

Development Control Committee
Meeting to be held on 14th October 2015

Electoral Division affected:
Accrington North

Hyndburn Borough: Application No. LCC/2015/0050
Application for the continuation of stone quarrying and restoration of the site by backfilling with inert waste without complying with conditions 2 and 5 of planning permission 11/13/0264 in order to remove the requirement to construct the inert waste bund along the southern boundary of the extension. Whinney Hill Quarry, Whinney Hill Road, Accrington.

Contact for further information:
Jonathan Haine, 01772 534130, Environment Directorate
DevCon@lancashire.gov.uk

Executive Summary

Application: Application for the continuation of stone quarrying and restoration of the site by backfilling with inert waste without complying with conditions 2 and 5 of planning permission 11/13/0264 in order to remove the requirement to construct the inert waste bund along the southern boundary of the extension.

Whinney Hill Quarry, Whinney Hill Road, Accrington.

Recommendation – Summary

That subject to the applicant first entering into a section 106 agreement relating to surface water management and the payment of financial contributions towards highways maintenance, planning permission be **granted** subject to conditions controlling working programme, highway matters, management of ground and surface water, hours of operation, noise and dust, blasting, restoration and aftercare.

Applicant's Proposal

The application is for the continuation of stone quarrying and restoration of the site by backfilling with inert waste without complying with conditions 2 and 5 of planning permission 11/13/0264.

Planning permission 11/13/0264 permits the extension of the quarry in an easterly direction and was granted on 11th February 2015. The permission is subject to a section 106 agreement relating to highway maintenance and surface water management. Condition 2 of the permission requires the extraction and backfilling of the site to be undertaken in accordance with the submitted drawings. Condition 5

requires a scheme for the construction of a containment bund of inert waste to be constructed along the western boundary of the extension area to be submitted within six months of the date of the planning permission to include a timetable for its construction.

The current application is to remove the requirement to construct the containment bund.

Description and Location of Site

The application relates to Whinney Hill Quarry and Landfill site which is an existing stone and shale quarry and landfill site located off Whinney Hill Road 2km north east of Accrington. The northern boundary of the site is formed by the M65 motorway whilst to the east is open land which is part of the Green Belt. To the south is the Whinney Hill brickworks which is supplied with raw materials from the quarry. To the west is Whinney Hill Road linking Huncoat and Clayton le Moors.

The area covered by planning permission 11/13/0264 is immediately to the east of the existing quarry. Stone quarrying operations have commenced in this area but a large part of the planning permission area is unworked at present.

Large areas on the western side of the site are either restored areas of landfill or are currently being landfilled using imported municipal, industrial and commercial waste under a planning permission granted in 2011 (called the Global Scheme Permission). Between the landfill and the area of the current application is the base of the quarry created by the working of the sandstone and which is currently used as a location for mobile plant used to process the sandstone quarried from the application site.

There are no houses near to the application site, the closest being off Whinney Hill Road near to its junction with Whalley Road.

Background

History: Whinney Hill Quarry has a long and complex history of planning permissions for the working of shale and sandstone materials and backfilling of the resultant quarry with imported waste materials.

The most relevant planning permissions to the current application are as follows:-

Planning permission ref 11/94/520 was granted in 1995 for the extension of the quarry in an easterly direction to allow the quarrying of sandstone and brickshale materials. This planning permission also provided for the backfilling of this area with inert wastes.

Planning permission ref 11/03/0017 was granted in 2011 for a revised scheme of landfilling across the whole of the existing quarry. The permission provided for the area covered by permission 11/94/520 to be backfilled with municipal, industrial and commercial waste. This permission is termed 'the Global Scheme permission'.

Planning permission ref 11/12/0012 was granted in 2012 for an easterly extension of the quarry. This permission covers a small area known as phase 1 and only permits the quarrying of sandstone and not the underlying shale materials.

Planning permission 11/13/0264 was granted in 2013 for a further easterly extension of the quarry. The permission covers areas known as phases 2 – 4 and also only permits the quarrying of sandstone and not the underlying shale materials.

A plan showing the planning permission boundaries is appended to this report.

Planning Policy

National Planning Policy Framework

Paragraphs 6 – 10, 11 – 14, 17, 87 – 90, 142 – 143 and 146 of the NPPF are relevant with regards to the definition and presumption in favour of sustainable development, core planning principles, protection of green belt, safeguarding important minerals resources and the need for industrial minerals.

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

Policy CS1 Safeguarding Lancashire's Minerals Resources
Policy CS3 Meeting the demand for new minerals
Policy CS8 Identifying capacity for managing our waste

Joint Lancashire Minerals and Waste Local Plan (JLMWLP)

Policy DM1 Management of waste and extraction of minerals
Policy DM2 Development Management
Policy DM3 Planning Obligations

Hyndburn Borough Core Strategy

Policy BD1 The balanced development strategy

Consultations

Hyndburn Borough Council: No objection. Hyndburn consider that the Accrington Mudstone is an important resource that is required for future brick manufacture in Accrington. The brickworks has significant economic importance. Whilst removal of the bund would affect the means by which the site could be restored and reduce the capacity of the site for imported waste, it is considered that the quantity of waste requiring landfilling has been falling. It is important that the site is still capable of being restored and that the proposed changes do not impact upon the motorway or the nearby gas main and Haweswater Aqueduct.

National Grid: There is a major pipeline in the vicinity of the site and there must be no obstructions within the maintenance easement to the pipeline.

Highways England; No objection – the proposed development would not have any impact on the M65 motorway. Highways England request that steps are taken to ensure that dust emissions from the site do not impact the motorway.

Environment Agency: No objection.

LCC Developer Support (Highways): No observations received.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter.

A letter has been received from HBP (operator of the adjacent brickworks site) supporting the application. HBP say that planning permission 11/13/0264 would involve works that would sterilize brickmaking materials and that they would not provide contractual rights to the operator to construct the bund for that reason. HBP draw attention to the policy in the NPPF in terms of preventing the sterilization of minerals.

Advice

Whinney Hill Quarry is an existing quarry and landfill site with a complex pattern of planning permissions, land ownerships and operators. The eastern part of the site, covered by planning permissions 11/12/0012 and 11/13/0264, is an active sandstone quarry operated by Park Royal Ltd that produces aggregates and limited quantities of building stone. In the central area of the site (that covered by planning permission 11/94/520), the sandstone reserves have already been removed but permission exists to allow the further excavation of the underlying brickshale materials (the Accrington Mudstone) to feed the adjacent brickworks operated by HBP. The western area of the site is comprised of restored and active areas of landfill operations using imported municipal, commercial and industrial waste. These landfill operations are undertaken under permission 11/03/0017 (the Global Scheme permission) and a later variant, both of which permit the restoration of the 11/94/520 area through landfilling operations.

HBP owns those parts of the site covered by planning permissions 11/12/0012, 11/13/0264 and 11/94/520. SITA, who are operators of the landfill site, have

ownership over the majority of the global scheme area apart from that covered by permission 11/94/520. Therefore landfill operations in that part of the global scheme covered by permission 11/94/520 would need to be undertaken with the agreement of HBP. Park Royal, who are the current applicants, operate the stone quarry under a lease from HBP.

The quarrying of the sandstone minerals within the area covered by planning permission 11/94/520 has resulted in the creation of a highwall forming the eastern edge of the quarry. The height of the wall will be extended in future as the quarry is deepened by extracting brickshale below the existing quarry floor. The Global Scheme permission provides for the area covered by permission 11/94/520 to be infilled with waste with the quarry highwall forming a retaining feature against which lining works would take place as part of the engineering of the landfill site.

The planning permissions ref 11/12/0012 and 11/13/0264 for the extension of the quarry in an easterly direction will involve the highwall being worked therefore removing the quarry face against which the landfill lining would be placed. This would have had consequences for the design of the Global Scheme and in effect would have meant that landfill operations could not be undertaken to the same extent as approved it would have removed the cliff face forming the eastern side of the permission area against which landfilling operations would take place. There would therefore be some loss of void capacity within the Global Scheme area. This issue was raised during the determination of application 11/13/0264 and the solution proposed at that time was to construct a containment bund using inert waste and overburden to effectively recreate the former cliff face and allow the landfilling operations to proceed in accordance with the design proposed in the Global Scheme. A scheme for the construction of the containment bund was a requirement of condition 5 of planning permission ref 11/13/0264.

Whilst no planning permission exists for the working of brickshale below the areas covered by permissions 11/12/0012 and 11/13/0264, the effect of the containment bund would be to sterilize the brickshale materials below the bund and prevent them from being worked in future.

When the planning applications for the extension of the stone quarry were considered, the Whinney Hill brickworks was dormant having been mothballed since around 2008. Following closure of the brickworks, various items of brickmaking equipment were removed from the factory and the site was being actively marketed for alternative uses. No representations were made at the time of the previous applications by the owners of the brickworks in relation to the sterilization of brick shale.

However, a new owner (HBP) has now purchased and reopened the site and is actively investing in the factory to re-establish Whinney Hill as a major brick producer. HBP therefore wish to protect the reserves of brickshale at the site and support the current application to remove the requirement to construct the containment bund.

The main planning issue in this case relates to the balance between the need for landfill capacity at the Whinney Hill site and the need to safeguard mineral resources.

The permitted landfill void space at Whinney Hill is sufficiently large such that this site is intended to be the main long term site for the landfill disposal of such waste in Lancashire. Policy LF1 of the Lancashire Minerals and Waste Local Plan states that the County Council will only support the long term landfilling of non hazardous waste at this site. The area of Whinney Hill covered by the global scheme permission forms an important part of Lancashire's landbank of void space for the disposal of municipal, commercial and industrial waste.

There are also policies at national and local level within the NPPF and Minerals and Waste Local Plan which seek to ensure that mineral resources of local and national importance are not needlessly sterilized by non - mineral development. The NPPF also states that reserves of at least 15 years duration should be available to support existing brick making plants.

The brickmaking factory at Whinney Hill is one of only three such sites in Lancashire and is therefore an important site in supplying such building materials across the north west. The raw materials that are held within the site are therefore of equal importance. The recent resumption of brick production at the site means that the importance of these minerals is maintained. Whilst the shale materials that lie underneath the proposed containment bund do not currently have planning permission, the needless sterilization of these minerals would therefore be contrary to the NPPF and policy CS1 of the Lancashire Minerals and Waste Core Strategy.

The containment bund was proposed as a means to permit the continued extraction of stone at the site whilst ensuring that the landfill capacity at the Whinney Hill site permitted under the Global Scheme permission could be maintained. The maintenance of some future landfill capacity at this site is important as Whinney Hill is the only site in Lancashire with substantial capacity and lifetime (until 2045) for the disposal of municipal, commercial and industrial waste and there is likely to be a continuing need for landfilling of some waste over this period. However, the landfill capacity within the Global Scheme is considerable (15 million m³ at the time of the application) and whilst some of that capacity was uncertain due to it being reliant on continued shale extraction, with the resumption of brick production there is now more certainty that the total capacity will be realised. These factors may offset any reduction in void space that might result from not constructing the containment bund.

Land ownership is another factor that needs to be taken into account. The Global Scheme permission covers land that is not in SITA's ownership. (This land is on the eastern side of the site and is that area subject to planning permission 11/94/0520). At present SITA have no rights to landfill in this area nor do they have a permit from the EA to landfill this part of the site. HBP could therefore require landfilling to be undertaken to different contours to that contained in the planning permission if required to safeguard shale reserves. Provision was built into the Global Scheme permission such that landfill operations to the east of the ownership boundary are subject to a future review with a scheme and programme being submitted prior to landfilling of that area establishing timescales and details of landfill cells. The

existing permission, therefore acknowledges the long term nature of the landfill operations and that some areas of the site were too far in the future to be able to specify the design in any detail. SITA have also confirmed that they have sufficient void on their side of the ownership boundary for them to honour all their existing contracts and that the requirement for further landfilling beyond that point is uncertain. There is therefore doubt as to whether the total void space at Whinney Hill will actually be filled prior to the end date of 2045. In these circumstances, there would be no immediate need for the containment bund to be constructed as the full permitted extent of the landfill may never be required or may be so far into the future that it would allow time for the future working of the shale minerals and future backfilling to provide the necessary support to the global scheme should it ever be landfilled to its full extent.

In conclusion, it is considered that there has been a change in circumstances since planning permission 11/13/0264 was originally granted. With the reopening of the Whinney Hill factory the brickshale materials are of considerable economic importance and therefore should not needlessly be sterilized by other non minerals development. The need to landfill the entirety of the global scheme permission area is currently uncertain and in any event, with declining waste input levels, is likely to be so far into the future that there would be sufficient time to work the underlying shale materials and backfill the site to allow landfilling to proceed in accordance with the existing permission. Therefore there is no immediate requirement to construct the containment bund as required by conditions 2 and 5 of planning permission 11/13/0264.

There would still be a need to restore that area covered by planning permissions 11/11/0008 and 11/13/0264. There are conditions on both those planning permissions that relate to the restoration of those parts of the site including the contours of any fill material. Any new permission should also contain a similar condition but without including any requirement to construct the containment bund.

Planning permission 11/13/264 was also subject to a section 106 agreement which required the submission of a surface water management plan and the payment of financial contributions for highway maintenance purposes. Given that approval of this application will result in a new planning permission being issued, it should similarly be made subject to a section 106 agreement providing for the same matters.

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

Recommendation

That subject to the applicant first entering into a section 106 agreement relating to surface water management and the payment of financial contributions towards highways maintenance, planning permission be **granted** subject to the following conditions:-

Working Programme

1. The development shall be carried out, except where modified by the conditions to this permission in accordance with the following documents:
 - a) The Planning Application and Environmental Statement received by the County Planning Authority on 5th July 2013 as amended by the letters from C.Ballam dated 8 September 2013 and 3rd. February 2014 as amended by the planning application ref LCC/2015/0050 received on 26th May 2015.
 - b) Submitted Plans and documents:
 - Drawing Number 9973E/01C - Location Plan
 - Drawing Number 9973E/03 - Scheme of working Phase 1
 - Drawing Number 9973E/04 - Scheme of working Phase 2
 - Drawing Number 9973E/05 - Scheme of working Phase 3
 - Drawing Number 9973E/06 - Scheme of Working Phase 4
 - Drawing Number 9973E/07 - Restoration Scheme
 - Drawing Number 9973E/08 - Cross sections
 - c) All schemes and programmes approved in accordance with this permission.

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 CS1 of the Joint Lancashire Minerals Waste Development Framework, policy DM1 of the Joint Lancashire Minerals Waste Core Strategy Policy Env 7 of the Hyndburn Core Strategy and Policy E 10 of the Hyndburn Local Plan.

2. A copy of this permission and all the documentation referred to in condition 1 shall be available for inspection at the site office at all times throughout the development.

Reason: For the avoidance of doubt and to ensure that site operatives are aware of the planning conditions and to comply with Policy DM1 of the JLMWLP.

3. The application site shall be worked in the sequence of phases shown on drawings 9973E/04, 9973E/05, 9973E/06 and shall be restored in accordance with the scheme and programme required by condition 22 below by not later than 1st April 2042.

Reason: To provide for the completion and progressive restoration of the site within the approved timescale in the interests of local amenities and to ensure the proper restoration of the site and to comply with Policy CS5 of the JLMWLP.

4. Within two months of the date of this planning permission, a scheme and programme for the storage of stripped topsoils, subsoils and overburden shall be submitted to the County Planning Authority for approval in writing. The scheme and programme shall contain details of the following:-

- a) The locations to be used for the storage of topsoil, subsoil and overburden.
- b) Details of the dimensions and heights of mounds and grading of mounds
- c) Details of seeding and other works to ensure establishment of a full grass sward over the duration of storage.
- d) Details of the standoffs between the soil storage areas and the Haweswater Aqueduct

The soils shall thereafter be stored in accordance with the approved scheme and programme.

Reason: In the interests of visual amenity and to conform to Policy DM2 of the Lancashire Minerals and Waste Local Plan Site Allocation and Development Management Policies DPD.

5. No crushing and screening of stone shall be undertaken other than on the base of the existing quarry covered by planning permission 11/94/0520.

Reason: In the interests of local amenity and to conform with policy DM1 of the Lancashire Minerals and Waste Local Plan Site Allocation and Development Management Policies DPD.

6. A topographical survey 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 restoration period referred 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 mining operations have taken place/waste materials have been deposited.

Reason: To enable the planning authority to monitor the site and to ensure compliance with the planning permission and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan Site Allocation and Development Management Policies DPD.

7. The provisions of Part 19 of Schedule 2 of the Town and County Planning (General Permitted Development) Order 1995 or any amendment, replacement, or 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 DM1 and DM2 of the JLMWLP, Policy Env 7 of the Hyndburn Core Strategy and Policy E 10 of the Hyndburn Local Plan.

8. No minerals shall be worked below the basal contours shown on drawing 9973E/06.

Reason: To safeguard local watercourses and drains and avoid pollution of any watercourse or groundwater resource and to conform with Policy DM2 of the JLMWLP.

9. No stripping of top soils or extraction of minerals shall take place in phases 3 and 4 as shown on drawing numbers 9973E/05 and 9973/006 until a scheme and programme of Great Crested Newt mitigation has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall include the results of a survey of the seven settling ponds in the HBP Brick Works and details of mitigation to be undertaken should the presence of Great Crested Newts be identified.

No stripping of top soils or extraction of minerals shall commence in phases in 3 and 4 until the mitigation measures contained in the approved scheme have been implemented.

Reason: To safeguard the ecological interests and to conform with Policy DM2 of the JLMWLP.

10. No materials with the exception of soils and inert waste materials to be used for backfilling and restoration purposes shall be brought to the site from elsewhere.

Reason: To secure satisfactory restoration and to conform with Policy DM2 of the JLMWLDF

11. No mineral extraction, backfilling or restoration operations shall take place outside the hours of:

0700 to 1730 hours, Mondays to Fridays except Public Holidays
0700 to 1730 hours on Saturdays

No mineral extraction, backfilling or restoration shall take place at any time on Sundays or Public Holidays.

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 JLMWLP.

12. No explosives shall be used on the site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the JLMWLP

Highway Matters

13. No more than 600 HGV's shall leave the site in any six day period from Mondays to Saturdays inclusive. No more than 200 heavy goods vehicles, as defined in this permission, shall leave the site in any one day during Mondays to Saturdays, inclusive.

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 Site Allocation and Development Management Policies DPD.

14. 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 at all reasonable times. The records shall be retained at the site for a period of 12 months.

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 Site Allocation and Development Management Policies DPD.

15. The existing wheel cleaning facilities at the site shall be maintained in working order and shall be used by all vehicles leaving the site during the development so as to ensure that no mud, dust or other deleterious materials are deposited by vehicle wheels 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 conform with policy DM2 of the JLMWLP.

16. All vehicles transporting 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 JLMWLP.

17. 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 Waste Local Plan.

Dust

18. Measures shall be taken to ensure that operations on the site do not give rise to dust or wind blown material being carried on to adjacent land and in particular shall include the watering of all haul and access roads, the fitting of dust suppression equipment to crushing and screening plant and the spraying of storage heaps or areas as necessary during dry weather conditions.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with policy DM 2 of the JLMWLP

19. The mitigation methods set out in paragraphs 7.3.1 and 7.3.2 of the report entitled 'Ecological Impact Assessment - Whinney Hill Quarry Extension' dated November 2013 shall be implemented in full during soil stripping operations.

Reason: To protect ecological interests and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan Site Allocation and Development Management Policies DPD.

Safeguarding of Watercourses and Drainage

20. Within three months of the date of this permission, a scheme and programme for the monitoring of groundwater shall be submitted to the County Planning Authority for approval in writing. The scheme and programme shall include provision for the following:
- a) Details for the installation of monitoring boreholes on the boundaries of the site to include depths and location of boreholes and constructional details
 - b) Details for monitoring of boreholes including data to be collected, frequency of monitoring and reporting of results to the County Planning Authority.

The monitoring boreholes contained in the approved scheme shall be installed within two months of the date of the approval of the scheme by the County Planning Authority and shall be retained in position throughout the duration of the development and restoration.

Reason: To safeguard ground water resources and to conform with policy DM2 of the JLMWLP.

21. 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 watercourse and drainages and to conform with Policy DM2 of the JLMWLP.

Restoration

22. Within six months of the date of this planning 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 include details of the following:

- a) The phasing of the infilling and restoration works
- b) Removal of all plant, and machinery
- c) Final levels of the site
- d) Re- spreading of any available topsoils, sub soils or soil making materials.
- e) Details for the cultivation of soils and for the removal of any impediments to normal agricultural operations
- f) Seeding specification including mixes to be used and rates of application
- f) Methods to be employed to promote normal plant growth including fertilizer application and weed control.
- g) Details of tree and hedge planting including location of planting, numbers, sizes and species of plants, planting methods and protection measures.
- h) Details for the restoration of the land occupied by soil storage mounds.

The site shall be restored in accordance with the timescales and details contained in the approved scheme and programme.

Reason: To secure the proper restoration of the site in accordance with an approved scheme and to conform with Policy DM2 of the JLMWLP.

23. Should the restoration levels contained in the scheme and programme approved under the requirements of condition 22 not have been achieved by 1st April 2042, a revised restoration scheme shall be submitted for the approval in writing of the County Planning Authority. The scheme shall be submitted not later than 1st August 2042 and shall include the following details:

- a) The proposed contours of the final landform including treatment of any cliff faces to be retained.
- b) Soiling of the surface of the site including depths of soil materials to be replaced and details of treatments including stone picking and cultivation.
- c) Details of drainage including water features to be constructed to provide control of drainage and attenuation of run off.
- d) Details for the seeding of the site including mixes to be used and rates of application
- e) Details of any tree and hedge planting including layout of planting works and details of numbers, types and sizes of species, spacings, planting techniques and protection measures.
- f) Details for the restoration of the land occupied by the soil storage mounds.

g) A timescale for the implementation of the restoration works contained in the approved scheme to ensure that they are completed within 12 months of the date of approval of the scheme.

Reason: To ensure the restoration of the site within a reasonable timescale and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

Aftercare

24. Upon certification in writing by the County Planning Authority of the completion of restoration, as defined in this permission, aftercare of the site to promote the agricultural afteruse of the site shall be carried out for a period of five years.

The aftercare works shall be undertaken in accordance with a scheme and programme of aftercare which shall be submitted to the County Planning Authority by not later than 31st December 2024 for approval in writing. The scheme and programme shall contain details of the following:-

- a) Reseeding works necessary to promote a full grass sward over the site
- b) Grazing or mowing regimes to be followed
- c) Works to improve drainage, relieve compaction and prevent ponding of water
- d) Works to control invasive weeds
- e) Details for the management of tree and hedge planting including replacement of failures, weed control and maintenance of protection measures.
- f) A timescale for the implementation of the above works.

Reason: To secure the proper aftercare of the site and to conform with Policy DM2 of the JLMWLP.

Definitions

Completion of Restoration: The date the County Planning Authority certifies in writing that the works of restoration in accordance with condition 22 have been completed satisfactorily.

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

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

Inert Waste: Waste that will not physically or chemically react or undergo biodegradation within the landfill environment.

Notes

The applicant should contact National Grid prior to any works commencing on site at the following address: Plant Protection Team 3rd Party Enquiries, National Grid Block 1, Floor 2, Brick Kiln Street, Hinckley, Leicestershire LE10 ONA.

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
LCC/2015/0050 11/13/0264		

Jonathan Haine
Planning and Environment
534130

Reason for Inclusion in Part II, if appropriate

N/A