

Development Control Committee
Meeting to be held on 9 December 2020

Electoral Division affected: Chorley South, Chorley Rural East
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Chorley Borough: application number LCC/2020/0003

To vary condition 2 of planning permissions 09/05/0018, 09/13/0133, LCC/2015/0014, LCC/2016/0059 to allow for the continuation of phased extraction of sand and gravel and infilling of inert wastes for restoration purposes back to agriculture and conservation until 31 December 2030 and for recycling operations to continue until 31 December 2029 at Sandons Farm Quarry, Sandy Lane, Adlington, Chorley

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Executive Summary

Application – To vary condition 2 of planning permissions 09/05/0018, 09/13/0133, LCC/2015/0014, LCC/2016/0059 to allow for the continued extraction of sand and gravel and infilling of inert wastes for restoration purposes back to agriculture and conservation until 31 December 2030 and for recycling operations to continue until 31 December 2029 at Sandons Farm Quarry, Sandy Lane, Adlington, Chorley.

Recommendation – Summary

That, subject to the applicant first entering into a Section 106 Agreement for an updated aftercare management plan including landscaping, habitats and public access for a period of 15 years, planning permission be **granted** subject to conditions controlling time limits, working programme, site operations, hours of working, noise and dust, highway matters, water management, soils, ecology, restoration, and aftercare.

Applicant's Proposal

The application is for a time extension to allow for the continued extraction of sand and gravel and infilling of inert wastes for restoration purposes back to agriculture and conservation until 31 December 2030 and for recycling operations to continue until 31 December 2029.

The application provides for a consolidation of several permissions relating to sand extraction and landfilling and one permission for the recycling of inert waste.

Description and Location of Site

The existing Sandons Farm Quarry site covers an area of approximately 11 hectares. The site is located off Sandy Lane in Adlington approximately 4km south of Chorley town centre and is accessed via a concrete haul road taken from the A5106 Wigan Lane. The nearest residential properties are located on Carrington Road, which border the site. There is currently a strip of maturing tree planting between the houses and the working site that was established following the grant of planning permission for the original sand quarry. There is also a soil screen bund that was constructed following a previous extension of the site.

The quarry and proposed extension area are located within the Green Belt. Footpaths numbers 11 and 12 run along the southern and eastern boundaries of the site.

Background

Two planning applications were initially submitted for the existing quarry site. The first for the phased extraction of sand and gravel followed by infilling of inert waste for restoration purposes back to agriculture (ref 09/05/0018) and the second for the phased extraction of sand and gravel followed by low level restoration without landfilling (ref 09/06/0867). Both were refused planning permission by Lancashire County Council's Development Control Committee. However, planning permission was granted on appeal by the Planning Inspectorate in December 2007 following a public inquiry. The applicant implemented planning permission 09/05/0018 and operations commenced in June 2008.

On 17 April 2013 planning permission was granted to allow for the sorting, treating, crushing and screening of imported construction, demolition and excavated soil/waste with re-usable/recyclable material exported off-site and the remainder for use in the restoration of the quarry (ref. 09/13/0133).

On 20 May 2015 planning permission was granted for a northerly extension to the area of phased extraction of sand and gravel and infilling with inert waste for restoration purposes, back to agriculture and conservation (ref. LCC/2015/0014). The permission was implemented and the majority of the sand has been extracted.

On 12 April 2017 planning permission was granted for an extension to the area of phased extraction of sand, gravel and clay, followed by infilling with inert waste for restoration purposes, back to agriculture, woodland, and nature conservation (ref. LCC/2016/0059). The permission was implemented and the majority of the sand has been extracted.

Planning Policy

National Planning Policy Framework

Planning Practice Guidance to accompany the National Planning Policy Framework

Waste Management Plan for England

National Planning Policy for Waste

Joint Lancashire Mineral and Waste Development Framework Core Strategy DPD
Managing our Waste and Natural Resources

Policy CS1	Safeguarding Lancashire's Mineral Resources
Policy CS3	Meeting the demands for New Minerals
Policy CS4	Identifying Sites and Areas for Mineral Extraction
Policy CS5	Achieving Sustainable Mineral Production

Joint Lancashire Minerals and Waste Local Plan - Site Allocations and Development
Management Policies (Part 1)

Policy NPPF1	Presumption in Favour of Sustainable Development
Policy DM1	Management of Waste and Extraction of Minerals
Policy DM2	Development Management
Policy LF2	Sites for Inert Waste
Policy M1	Managing mineral production

Central Lancashire Adopted Core Strategy

Policy 29 Water Management

Chorley Local Plan

Policy BNE 1 – Design Criteria for New Development
Policy BNE 9 – Biodiversity and Nature Conservation

Consultations

Chorley Borough Council – Object to the proposal on the grounds that there is no identified need for the extraction of the remaining mineral reserves or the importation of inert waste. The proposal would extend the period of impacts upon the Green Belt and other harm from landscape and visual impacts and noise. The proposal conflicts with Policy M1 of the Joint Lancashire Minerals and Waste Local Plan and policy BNE 1 of the Chorley Council Local Plan 2012 - 2026 and should be refused on this basis.

Coppull Parish Council – No comments received.

Adlington Town Council – There are concerns that this is another repeat request to extend the timescale for this application, which is not acceptable. The Town Council objects to this application.

Coal Authority – No comments to make.

Lancashire County Council Landscape Service – A number of recommendations have been suggested as improvements to the previously approved restoration plan.

Lancashire County Council Ecology Service – Initially provided comments with recommendations for the review and update of the previously approved restoration and planting scheme. The applicant submitted an amended restoration plan and the majority of the recommendations have been addressed.

Environment Agency - The application is for time extension with no other conditions proposed to be varied. There is no objection to the proposal provided that the maximum permitted depth of excavation remains as per existing conditions.

LCC Highways Development Control – No objection.

Canal and River Trust – Initially stated that culvert 133 is located adjacent to the site and that so long as access would be retained to the culvert and manhole then there is no comment to make. Following further discussion on the detailed design of the culvert arrangement across the site, the Canal and River Trust added that the culvert under the canal has a diameter of 900mm and it is now understood that the upstream side of the culvert has also been upgraded to a 900mm pipe to match the capacity under the canal, (this upstream section was previously thought to be culverted at 450mm diameter). On the downstream side a temporary 750mm diameter pipe was installed replacing an earlier blocked/damaged culvert. Although clearly a 750mm pipe would be a betterment and have a greater capacity than the original culvert, it would really be more beneficial for this section to now reflect the capacity of the upstream culvert. Given the upstream capacity and culvert under the canal are both 900mm then the downstream section should also be replaced with a 900mm or bigger capacity. If the size decreases on the site as proposed, then it could potentially form a point where flows may become restricted and may cause back flooding.

It is also understood that as part of the restoration for the site the land levels would be altered which would result in the manhole serving the culvert (which was put in to enable access for maintenance etc) would be left protruding above ground level. This would not be satisfactory from a visual perspective and may also hinder accessibility/maintenance. It is noted that planned works include alterations to manholes. It is not clear if this would include the manhole(s) that would otherwise be left protruding from the ground following the restoration on the site? The manhole(s) should be lowered to the finished ground level following restoration and this should be secured as part of the restoration plan or by some other means. As the manhole(s) would be altered the opportunity to also upgrade them to be able to accommodate a 900mm pipe should be taken, if this is not already part of the planned works.

Lancashire County Council Lead Local Flood Authority – No comments received.

Ramblers' Association – No comments received.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. 10 representations have been received (including County Councillor Kim Snape, and Chorley Borough Councillors Peter Wilson, Graham Dunn and June Molyneaux) with objections against the application for the following summarised reasons:

- Residents are at a loss as to how many more applications will be submitted to extend the life of this site, which is not acceptable to the local community.
- There is no identified need for the extraction of the remaining mineral reserves or the importation of inert waste.
- Another 10 years would increase the impact on the local amenity, extend the period of impact on the green belt along with other landscape, visual and noise impact.
- The proposal would conflict with Policy M1 of the Minerals and Waste Local Plan and Policy BNE1 of the Chorley Council Local Plan 2012-2026.
- There would be ongoing problems with sand blowing on residential properties, and dust and bad odours.
- There would be a continuation of unacceptable noise from machinery and workers shouting.
- There is night time noise from generators or water pumps.
- The operations have moved closer to the site boundary and soil bunding was removed.
- The earth mounds cause surface water to drain onto property.
- The time extension should be for a much shorter period.
- The time extension should be at 2-3 year reviews to allow for reassessment of impacts on local residents.
- The quarrying operations have impacted on culvert number 133 that passes under the canal and into the site. There have been ongoing issues with a collapsed agricultural stone box culvert (outside the sand extraction area but at depth under soil storage mounds) that resulted in upstream residential flooding in 2011, 2012 and 2015 due to the downstream blockage. Following these flooding events the site operator carried out some remediation works including the opening up of the covered culvert, constructing an inspection chamber and a short section of 750mm diameter pipe. The flooding issue has been alleviated but the work is not completely satisfactory to remove the risk of future flood events. Following the submission of an amended design with a proposed new fully piped 750mm diameter culvert including 2 manhole inspection chambers, it is still maintained that the pipe should be 900mm diameter to match the upstream dimensions.
- The public footpath from Sandy Lane has been rendered nearly impassable by the laying of some sharp stones for quite a distance, which resulted in a cut to a dog's paw and footwear. This will not improve with the permission extension.
- With the degeneration of the area fly tipping and rodent populations have increased.
- Effective noise controls should be subject of conditions.
- It is recognised that a time extension will be required to complete the works but this should be subject to phase 2 operations being completed by 2025 at the latest.
- Agricultural pastureland is questionable in view of climate change concerns.
- The site is used by off-road motorbikes.
- The quarry is an eyesore.
- The quarry has a detrimental impact on wildlife and newt nets have been removed.
- Trees and hedgerows have been removed.
- Enough sand has now been extracted.

- The quarry generates unacceptable levels of HGV traffic and sand debris is deposited onto the highway. The level of traffic will be compounded by the ongoing construction of a supersized dairy farm on adjacent land.

Advice

This application is for a time extension for 10 years to allow for the extraction of the last remaining reserves of sand and gravel at the site and to allow time for the site to be restored to previously approved levels along with retention of waste recycling facilities. The site has been operational since 2008 and further permissions have been granted for inert waste recycling facilities to prevent recoverable waste being landfilled, and for two additional small extension areas within the confines of the site boundary.

The majority of the sand and gravel has already been extracted but large areas of the site need restoring to achieve the previously approved levels. The applicant has stated that approximately 80% or 600,000 tonnes of the sand reserve has been excavated. The remaining 20% or 150,000 tonnes of sand reserve is located towards the eastern and northern boundaries and on the western part of the site adjacent to the recycling and processing operations area. Approximately 25% or 195,850m³ of inert waste have been imported to cap-off the old landfill and for restoring part of the southern boundary.

The sand and gravel reserves at the site have already been accounted for within the Joint Lancashire Minerals and Waste Local Plan so there is no requirement to reconsider the need for the sand. In fact, the remaining reserve at the site is now arguably insignificant in overall landbank terms. However, the site makes a contribution towards the supply of sand materials and therefore there is merit in allowing the remaining reserves to be extracted. It is considered that the key issues for consideration are the acceptability of allowing the continued importation of inert waste materials to achieve previously approved levels and the potential impact on the Green Belt, the local environment, the amenity of the residents who live nearby, the impact on local landscape and the public highway. 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.

The National Planning Policy Framework advises that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Achieving sustainable development means that the planning system has three overarching objectives, which concern the economy, social matters and the environment, which are interdependent and need to be pursued in mutually supportive ways.

Should permission be granted, the site would be restored to levels that were previously found to be acceptable and would largely follow the pre-development landform. The site operator is currently working towards an approved restoration plan, which would return the land to agricultural pasture, species rich grassland and peripheral woodland. However, this application has presented an opportunity to review the detail of the plan

that was approved some 12 years ago. Through the application process and in view of comments from Lancashire County Council's Landscape and Ecology advisors, the applicant has incorporated some minor changes to the restoration plan to include additional nature and settlement pond features, clearly displayed interconnected drainage channels, new hedgerow planting, amended native planting mixes, extended areas of species rich grassland, reduced areas of agricultural pasture, made clear reference to hibernacula piles and bird boxes, and retained public access to part of the site. These changes should provide enhanced biodiversity value for the site and can be considered as a planning gain. On a similar theme, a condition is also recommended for the continuation of amphibian protection measures that were a conditional requirement of permission LCC/2016/0059 for an extension to the extraction boundary.

The alternative to granting permission for the time extension would be to refuse permission and the site would have to be finally restored at a low level. It is considered that this would lead to an unacceptable landform with unsatisfactory drainage issues and a prominent historic landfill feature exposed to the west of the site.

The applicant has provided an up to date overarching restoration phasing plan, which shows restoration works continuing in areas nearer to residential properties at the south of the site and then moving northwards. Following this plan, the impact of sand extraction and restoration works, particularly in relation to noise, should progressively diminish over time. In view of comments made by local residents it is recommended that a condition be imposed to require that restoration works in phase 2, closest to residential properties, be completed by 31 December 2024 to give some comfort to neighbouring residents that progress is being made and that the nearest part of the site to the properties would be restored and landscaped at an earlier stage.

An Environmental Permit would be required from the Environment Agency and this would control the specific waste types and measures to prevent pollution. Odour and rodent issues are unlikely given the nature of the waste that can be deposited at the site.

The existing site is subject to a Section.106 agreement for a 10 year aftercare management plan following the 5 year aftercare period covered by condition given the size of the site, and the extensive planting and nature conservation proposals. Should permission be granted, it is recommended that this requirement be carried forward to ensure satisfactory delivery of planting and nature conservation, and public access objectives.

Green Belt

In allowing the appeal of permission 09/05/0018 for the existing quarry, the Planning Inspector gave consideration to the appropriateness of both the minerals and landfill element of the quarry development within the context of the Green Belt and concluded that with appropriate planning conditions and an assumption that the final restoration of the site would contribute to the achievement of objectives for the use of land within Green Belt, the scheme was acceptable within the Green Belt and that there was no need to consider the issue of very special circumstances.

Government policy on Green Belt at the time of the appeals was set out in Planning Policy Guidance Note 2 and is now set out in the National Planning Policy Framework. Nevertheless, it is considered that the Green Belt principles in respect of proposals of this nature are comparable and the Planning Inspector's view on Green Belt impact is shared in respect of this application. The site is largely worked out and is now being restored so the greatest impact on the Green Belt has already taken place. Therefore, the logical approach in Green Belt terms is to allow for the site to be completed as previously approved.

Impact upon local amenity

As previously stated, the permitted sand and gravel reserves at the site are largely exhausted, particularly close to the rear of Carrington Road. Small areas of reserves are located adjacent to the Leeds-Liverpool canal and further north. Restoration works are ongoing to the rear of Carrington Road and Sandy Lane and adjacent to an historical landfill site. In the shorter term, noisy activity would be associated with the tipping of waste materials and associated land forming operations. Noise conditions have been in place throughout operations at the site and a soil screening bund is in place between operations and existing advance tree planting strip. A dust management plan also forms part of the original permission. Should permission be granted these controls should be carried forward.

A number of concerns have been raised in respect of motorcycle activities taking place within the quarry environment outside working hours that is causing noise disturbance. The applicant has advised that this is unauthorised activity and the site is secured as far as is possible. Nevertheless and ordinarily, permitted development rights exist which allow such activities for a limited number of days during the year. However, as a means of seeking to prevent this within the quarry environment, it is recommended that should permission be granted, a condition should be re-imposed to prevent motorcycle use within the quarry.

Highway Matters

The current access to the site is via a dedicated haul road from Wigan Lane (A5106). Due to the suitability of Wigan Lane to accept HGVs, no vehicle number restrictions are in force in relation to the existing permission. It is considered that a time extension to the site would not have an unacceptable impact upon highway safety or amenity subject to the same conditional requirements to seek to ensure that there would be no deposit of mud or debris on the public highway, vehicles transporting minerals from the site would be sheeted, and that access would only be taken from Wigan Lane.

Concern has been raised in relation to the potential impact on the local footpath network. However, there are no footpaths within the site. Vehicles accessing the site would continue to cross a footpath route at the perimeter. However, the site operator would be required to maintain safe public access to the footpath network under the provisions of separate footpath legislation. Footpath 12 that runs alongside the site but within the ownership of the applicant has recently been resurfaced with a smooth top layer.

Water Management

The existing operations at the site are subject to ongoing hydrogeological assessment, which includes the monitoring of the groundwater environment and understanding of groundwater levels. From this information maximum excavation levels have been calculated to allow for 1m clearance above maximum groundwater levels. Operations would continue on this basis and previously established groundwater monitoring conditions continue to be recommended.

The site is not within a flood risk zone. The development would not be significantly affected by flooding and would not lead to a significant increase in flooding elsewhere. The Environment Agency have raised no objection provided that the maximum permitted depth of excavation remains as per existing conditions.

At some point in the past, possibly following the commencement of development, there was a structural failure and partial blockage within a buried old stone lined culverted field watercourse adjacent to the quarry excavations but within the wider site boundary. The upstream flow of the unnamed watercourse passes Allanson Hall Farm under the Leeds to Liverpool Canal at culvert number 133. The blockage within the culvert lead to upstream flooding following storm events from 2011 to 2015 until the site operator carried out temporary remedial works to reveal the culvert, install an inspection chamber adjacent to the culvert under the canal, install a new short section of 750mm diameter pipe, and dig an open trench to maintain water flow across the site. There have been no flooding events since but there is a need to provide a permanent solution along with the restoration of the site. The applicant has provided details as part of the planning application for the time extension given that issue is part of the site restoration. The details include a proposed new fully piped 750mm diameter culvert with 2 manhole inspection chambers and an outfall at the point where the culvert emerges above ground to the north of the site before converging with Eller Brook.

A local resident has welcomed the proposed improvements but has stated that the new pipe should be 900 diameter rather than 750mm diameter to be consistent with upstream dimensions. However, there is some dispute over the sizing changes and other restrictions between the site, under the canal and upstream and the feasibility of connecting a 900mm diameter pipe to an existing manhole chamber. Given that there have been no flood events since the initial blockage was cleared and temporary pipeline installed, and given that the proposed scheme represents a major upsizing of the original stone culvert it is considered that the proposal is acceptable for the purposes of the planning application for the quarry time extension and restoration works. A condition is recommended to ensure that the proposed culvert scheme is constructed within a timely manner along with partial site restoration by 31 December 2022.

Human Rights

The Human Rights Act 1998 requires the County Council to take into account the rights of the public under the European Convention on Human Rights and not to act in a manner incompatible with those rights. Article 1 of Protocol 1 states that an individual's peaceful enjoyment of their property shall not be interfered with except as is necessary, in accordance to the law and as is proportionate.

This application were it to be approved would be unlikely to generate a degree of impact on neighbouring properties, which would breach these rights. However, it is considered that any potential impacts could be controlled by conditions.

Conclusion

The proposed time extension for the existing quarry would give opportunity for the operator to extract the small volume of sand reserves that remain at the site and allow for the appropriate restoration of the site as previously approved. Subject to the re-imposition of previously approved conditions and new conditions relating to the timing and phasing of restoration, improvements to the restoration plan to include enhanced nature conservation features, and a condition for the construction of a new culvert arrangement, and subject to an updated section 106 Agreement for longer term aftercare, it is considered that there should be no unacceptable adverse impact on the environment, the Green Belt, local highways or the amenity of local residents. The proposal is therefore considered to be acceptable in terms of the policies of the National Planning Policy Framework and the Development Plan.

Recommendation

That, subject to the applicant first entering into a Section.106 Agreement for an updated aftercare management plan including landscaping, habitats and public access for a total period of 15 years, planning permission be **granted** subject to the following conditions:

Time Limits

1. Waste processing and recycling operations shall cease by 31 December 2029, and mineral excavation and final restoration of the site shall be completed by 31 December 2030, in accordance with the conditions to this permission.

Reason: To provide for the completion and restoration of the site within the approved timescale in the interest of local amenities and to secure the proper restoration of the site and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

2. Notwithstanding the requirements of condition 1, Phases 1 and 2 shown on drawing no. V280.504 - 'Restoration Phasing Plan' shall be landfilled and restored in accordance with the conditions of this permission by 31 December 2024.

Reason: To provide for the early completion and restoration of part of the site within the approved timescale in the interest of local amenities and to secure the proper restoration of the site and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Working Programme

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

Submitted Plans:

Drawing no. V280.500 - Location Plan
Drawing no. V280.501 - Existing Permissions
Drawing no. V280.502, rev 2 - Finished Levels
Drawing no. V280.503 - Sections
Drawing no. V280.504 - Restoration Phasing Plan
Drawing no. V280.505, rev 2 - Drainage Plan
Drawing no. V280.506, rev 1 - Amended Restoration Proposals
Drawing no. V280.507, rev 2 - Existing Survey and Culvert
Drawing no. V280.508 - Culvert Section
Drawing no. V280.509 - Details for Pond 1 -4
Drawing no. V280.510 - Details for Ponds 5 and 6 - Settlement Ponds
Drawing no. V280.511 - Details for Pond 7 - Settlement Ponds

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

4. No mineral extraction shall take place outside the areas permitted under planning permission numbers 09/05/0018, LCC/2015/0014 and LCC/2016/0059.

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

5. The extraction boundary of planning permission number 09/05/0018 (as extended by permission LCC/2015/0014 and LCC/2016/0059) shall be marked out using 1m high coloured posts at a minimum interval of 50 metres between each post within 1 month of the date of this permission. Thereafter, the marker posts shall be retained in position until the site has been restored.

Reason: To ensure adequate control of site operations and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

6. A copy of the conditions and all documents referred to in Condition 3, to which this permission is subject, shall be made available at the site office at all times throughout the development.

Reason: To ensure all site operatives can readily make themselves aware of the planning conditions.

7. Any sand and gravel washing and screening plant used on the site shall be in accordance with the details approved under condition 5 of permission 09/05/0018.

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

8. A topographical survey of the site shall be submitted annually to the County Planning Authority within one month of the anniversary of the date of this permission until the end of the aftercare period referred to in the conditions to this permission. The survey shall have been carried out within two months preceding the date of the anniversary of this permission and shall consist of a plan drawn to a scale not less than 1:1250 which identifies all surface features within the site and a 10 metre grid survey identifying levels related to ordnance datum over all the land where sand has been extracted and wastes have been deposited.

Reason: To enable the planning authority to monitor the site and to ensure compliance with the planning permission.

9. The site shall be the final place of deposit for waste and no waste shall be removed from the site once it has been deposited within the landfill area.

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

10. No minerals or waste shall be processed or stockpiled outside the 'Recycling and storage Area' shown on drawing no. V280.501 - 'Existing Permissions' and such stockpiles shall not exceed 4 metres in height.

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

11. No minerals shall be sold direct to the general public from the site.

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

12. No waste shall be deposited either temporarily or permanently on any part of the site at a higher level than the levels shown on drawing no. V280.502, rev 2 - Finished Levels.

Reason: To ensure satisfactory restoration of the site and safeguard the amenity of the local residents and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

13. No waste other than inert construction, demolition and excavation waste shall be deposited at or brought on to the site.

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

Hours of Working

14. No mining operations, waste processing and recycling, landfilling or restoration shall take place except between the hours of:

0730 to 1800 hours, Mondays to Fridays
0800 to 1230 hours on Saturdays

No mining operations, waste processing and recycling, landfilling or restoration shall take place at any time on Sundays or Public Holidays. This condition shall not operate so as to prevent the use of pumping equipment and the carrying out, outside these hours, of essential maintenance to plant and machinery used on site.

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

15. Notwithstanding condition 14, no topsoil and subsoil stripping and replacement operations including storage mound formation and removal shall take place except between the hours of:

0900 to 1700 hours, Mondays to Fridays
0900 to 1230 hours on Saturdays.

No topsoil and subsoil stripping and replacement operations including storage mound formation shall take place 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 comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Highway Matters

16. The sole access and egress from the site shall be from A5106 Wigan Lane as shown edged red on Drawing no. V280.500 -'Location Plan'.

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

17. The wheel cleaning facilities approved under condition 17 of permission 09/05/0018 shall be used by all HGVs leaving the site throughout the development.

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

18. Any internal haul road or private way between the wheel cleaning facilities and the A5106 Wigan Lane shall be metalled and drained and shall be kept clear of debris along its entire length throughout the development.

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

19. No debris or mud from the site shall be deposited by vehicles upon the public highway.

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

20. All vehicles transporting minerals or recycled waste products from the site shall be securely sheeted.

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

Control of Noise and dust

21. The site area subject of this permission shall not be used for motorcycling at any time.

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

22. Where reversing alarms are employed on site only broadband multi-frequency sound alarms (white sound) shall be used.

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

23. Noise emitted from the operations hereby permitted shall not exceed 55dB LAeq (1hour) (free field), as defined in this permission, when measured at the

properties of Rigshaw Bridge Cottages, Sandons Farm and Carrington Road at a point closest to the noise source.

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

24. The noise limits set out in condition 23 shall not apply during the stripping of soils and overburden at the site, the construction of storage mounds for materials and their regrading during the restoration of the site, or the construction of landscape or baffle mounds. Noise from any of these activities shall not exceed 70dB LAeq (1 hour) (free field) as defined in this permission as measured at the residential properties of Rigshaw Bridge Cottages, Sandons Farm and Carrington Road at a point closest to the noise source. For these activities the 55dB LAeq (1 hour) (free field) limit shall not be exceeded for more than 8 weeks in any one calendar year, unless otherwise agreed in writing by the County Planning Authority. A written record shall be made of the dates that these activities are taking place and shall be made available to the County Planning Authority on request.

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

25. The development shall be carried out in accordance with the dust management scheme approved under condition 25 of permission 09/05/0018 to prevent dust or wind blown material being carried on to adjacent property.

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

Water Management

26. Mineral extraction shall not take place below a surface defined as being 1 metre above the surface defined as the 'highest natural variation in the water table' established through the approved scheme and programme under condition 26 of permission 09/05/0018, or below an extraction depth illustrated on drawing no. V280.503 - 'Sections', whichever is the higher level above ordnance datum (AOD).

Reason: To ensure that the proposed works will not detrimentally impact upon groundwater quality or quantity and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy 29 of the Central Lancashire Core Strategy.

27. The groundwater level in the monitoring boreholes and the level of the excavation base at the site subject to this permission shall be monitored and recorded at monthly intervals throughout the development and shall be reported to the County Planning Authority at 6 monthly intervals from the date of this

permission. Details of the location and depth of groundwater monitoring points shall be supplied with the report and all levels must relate to ordnance datum.

Reason: To ensure that the proposed works will not detrimentally impact upon groundwater quality or quantity and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy 29 of the Central Lancashire Core Strategy.

28. The culvert and manhole arrangement shown on drawing V280.507, rev 2 - 'Existing Survey and Culvert' and drawing no. V280.508 - 'Culvert Section' shall be constructed by 31 December 2021.

Reason: To safeguard local watercourses and drainage and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy 29 of the Central Lancashire Core Strategy.

29. 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 drainage and avoid the pollution of any watercourse or groundwater resource or adjacent land and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy 29 of the Central Lancashire Core Strategy.

30. All foul drainage shall be discharged to a public sewer or else to a sealed tank and the contents of the tank shall be removed from the site completely.

Reason: To safeguard local watercourses and drainage and avoid the pollution of any watercourse or groundwater resource or adjacent land and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy 29 of the Central Lancashire Core Strategy.

31. 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 their 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 previously been approved, in writing, by the County Planning Authority.

Reason: To safeguard local watercourses and drainage and avoid the pollution of any watercourse or groundwater resource or adjacent land and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy 29 of the Central Lancashire Core Strategy.

32. Repair, maintenance and fuelling of plant and machinery shall only take place on an impervious surface drained to an interceptor and the contents of the interceptor shall be removed from the site.

Reason: To safeguard local watercourses and drainage and avoid the pollution of any watercourse or groundwater resource or adjacent land and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy 29 of the Central Lancashire Core Strategy.

Soils

33. 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, plant or machinery. 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 comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

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

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

35. Topsoil and subsoil storage shall be managed as set out on drawing no. V280.205, Rev 1 - 'Soils Movement, Storage and Phasing Programme', and the accompanying email from Oakbay Design dated 23 September 2016, which accompanies planning permission LCC/2016/0059. The screening bund illustrated on drawing no. V280.201, Rev 1 - Amendment of Extraction Area and Additional Screen Bunding, and drawing no. V280.203 - 'Amendment of Extraction Area - Sections', which form part of permission LCC/2016/0059 shall be no higher than 5m above pre-development existing ground levels.

Reason: To ensure satisfactory restoration of the site, to protect residential amenity, and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

36. The development shall be carried out in accordance with the recommendations set out in the 'Protected Species Survey Report for Amphibians' document dated June 2016, as approved under planning permission reference LCC/2016/0059.

Reason: To protect wildlife and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Restoration

37. Landfill restoration works shall be undertaken following the phasing scheme shown on Drawing no. V280.504 - Restoration Phasing Plan.

Reason: To seek to ensure a systematic restoration of the site and to comply with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

38. Restoration of the site shall be undertaken in accordance with the details shown on drawing no. V280.506, rev 1 - 'Amended Restoration Proposals' and in accordance with the details in the document entitled Restoration of Sandons Farm Quarry, Restoration Statement, dated 24 November 2020.

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

Aftercare

39. Aftercare of the site for a period of 5 years shall be carried out in accordance with the details within the document entitled 'Aftercare Scheme' as previously approved under the requirements of the s.106 agreement attached to permission 09/05/0018 (as amended by the s.106 agreement to this permission) following the final restoration of the site.

Reason: To ensure that the site is satisfactorily returned to a beneficial afteruse and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

40. A monitoring report shall be submitted to the County Planning Authority annually by 31 December (commencing 31 December 2021) until the end of the aftercare period.

The report shall include:

- a) Any operations carried out on the land during the previous 12 months in respect of mineral extraction;
- b) Measures taken to implement the landscaping, progressive restoration and habitat creation;
- c) Measures taken to implement the aftercare provisions; and
- d) Intended operations for the next 12 months.

Reason: To allow the mineral planning authority to monitor the development and to ensure that the site is returned to a beneficial afteruse and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Definitions

Final Restoration: The date the County Planning Authority certifies in writing that the works of restoration in accordance with the conditions of this permission have been completed satisfactorily.

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.

Notes

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

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Ext
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None		
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Reason for Inclusion in Part II, if appropriate

N/A