

Development Control Committee
Meeting to be held on 5th June 2013

Electoral Division affected:
Garstang

Wyre Borough: Application 02/13/0342
Application for the continuation of working of sand and gravel without complying with condition 12 of permission 02/12/0024 to allow site opening hours to be extended to 7am Mondays to Saturdays. Sharples Quarry, Tarnacre Lane, St Michaels on Wyre

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Executive Summary

Application for the continuation of working of sand and gravel without complying with condition 12 of permission 02/12/0024 to allow site opening hours to be extended to 7am Mondays to Saturdays. Sharples Quarry, Tarnacre Lane, St Michaels on Wyre.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, site operations, highway matters, noise and dust, protection of water, landscaping, archaeology, ecology, restoration, aftercare and monitoring.

Applicant's Proposal

Planning permission for the extraction of sand and gravel on land at Tarnacre Hall Farm, St Michaels on Wyre was granted subject to planning conditions on 10th October 2005 (ref 02/04/0652). Planning permission for the variation of permission 2/04/0652 to allow the relocation of a water storage lagoon and to amend the conditions relating to stockpile heights was granted in April 2012 (ref 2/12/0024). Planning permission 2/012/0024 is now the main permission for the site.

Condition 12 restricts the working hours of the site to 07.30 – 18.00 hours Monday to Friday and 07.30 – 13.00 hours on Saturdays with no operations on Sundays on Public Holidays.

Planning permission is now sought for a variation of condition 12 to amend the hours of operation to allow the loading of vehicles from 07.00 hours Monday to Saturday. All other aspects of the quarrying operation would commence from 07.30 hours as currently permitted.

Description and Location of Site

The planning permission for sand and gravel extraction at this site extends over an area of 56ha of flat agricultural land located 4km south west of Garstang and 2 km north east of St Michaels on Wyre. The site is divided into a number of large fields by hedgerows and drainage ditches.

The southern and eastern boundaries of the site are formed by the A586 Garstang to Great Eccleston road from where access to the quarry is taken. To the north and west of the site are large areas of flat, open arable agricultural land. The northern boundary of the site is formed by Sharples Lane which is an agricultural track and a public footpath. There are a number of properties along the southern and eastern boundaries of the site which are accessed off the A586.

Part of the site is located within the Rawcliffe Moss Biological Heritage Site. A stream / ditch called the Longback Brook divides the site.

Whilst some limited quarrying operations took place in 2010 major working and processing and export of minerals commenced in 2012 /13.

Background

History

Planning permission for the extraction of sand and gravel including the construction of a new access off the A586, processing plant and site support facilities and restoration of the site to agriculture and lake / wetland areas was granted on 10th October 2005 (ref 02/04/0652).

Planning permission for the variation of planning permission 2/04/652 to allow the relocation of a water lagoon and the height of raw material stockpiles to be increased to 5m was granted in April 2012 (ref 2/12/0024).

Planning permission for the construction of additional water storage lagoons was granted in April 2012 (ref 2/04/0023).

Planning Policy

National Planning Policy Framework (NPPF)

Technical Guidance to the National Planning Policy Framework – Flood Risk and Minerals Policy. Paragraphs 30 and 31 are relevant regarding operating hours and noise levels for mineral workings.

Lancashire Minerals and Waste Local Plan (LMWLP)

Policy 2 Quality of Life
Policy 112 Standards of Operation

Lancashire Minerals and Waste Local Development Framework (Core Strategy)

Policy CS5 Achieving Sustainable Minerals Production

Wyre Borough Local Plan

Policy SP14 Standards of Design and Amenity

Consultations

Wyre Borough Council: No observations received.

Kirkland Parish Council: Object - increasing hours will have a detrimental impact on the residents of Churchtown, Kirkland and Catterall St Helens School which is on the main route of the lorries. Despite the new 30 mph limit on the A586, much of the traffic exceeds these limits and to allow more traffic would impact further on quality of life.

Environment Agency : No objection.

LCC Assistant Director (Highways): No observations received.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. No representations have been received.

Advice

Director of Transport and Environment – Observations

Planning permission for the extraction of sand and gravel at this site was first granted in October 2005. The planning permission provided for the working of around 800,000 tonnes of minerals. Operations at the site commenced in September 2010 after some initial delay due to a change in operators leasing the site. The minerals will be worked in a number of phases on the western and southern sides of the site over a period of 6.5 years. Planning permission was subsequently granted in April 2012 (ref 2/12/0024) for the variation of planning permission 2/04/652 to allow the relocation of a water lagoon and the height of raw material stockpiles to be increased to 5m and which has become the planning permission within which the site operates.

To date works on the site have comprised the construction of the access road, soil stripping and laying of a hardcore platform in the plant site area and soil stripping and commencement of mineral extraction in Phase 1. The export of processed sand and gravel materials from the site commenced in early 2013.

Condition 12 of planning permission 2/12/0024 restricts the hours of operation at this site to between 07.30 – 18.00 hours Monday to Friday and 07.30 – 13.00 hours on Saturdays with no working on Sundays or Public Holidays. The reason for the condition is to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policies 2 and 112 of the Lancashire Minerals and Waste Local Plan.

The operator wishes to modify the hours of operation so that vehicles can be loaded with processed materials from 07.00 hours Mondays to Saturdays. The applicant states that a number of hauliers that are used to transport materials from the site are locally based and commence work at 07.00 hours and therefore an earlier start time would make best use of the working day. An earlier start time would also allow materials to be delivered to customers (normally concrete batching plants) for the start of the working day. The applicant states that the earlier start time would only apply to the loading of vehicles and all other operations including the running of the processing plant would continue to be restricted to a 07.30 start time.

The main issues relate to the likely impacts of noise from the loading of vehicles on nearby properties fronting the A586 and traffic on the A586.

In relation to noise, the nearest property is Brook House Farm, located off the A586, approximately 270m from the processing and stockpiling area where vehicles are loaded. The noisiest aspect of the quarrying operations relates to the operation of the processing plant, the hours of which would not change as a result of the application. The impacts therefore relate only to the loading of vehicles from 07.00 hours.

The Technical Guidance to the NPPF in relation to noise from mineral workings states that normal working hours for mineral extraction sites are considered to be between 07.00 – 19.00 between which times noise levels should not exceed 55 dB(A) at noise sensitive properties. Condition 28 to the planning permission requires all plant and machinery to be effectively silenced. Condition 29 to the planning permission restricts noise levels to 55Db(A) at specified properties including Brook House Farm although this is relaxed by condition 30 which provides for higher levels of noise associated with soil stripping operations for limited periods in accordance with national guidance. Noise levels from the quarry have recently been investigated following a complaint from the owner of Brook House Farm. Noise monitoring has been undertaken when the quarry was in full operation (including with the plant running) and found that site noise levels monitored at the boundary of the resident's property (approximately 200m from the plant) were within the 55 dB(A) limit. It therefore follows that noise levels arising only from the loading of vehicles between 07.00 and 7.30 on weekdays only would also be able to comply with the permitted noise levels given that the plant would not be running during these times and the greater distance to the residents house. It is therefore considered that the loading of vehicles at the earlier time would not lead to an unacceptable increase in noise and would be acceptable for the purposes of Policy 2 of the LMWLP.

The concerns raised by Kirkland Parish Council regarding traffic are acknowledged. However, the traffic from this site exits onto the A586 which is a main road already frequently used by HGV's in the early morning period. The extension of the opening hours would not result in more HGV's visiting the site. Condition 23 to the planning permission restricts the overall quantity of material that can be exported from the site which in itself restricts overall vehicle numbers. The earlier opening hours would be before school opening times and therefore the proposed development would not increase the impacts on the school. The concerns regarding vehicles exceeding the new speed limit are noted but are a matter for the police to enforce.

It is therefore considered that the proposed extension of hours for the site to open in mornings to facilitate the loading of vehicles would not lead to an unacceptable increase in noise when measured at the nearest properties or that they would lead to vehicles compromising highway safety. The proposed extension of opening hours in a morning would comply with the Technical Guidance to the NPPF and the policies of the Development Plan.

In view of the nature, scale and location of the development, it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Summary of Reasons for Decision

The extended morning opening hours would allow the more efficient export of construction materials to markets. They would not lead to an unacceptable increase in noise and or loss of amenity to the nearest residential properties or compromise highway safety on the A586 as a result of heavy goods vehicles entering and leaving the site at an earlier time. The extended morning opening hours accords with the Technical Guidance to the National Planning Policy Framework and the policies of the Development Plan. The policies of the Development Plan relevant to this decision are:

Lancashire Minerals and Waste Local Plan

Policy 2 Quality of Life
Policy 112 Standards of Operation

Lancashire Minerals and Waste Local Development Framework (Core Strategy)

Policy CS5 Achieving Sustainable Minerals Production

Wyre Borough Local Plan

Policy SP14 Standards of Design and Amenity

The County Council has worked with the applicant in a positive and pro-active manner based on seeking solutions to problems arising in the processing of the planning application in full accordance with paragraphs 186 and 187 of the National Planning Policy Framework and for the purposes of Article 31 of the Town and Country Development Management Procedure Order 2012, Statement of Compliance.

Recommendation

That planning permission be **granted** subject to the following conditions:

Time Limits

1. The mining operations authorised by this permission shall cease not later than 31st March 2017. The site shall be progressively restored in accordance with the conditions to this permission and shall be restored in its entirety by not

later than 31st September 2017 or within a period of 6 months from the cessation of mineral extraction in phase 5, in accordance with the approved documents set out in condition 2, whichever is the sooner.

Reason: To ensure the progressive restoration of the site within the approved timescales in the interests of the visual and local amenities of the area and to conform with Policies 7 and 106 of the Lancashire Minerals and Waste Local Plan.

Working programme

3. The site shall be worked and restored in accordance with the sequence of phases shown on drawings SR1/4, SR1/5A, SR1/6A, SR1/7A, SR1/8A, SR1/9A, SR1/10A and SR1/11 to planning permission 2/04/0652.

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 Policies 7 and 106 of the Lancashire Minerals and Waste Local Plan.

4. The extraction of sand and gravel shall not take place other than within the area labelled 'proposed extraction boundary' on drawing SR1/4A to planning permission 2/04/0652.

Reason: In the interests of the visual amenity of the area and to conform with Policies 7 and 106 of the Lancashire Minerals and Waste Local Plan.

5. The site processing and stockpiling area shall be laid out and constructed in accordance with the design shown on drawing 0140/20/01, the lighting specification included with the letter from Hallette Environmental dated 10th September 2010 and the details for the colour of site buildings included in the letter from Hallette Environmental dated 16th June 2010 accompanying planning application 2/04/0652.

Reason: In the interests of the visual amenity of the area and the amenities of local residents and to conform with Policies 2, 7 and 106 of the Lancashire Minerals and Waste Local Plan.

Soils and Overburden

6. All available topsoil and subsoil shall be stripped from any phase of the site before that phase 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 106 of the Lancashire Minerals and Waste Local Plan.

7. No movement of topsoil or subsoil shall occur during the period from the 1 October to 1 April inclusive without the prior written consent of the County Planning Authority. At other times the stripping, movement and resspreading 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 and storage of soils to ensure satisfactory restoration and to conform with Policies 106 of the Lancashire Minerals and Waste Local Plan.

8. All topsoil and subsoil mounds around each phase of the quarry including the processing and stockpiling area and access road shall be constructed before any minerals are extracted from that phase or mineral processing is undertaken. The mounds shall be constructed in the positions and to the dimensions and gradients shown on drawings SR1/4, SR1/5A, SR1/6A, SR1/7A, SR1/8A, SR1/9A, SR1/10A, 140/20/01 and 140/19/01 to planning permission 02/04/0652. The mounds shall thereafter be graded and seeded within six months of their construction and maintained in a fully grassed, weed free condition throughout their duration on the site.

Reason: In the interests of the amenity of the area and to conform with Policies 2, 7 and 112 of the Lancashire Minerals and Waste Local Plan.

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

Reason: To ensure satisfactory restoration and to conform with Policies 9 and 108 of the Lancashire Minerals and Waste Local Plan.

Landscaping

10. All hedges and trees forming part of the site boundaries or to be retained within the site as shown on Drawing No. 4 within the Landscape and Visual Assessment shall be protected from any damage and maintained throughout the development, restoration and aftercare period.

Reason: In the interests of visual and local amenity and the local environment and to conform with Policies 2, 7 and 112 of the Lancashire Minerals and Waste Local Plan.

11. The preliminary tree and hedgerow planting works shown on drawing 0140/13/08 dated September 2010 shall be undertaken in the first planting season following the date of this planning permission. The planting works shall be undertaken in the areas shown on drawing 0140/13/08 and shall include plots 1, 2 and 3 and hedgerows A1, A2 and B. The planting shall be undertaken according to the specification described in the section 2 of the scheme and programme of planting works dated September 2010 (ref 0140/13) submitted for the purposes of condition 14 of planning permission 2/04/0652 and section 3 of the scheme and programme of woodland planting dated September 2010 (ref 140/13) submitted for the purposes of condition

38 of planning permission 2/04/0652. The planting works shall thereafter be maintained for a period of five years including replacement of failures, weed control and maintenance of protection measures.

Reason: In the interests of the amenity of the area and to conform with Policies 7 and 8 of the Lancashire Minerals and Waste Local Plan.

Site operations

12. No heavy goods vehicles as defined by this permission shall access the site, be loaded or leave the site prior to 0700 hours Monday to Friday.

No heavy goods vehicles as defined by this permission shall access the site, be loaded or leave the site prior to 0730 hours on Saturday.

No heavy goods vehicles as defined by this permission shall access or leave the site on Sundays and Public Holidays

No site development or operations involving the extraction, transport and processing of minerals or site restoration shall take place outside the hours of:

0730 to 1800 hours, Mondays to Fridays (except Public Holidays)
0730 to 1300 hours on Saturdays.

No site development or operations involving the extraction, transport and processing of minerals or site restoration shall take place at any time on Sundays or Public Holidays.

This condition shall not 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 Policies 2 and 112 of the Lancashire Minerals and Waste Local Plan.

13. Notwithstanding the hours of working contained in condition 12 above, no soils or overburden shall be stripped from or re-spread on 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 0800 hours or after 1700 hours Mondays to Fridays inclusive (except Public Holidays), or before 0800 hours or after 1300 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 Policies 2 and 112 of the Lancashire Minerals and Waste Local Plan.

14. 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 Policies 2 and 112 of the Lancashire Minerals and Waste Local Plan.

15. The provisions of Part 19 Class B of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 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 MPAs control of the development and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policies 2, 7 and 112 of the Lancashire Minerals and Waste Local Plan.

16. No stockpile of processed sand and gravel or imported stone shall exceed a height of three metres as measured from existing ground levels.

Reason: To safeguard the visual amenity and the amenity of local residents and adjacent properties/landowners and land users and to conform with Policies 2, 7 and 112 of the Lancashire Minerals and Waste Local Plan.

17. Stockpiled raw excavated materials shall only be stockpiled within the area hatched grey on drawing 0140/20/01 and to a height not exceeding five metres as measured from existing ground levels.

Reason: To safeguard the visual amenity and the amenity of local residents and adjacent properties/landowners and land users and to conform with Policies 2, 7 and 112 of the Lancashire Minerals and Waste Local Plan.

18. The creation and draw down of materials from the raw materials stockpile shall be undertaken in accordance with the scheme and programme dated 25th May 2012 submitted under the requirements of condition 18 of planning permission 2/12/0024.

Reason: To safeguard the amenities of local residents and adjacent properties/landowners and land users and to conform with Policies 2, 7 and 112 of the Lancashire Minerals and Waste Local Plan.

Highway matters

19. The wheel cleaning facilities contained in the scheme and programme submitted on 12 October 2009 for the purposes of condition 8 of planning permission ref 2/04/652 shall be installed at the position shown on drawing 0140/20/01. The wheel cleaning facilities shall thereafter be retained and maintained in full working order and be used by all HGV's leaving the site

throughout the development so as to ensure that no debris from the site is deposited by vehicle wheels upon the public highway.

Reason: In the interests of highway safety and to safeguard the amenity of local residents and to conform with Policies 2, 37 and 112 of the Lancashire Minerals and Waste Local Plan.

20. Visibility splays measuring not less than 4.5 metres by 103 metres as measured from the centre line of the access to the edge of the carriageway and in both directions shall be provided at the junction of the site access road and the A586. The visibility splays shall be maintained free from all obstructions above a height of one metre when measured from carriageway level for the duration of the development and restoration of the site.

Reason: In the interests of highway safety and to conform with Policy 37 of the Lancashire Minerals and Waste Local Plan.

21. The access road between the wheel cleaning facilities required by condition 19 and the boundary of the public highway shall be surfaced in tarmacadam, concrete or other means of hard surfacing and shall be retained in such condition throughout the duration of the development and restoration phase.

Reason: In the interests of highway safety and to safeguard the amenity of local residents and to conform with Policies 2, 37 and 112 of the Lancashire Minerals and Waste Local Plan.

22. All vehicles transporting minerals of a size less than 100mm 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 Policies 2, 37 and 112 of the Lancashire Minerals and Waste Local Plan.

23. Not more than 170,000 tonnes of minerals shall be exported from the quarry in any calendar year.

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 Policies 2, 37 and 112 of the 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 during permitted working hours.

Reason: To enable the MPA to monitor the operations to ensure compliance with the planning permission and to conform Policies 2, 37 and 112 of the Lancashire Minerals and Waste Local Plan.

25. The sole access to and egress from the site shall be to and from the A586 as shown on Drawing SR 1/4A to planning permission 2/04/652.

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 Policies 2, 37 and 112 of the Lancashire Minerals and Waste Local Plan.

26. There shall be no retail sales of aggregates to the general public from the site.

Reason: In the interests of highway safety and the amenity of the area and to conform with Policies 2, 37 and 112 of the Lancashire Minerals and Waste Local Plan.

Control of noise and dust

27. All mobile plant used on the site shall be fitted with the types of reversing alarms described in the scheme and programme submitted on 13th October 2009 as modified by the email from Halletc Environmental dated 25th May 2010 and such equipment shall be actively employed throughout the development.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policies 2 and 112 of the Lancashire Minerals and Waste Local Plan.

28. 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 Policies 2 and 112 of the Lancashire Minerals and Waste Local Plan.

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

- a) Tarnacre House Farm NGR 474 429
- b) Brook House Farm NGR 473 425
- c) Tarnacre Hall Cottages NGR 470 421

Reason: To safeguard the amenity of local residents and adjacent

properties/landowners and land users and to conform with Policies 2 and 112 of the Lancashire Minerals and Waste Local Plan.

30. The noise limits set out in condition 29 above shall not apply during the stripping of soils and overburden on the site, the construction of storage mounds for these materials and their respreading during restoration of the site or the construction of landscape or baffle mounds. Noise from any of these activities shall not exceed 70 dBLAeq (1 hour) (free field), as defined in this permission, as measured from any of the properties identified in condition 29 at the point closest to the noise source. This condition shall only apply for not more than 20 days 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 conform with Policies 2 and 112 of the Lancashire Minerals and Waste Local Plan.

31. Dust mitigation and monitoring shall be undertaken throughout the duration of the development and restoration in accordance with the scheme and programme submitted under the requirements of condition 30 of planning permission 2/04/652 on 23rd July 2010.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policies 2 and 112 of the Lancashire Minerals and Waste Local Plan.

Water resources

32. 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 Policies 22 and 112 of the Lancashire Minerals and Waste Local Plan.

33. 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 Policies 22 and 112 of the Lancashire Minerals and Waste Local Plan.

34. 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 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 Policies 22 and 112 of the Lancashire Minerals and Waste Local Plan.

35. Within 6 month of the date of this planning permission, the additional flood storage ditches shown on drawing SD4642SMCD260405A shall be excavated and maintained throughout the life of the development.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policies 24 and 112 of the Lancashire Minerals and Waste Local Plan.

36. No dewatering of the excavation phases of the development shall take place until a scheme of groundwater monitoring has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall include provision for the following:

- a) Details for the establishment of monitoring boreholes to include the location and depth of the boreholes and geological logs and installation details;
- b) Provision for background monitoring from the boreholes established under a) above including details of the duration of the background monitoring;
- c) The setting of a trigger level to establish a level in mAOD below which no dewatering shall take place.
- d) Details for the monitoring of water levels within the Buttfeld Wood Ponds and restored areas of the site;
- e) Details for the monitoring of groundwater and surface water levels during the operational phase of the quarry including frequency of monitoring and reporting of results to the MPA.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policies 24 and 112 of the Lancashire Minerals and Waste Local Plan.

Archaeology

37. Prior to any soil stripping taking place in any phase of the site, archaeological investigation and mitigation shall take place in that phase in accordance with

the scheme and programme of archaeological mitigation submitted on 24th September 2009 under the requirements of condition 36 of planning permission ref 2/04/0652.

Reason: In the interests of archaeology and to conform with Policy 28 of the Lancashire Minerals and Waste Local Plan.

Ecology

38. The ecological mitigation and management measures contained in the Ecological Protection Plan dated September 2010 submitted under the requirements of condition 37 of planning permission 2/04/652 shall be undertaken at all times throughout the development and restoration.

Reason: In the interests of the ecology of the area and to conform with Policies 18 and 20 of the Lancashire Minerals and Waste Local Plan.

Restoration and Aftercare

39. Within six months of the date of this planning permission a revised scheme and programme of final restoration shall be submitted to the County Planning Authority for approval in writing. The scheme and programme shall be based upon the restoration scheme dated September 2010 and shall contain the following details:-
- a) Details for the restoration of the relocated lagoon to agriculture including details of soils to be used, depths of soils to be spread, measures to relieve compaction, cultivation and seeding including seed mixes to be used.
 - b) Details of planting works necessary to close any gaps in the hedgerow between the plant site and the lagoon including location of planting works, numbers, types and species to be planted, planting techniques and protection measures.
 - c) Details for the restoration of the land to the west of the Longback Brook that would have been occupied by the lagoon.
 - d) Details for the creation of the reed bed habitats and other marginal vegetation on the margins of the water bodies.
 - e) The layout of the woodland areas including species to be used;
 - f) The removal of the processing plant infrastructure including hardstandings, buildings, wheel cleaning facilities, hardstandings and culverts over the Longback Brook.
 - g) The removal of the site access road and reinstatement of the verge alongside the A586 including tree and hedge planting.
 - h) The restoration of the plant site to best and most versatile agricultural land including soils to be used, depths of replacement, their treatment to relieve compaction and measures to be undertaken to provide a surface suitable for seeding.

Thereafter, each phase of the site shall be restored in accordance with the approved scheme and programme within one year of the completion of mineral extraction in that phase.

Reason: To secure the proper restoration of the site and to conform with Policy 21 of the Joint Lancashire Structure Plan and Policies 7, 8, 9, 18, 20 106 and 108 of the Lancashire Minerals and Waste Local Plan.

40. Within 3 months of the certification in writing by the County Planning Authority of the completion of restoration within Phase 1, as defined in this permission, a scheme and programme for the aftercare of the site for a period of five years to promote the agricultural and amenity afteruse of the site shall be submitted to the County Planning Authority for approval in writing. The scheme and programme shall contain details of the following:
- a) The aftercare of the agricultural land including soil sampling to determine the requirement for fertilizer and lime application, works to relieve compaction or re-grading to remove surface ponding;
 - b) Details of any measures required to control noxious weeds;
 - c) Details of the management of planting areas including replacement of failures, weed control, thinning works or removal of nurse species;
 - d) Measures to prevent erosion and surface gullyng;
 - e) The maintenance of the lake margins and measures to encourage the development of marginal vegetation;
 - f) The management of the areas of damp/rough grassland including grazing and management of natural regeneration;
 - g) The measures to be taken to manage the ecological development of the site;
 - h) A timescale for each of the above.

The approved scheme and programme shall be implemented within one month of the date of approval.

Reason: To secure the proper restoration of the site and to conform with Policy 21 of the Joint Lancashire Structure Plan and Policies 7, 8, 9, 18, 20 106 and 108 of the Lancashire Minerals and Waste Local Plan.

41. A monitoring report shall be submitted to the County Planning Authority within one month of each anniversary of this planning permission until the end of the restoration period referred to in this permission. 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, including the volume/tonnage of mineral extracted;
 - b) The measures taken to implement the landscaping, progressive restoration and habitat creation;

- c) The intended restoration works for the forthcoming twelve months;
- d) The management works that have been undertaken to the landscaping works and those included in the Ecological Protection Plan;
- f) 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 21 of the Joint Lancashire Structure Plan and Policies 107 and 112 of the Lancashire Minerals and Waste Local Plan.

Definitions

Cessation of Mineral Working: No mining operations having been carried out for a continuous period of one year.

Completion of Restoration: The date when the Director of certifies in writing that the works of restoration have been completed satisfactorily

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

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

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.

The applicant's attention is drawn to the observations of United Utilities and Shell pipelines in their letters of 14 June 2004 and 3 June 2004 respectively. The applicant is also advised to contact Transco regarding working in the vicinity of the gas pipeline.

The applicant is advised to contact Natural England regarding protected species prior to undertaking any felling of trees or works within 250 metres of a pond or stream.

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Directorate/Ext
2/04/0652		
2/04/0024		
2/13/0342	1st May 2013	Jonathan Haine/Environment/534130

Reason for Inclusion in Part II, if appropriate - N/A