has been received from the housing developer as to the negative impact upon the amenity of the residents from noise, vibration and disturbance.

In terms of the number of residential properties that would be potentially affected by the HGV movements between 0630 to 0730, there are two long established properties along Lightfoot Green Lane (LGL) plus the 125 dwelling development currently under construction. With the new development, 12 of the houses are set back approximately 15 metres from LGL, 1 house is set back approximately 10 metres from LGL, and 5 of the houses are set back approximately 25 metres from LGL. It could therefore reasonably be argued that a significant number of properties could be affected by intermittent noise associated with HGV's passing along LGL between 0630 to 0730 particularly as vehicles brake or accelerate at the junction with the B6241.

Between 06.30 and 07.00 many residents would normally expect to still be asleep and HGVs travelling along LGL at this time would therefore result in amenity impacts. It should also be recognised that those vehicles based off site could legitimately travel along LGL prior to 06.30 and wait at the quarry gates for the approved start time. This could not be prevented by planning condition as LGL is a public highway. Given this situation, it is considered that the 0630 start would have unacceptable impacts on local amenity given the number of properties that are, or will be, located adjacent to LGL and hence could not be supported. A more acceptable start time is considered to be 07.00 as at this time most residents would normally be awake and therefore sleep disruption would not be an issue. It is considered that limiting the start time to 07.00 would protect residential amenity, particularly by reason of noise and general disturbance from vehicular movements and hence the proposal would accord with Policy CS5 of the Core Strategy, Policy DM2 of the LMWLP, and Policies AD1 (a) and EN9 of the Preston Local Plan.

The existing permission 06/07/1197 is subject to a Section 106 Agreement regarding the funding of highway improvements at the junction of Lightfoot Green Lane and Lightfoot Lane and long-term aftercare of the nature conservation to include wildlife ponds, seasonal wetland and woodland and landscaping for a total period of ten years following completion of restoration. The highway improvements the subject of the Section 106 Agreement have been undertaken. However, applications under s73 result in the granting of a new planning permission and therefore any such permission should be subject to the same planning obligations as attached to planning permission 6/07/1197 in order to ensure that the site is properly restored and managed.

In conclusion, subject to the re-imposition of all other conditions from the existing permission, the proposal to vary condition 31 is considered to be acceptable subject to the start time being limited to 07.00.

The Human Rights Act 1998 requires the County Council to take into consideration the rights of the public, including the applicant, under the European Convention on Human Rights. Article 1 of Protocol 1 provides that an individual's peaceful enjoyment of his property shall not be interfered with save as necessary in the public interest and subject to conditions provided for by law. For any interference with these rights to be justified the interference needs to be proportionate to the aims that are sought to be realised. It is considered that a start time of 07.00 is a proportionate response that balances the rights of the applicant with those of future neighbouring residents.

Recommendation

That subject to the applicant first entering into a Section 106 Agreement for details of aftercare and a ten year aftercare period following completion of restoration, planning permission be **Granted** subject to the following conditions

Time Limits

1. The development shall commence not later than 3 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.

2. The site edged red as shown on Figure 4 shall be progressively restored in accordance with the requirements of condition 36 below by 31st December 2021, and finally restored in accordance with the scheme and programme approved under the requirements of condition 37 below by 31st December 2023.

Reason: To ensure the progressive restoration of the site in the interests of visual amenity and to conform with Policy CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation

and Development Management Policies – Part One, and Policy EN9 of the Preston Local Plan.

Working Programme

3. The development and restoration shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:

a) Planning permission 06/07/1197 as amended by the planning application form accompanying application ref LCC/2017/0019 received by the County Planning Authority on 6th February 2017.

b) Submitted Plans and documents accompanying planning application 6/07/1197:

Figure 2 - Application Boundary

Figure 4 - Indicative Quarry Development - Existing site

Figure 5A - Indicative Quarry Development - Phase 5A

Figure 6A - Indicative Quarry Development - Phase 2

Figure 7A - Indicative Quarry Development - Phase 3

Figure 8A - Indicative Quarry Development - Phase 4

Figure 9A - Indicative Quarry Development - Final restoration

Figure 10E - Indicative Quarry Development - Site Masterplan

Figure 19A - Indicative Quarry Development: Section BB

Figure 20A - Indicative Quarry Development: Section DD

Drawing no. 0596/5/001 Extension Area Cut and Fill

Drawing no. 0596/5/002 Cross Section Post Infilling

- c) All schemes and programmes approved in accordance with this permission.

Reason: For the avoidance of doubt and to enable the County Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area and to conform with Policies CS3 and CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policies NPPF 1 and DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policies V1, AD1 (a), EN1 and EN9 of the Preston Local Plan.

Site Operations

4. The mining, landfill operations and restoration works shall be worked in the direction and order of phasing shown on drawing nos. Figure 5A to Figure 8A. The working and restoration shall be phased in accordance with the following:-

a) within one year of the commencement of soil stripping in the extension area as shown on figure 5A, the area of the existing quarry / landfill site shaded light green and labelled 'areas restored to improved

grassland during current phase' on figure 5A shall be restored in accordance with the requirements of condition 36 below.

b) within one year of the commencement of soil stripping in phase 2 as shown on figure 6A, the area of the existing quarry / landfill site shown coloured light green and labelled 'areas restored to improved grassland during current phase' on Figure 6A shall be restored in accordance with the requirements of condition 36 below.

c) Within 6 years of the commencement of soil stripping in phase 1 of the proposed western extension as shown on figure 5A, the area of phase 1 together with the topsoil and subsoil storage area shall be restored in accordance requirements of condition 36 below.

Reason: To secure the progressive working and restoration of the site in the interests of the visual amenity of the area and to conform with Policy CS5 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy EN9 of the Preston Local Plan.

5. The provisions of Part 17 Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any amendment, replacement or re-enactment thereof are excluded and shall not apply to this development. Any development referred to in that part shall only be carried out pursuant to a planning permission granted under Part III of the Town and Country Planning Act 1990 or any amendment, replacement or re-enactment thereof.

Reason: To maintain the County Planning Authority's control of the development and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policies AD1 (a), EN1 and EN9 of the Preston Local Plan.

6. No mining operations shall take place below a depth of 19 metres AOD.

Reason: To secure satisfactory restoration and to safeguard local watercourses and drainages and avoid the pollution or derogation of any watercourse of groundwater resource and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

7. Empty skips shall only be stored within the area labelled 'Proposed Skip Storage Area' on drawing BSPNB.03. Skips stored within that area shall not be stored to a height exceeding three metres.

Reason: In the interests of visual amenity and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

8. Stockpiles of aggregates or recycled materials shall not exceed a height of five metres.

Reason: In the interests of the visual amenity of the area and the amenity of local residents and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

9. The measures to protect the existing pond and surrounding habitat areas as shown on drawing 6A shall be implemented and maintained throughout the duration of mineral extraction and restoration operations as described in the scheme and programme submitted on 12th August 2010 under the requirements of condition 11 of planning permission 6/07/1197.

Reason: In the interests of ecology and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

10. This permission shall permit the mining of sand and gravel and associated overburden only.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to ensure satisfactory restoration and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Soils and Overburden

11. All available topsoil and subsoil shall be stripped from any part of the site before that part is excavated or is traversed by heavy vehicles, or before plant or machinery, or roads, buildings, plant yards or stores are constructed on it. All stripped topsoil and subsoil shall be stored in separate mounds within the site for use in the restoration of the site.

Reason: To ensure the proper removal and storage of soils to ensure satisfactory restoration and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

12. No movement of topsoil or subsoil shall occur during the period from the 1st of October to the 30th April (inclusive) without the prior written consent of the County Planning Authority. At other times the stripping, movement and respreading of top and subsoils shall be restricted to occasions when the soil is dry and friable and the ground is sufficiently dry to allow the passage of heavy vehicles, plant and machinery over it without damage to the soils.

Reason: To ensure the proper removal, storage and replacement of soils to ensure satisfactory restoration and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

13. No topsoils or subsoils shall be stockpiled outside the area shown for this purpose on Figure 6A and such stockpiles shall not exceed 3 metres in height. All such stockpiles shall be graded within one month of their

construction and shall thereafter be seeded and kept in a weed free condition to produce a full grass sward over the full extent of the mounds throughout the duration of the development.

Reason: To safeguard the visual amenity and the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

14. No topsoil or subsoil shall be sold or otherwise removed from the site.

Reason: To ensure satisfactory restoration and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Safeguarding of Watercourses and Drainage

15. All foul drainage shall be discharged to a public sewer or else to a sealed watertight tank fitted with a level warning device to indicate when the tank needs emptying. Upon emptying the contents of the tank shall be removed from the site completely.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

16. Provision shall be made for the collection, treatment and disposal of all water entering or arising on the site to ensure that there shall be no discharge of contaminated or polluted drainage to ground or surface waters.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

17. Any chemical, oil or fuel storage containers on the site shall be sited on an impervious surface with bund walls; the bunded areas shall be capable of containing 110% of the container or containers' total volume and shall enclose within their curtilage all fill and draw pipes, vents, gauges and sight glasses. There must be no drain through the bund floor or walls. Double skinned tanks may be used as an alternative only when the design and construction has first been approved, in writing, by the County Planning Authority.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

18. Within three months of the date of this permission a scheme and programme of ground and surface water monitoring shall be submitted to the County

Planning Authority for approval in writing. The scheme and programme shall include details of the following:

- a) details for the monitoring of water levels in the Woodplumpton Brook including the position of the monitoring point, monitoring techniques, frequency of monitoring and proposed duration of monitoring prior to any mineral extraction operations commencing in the proposed extension area.
- b) details for the construction of two additional groundwater monitoring boreholes to be installed mid-way between BH701 and BH702 on either side of the proposed clay cut off wall including a timescale for their construction.
- c) details for the monitoring of the boreholes including frequency of monitoring and information to be collected.

The results of the surface and ground water monitoring shall be submitted to the County Planning Authority by not later than the 1st anniversary of the approval of the scheme and programme and at annual intervals thereafter. The results shall be submitted in a report which shall contain all the monitoring data, a plan showing the location of the boreholes relative to the site layout, details of the borehole geology and piezometer construction and the hydrographs of the level data collected in the preceding year.

If the groundwater levels in the boreholes to the north of the clay seal indicate likely derogation of the Brook by falling below the normal levels in the Brook or show a trend that indicates they will fall below the normal levels in the Brook as established by the monitoring required under a) above, the annual report shall include a proposed mitigation scheme. Dewatering and further deepening of quarry shall cease until the scheme of mitigation has been approved in writing by the County Planning Authority.

Reason: In order to protect ground and surface water resources and in the interests of ecology and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

19. Prior to any excavations progressing below a level of 25 metres AOD, a clay cut off wall shall be installed between the Woodplumpton Brook and the edge of the excavation in accordance with a scheme and programme which shall first be submitted to and approved in writing by the County Planning Authority. The scheme and programme shall include details of the following:
- a) details of the construction of the cut off seal including depths and methods of construction
 - b) details for the restoration of the surface of the land occupied by the clay cut off seal.

Reason: To protect ground and surface water resources and in the interests of ecology and the visual amenity of the area and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Highway Matters

20. The wheel cleaning facilities described in the scheme and programme dated 12th August 2010 and submitted under the requirements of condition 23 of planning permission 6/07/1197 be maintained in full working order and be used by all HGVs leaving the site to ensure that no mud, dust or other deleterious material is deposited on the public highway by HGVs leaving the site.

Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

21. Any internal haul road or private way between the wheel cleaning facilities and the boundary of the site shall, throughout the development, be metalled and drained and kept clear of debris along its entire length at all times.

Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

22. All vehicles transporting minerals or recycled aggregates of a size less than 100 mm in any dimension from the site shall be securely sheeted.

Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

23. No more than 500 heavy goods vehicles, as defined in this permission, shall leave the site in any five day period from Mondays to Fridays, inclusive. Not more than 130 HGV's shall leave the site in any one day during Monday to Fridays inclusive.

No more than 50 heavy goods vehicles shall leave the site on Saturday mornings.

No such vehicles shall leave the site on Saturday afternoons, Sundays or Public Holidays.

Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

24. A written record shall be maintained at the site office of all movements out of the site by heavy goods vehicles, as defined in this permission; such records shall contain the vehicle's weight, registration number and the time and date of the movement and shall be made available for inspection by the County Planning Authority or his representative on request.

Reason: To enable the County Planning Authority to monitor the operations to ensure compliance with the planning permission and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

25. No excavation of sand and gravel shall take place within the boundary fence to the M55 motorway and the side of any excavation adjacent to the motorway shall be maintained at a slope not steeper than 1:3.

Reason: To protect the integrity of the M55 and its embankments and to conform to Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

26. No drainage from the site shall result in run off to the motorway drainage system nor shall any new development adversely affect the motorway drainage system.

Reason: In the interests of highway safety and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

27. No development shall be carried on or adjacent to the motorway embankments that shall adversely affect the stability or structural integrity of the embankments.

Reason: In the interests of highway safety and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Hours of Working

28. No site operations shall take place outside the hours of:

0700 to 1800 hours, Mondays to Fridays (except Public Holidays)
0800 to 1300 hours on Saturdays

No site operations shall take place at any time on Sundays or Public Holidays.

The provisions of this condition shall also apply to HGVs leaving the site.

This condition shall not, however, operate so as to prevent the use of pumping equipment and the carrying out, outside these hours, of essential repairs to plant and machinery used on site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

29. Notwithstanding the hours of operation contained in condition 31 above, no soils or overburden shall be stripped or re-spread from any part of the site nor shall construction or removal of storage, landscape or baffle mounds take place on any part of the site before 07.00 hours or after 18.30 hours Mondays to Fridays inclusive (except Public Holidays), or before 07.30 hours or after 14.00 hours on Saturdays or at any time on Sundays or Public Holidays.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Control of Noise

30. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the development.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

31. Noise emitted from the site shall not exceed 55dBLAeq (1 hour) (free field), as defined in this permission, when measured from any of the following properties at a point closest to the noise source:

- a) Tabley Farm NGR 502 340
- b) Toplands Farm NGR 507 345
- c) Lightfoot Green Farm NGR 515 339

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

32. The reversing alarms described in the scheme and programme submitted on 12th August 2010 under the provisions of condition 35 of planning permission ref 6/07/1197 shall be fitted to all mobile plant used on the site.

Reason: In the interests of local amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

Dust

33. Measures shall be taken at all times to ensure that no dust or wind-blown material is carried onto adjacent property and in particular shall include the watering of all haul and access roads, the spraying of storage heaps as necessary during dry weather conditions and the fitting of dust mitigation measures to crushing and screening plant used on the site.

Reason: In the interests of local amenity and to comply with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

Soil stripping in the proposed western extension area

34. All trees and hedgerows forming the boundaries of the site shall be protected from damage and maintained throughout the development.

Reason: In the interests of visual and local amenity and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan

35. The ecological mitigation measures contained in the scheme and programme submitted on 12th August 2010 under the provisions of condition 38 of planning 6/07/1197 shall be implemented at all times during the working and restoration of the site.

Reason: In the interests of ecology and visual amenity and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Restoration

36. The site shall be restored in accordance with the scheme and programme of interim restoration works submitted on 12th August 2010 under the requirements of condition 39 of planning permission 6/07/1197.

Reason: To secure the proper restoration of the site and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

37. Within two years of the date of this permission, a scheme and programme for the final restoration of the site shall be submitted to the County Planning Authority for approval in writing. The scheme and programme shall be based upon the layout shown on figure 10 E and shall include details of the following:-

a) The design of the nine hole golf course including position of greens, and fairways.

b) Plans and elevations of the club house and of the building materials to be used for the external elevations and roof of the club house and details of external hard and soft landscaping.

c) Details for the layout and surfacing of the access roads and car parking areas and access road to the fishing car park and details for the provision of disabled parking including numbers of spaces, design and demarcation.

d) Details of any floodlighting and car park lighting including positions and powers of lights, measures to reduce glare and light pollution and means of control.

e) Elevations and plans of the proposed fishing huts and the building materials to be used.

f) Details for the surfacing or construction of footpath links around the site.

g) Details for the layout of the fishing lakes including provision of fishing pegs.

Reason: In the interests of the visual amenity of the area and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

38. The golf course and fishing lakes shall not be used for any organised competitive events.

Reason: In the interests of the visual amenity of the area and the amenity of local residents and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

39. The golf course club house shall only be utilised for activities associated with the playing of golf and shall not be hired out for any other purpose.

Reason: In the interests of the amenity of local residents and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

40. The club house building shall not be used other than as a changing facility, a rest area and for the provision of snack facilities for golfers and fishermen using the golf or fishing facilities. Any café or refreshment area used to provide snack facilities shall not provide multi course meals.

Reason: In the interests of the amenities of the area and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

41. The club house including any café or refreshment facilities within the club house shall not be open other than between the hours of 09.00 – 23.00 hours Mondays to Sundays.

Reason: In the interests of the amenities of the area and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

42. There shall be no retail sales from the club house.

Reason: In the interests of the amenities of the area and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Monitoring

43. A monitoring report shall be submitted to the County Planning Authority within one month of each anniversary of this planning permission until the completion of restoration. The report shall contain the following information:-
- a) the operations carried out on the land during the previous 12 months in respect of mineral extraction and waste disposal, including the volume/tonnage of mineral extracted and the volume / tonnage of waste that has been
 - b) the areas of land that have been subject to restoration works
 - c) the measures taken to implement the landscaping, progressive restoration and habitat creation;
 - d) the intended operations for the next 12 months.

Reason: To enable the Mineral Planning Authority to monitor the site to ensure compliance with this permission and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

Definitions

Planting Season: The period between 1 October in any one year and 31 March in the following year.

Free field : At least 3.5 metres away from the facade of a property or building.

Heavy Goods Vehicle: A vehicle of more than 7.5 tonnes gross weight.

Completion of Restoration: The date the County Planning Authority certifies in writing that the works of restoration in accordance with condition 37 have been completed satisfactorily.

Notes

The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from the Environment Agency.

The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping - up or diversion of a right of way should be the subject of an Order under the appropriate Act. Footpath nos. 82, 86 and 87 in the Parish of Woodplumpton are contained within the site.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Ext
Development		Rob Jones/34128

Information
Folder

LCC/2017/0019 06 February 2017
06/07/1197

Reason for Inclusion in Part II, if appropriate

N/A