

Development Control Committee

Meeting to be held on 8 June 2022

Electoral Division affected: Nelson East

Pendle Borough: application number LCC/2022/0012

Removal of condition 18 (to allow crushing and screening of mineral) and variation of condition 26 (inert materials) of planning permission LCC/2015/0055 in relation to mineral working and site restoration at Catlow West Quarry at Catlow Fold Farm, Southfield Lane, Southfield, Nelson, Lancashire

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Executive Summary

Application - Removal of condition 18 (to allow crushing and screening of mineral) and variation of condition 26 (inert materials) of planning permission LCC/2015/0055 in relation to mineral working and site restoration at Catlow West Quarry at Catlow Fold Farm, Southfield Lane, Southfield, Nelson, Lancashire.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling commencement, working programme, site operations, noise, dust, hours of operation, highway matters, drainage and water resources, landscaping, nature conservation, restoration and aftercare.

Applicant's Proposal

This application is for the removal of condition 18 (to allow crushing and screening of mineral) and variation of condition 26 (inert materials) of planning permission LCC/2015/0055 in relation to mineral working and site restoration at Catlow West Quarry at Catlow Fold Farm, Southfield Lane, Southfield, Nelson, Lancashire.

Condition 18 currently reads as:

No crushing or screening of minerals or waste shall take place at the site.

Reason: To maintain the County Planning Authority's control of the development and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Condition 26

The materials imported to the site for the purposes of restoration shall be confined to uncontaminated subsoils and topsoils only.

Reason: In the interests of local amenity and the water environment and to ensure satisfactory restoration and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

The proposed changes would allow for the screening and size reduction of minerals and the importation of a wider range of inert waste materials for restoration to include inert naturally occurring excavation material, subsoil, topsoil, concrete, ceramics and brick.

Description and Location of Site

Catlow West Quarry is an active stone quarry and covers an area of approximately 1.2 hectares located off Crawshaw Lane in Catlow approximately 3km east of Nelson. Crawshaw Lane is also a Byway Open to All Traffic (BOAT) No. 16. The nearest residential properties are located on Crawshaw Lane approximately 300m southwest of the active quarry area. The quarry is located within the 'Southfield' Conservation Area, which also includes properties in Catlow. The surrounding land is characterised by undulating features of previously quarried land including hollows, overburden mounds, tipping areas, and access tracks that have become naturally recolonised by grasses, shrubs and immature trees.

Catlow East Quarry adjoins to the east and covers an area of approximately 1.8 hectares. The site is currently used for stone processing activities and includes a number of buildings, plant and machinery. Mineral working no longer takes place in Catlow East and areas of the site have been partially restored through the importation of soil materials and are colonised by vegetation.

Background

There is a long history of stone extraction and working at Catlow Quarries. Most recently planning permission was granted for an extension of stone working into the historically worked area of Catlow West followed by restoration through the deposit of quarry waste and imported soils and subsoils. The planning permission runs until 2028 (ref. LCC/2015/0055).

Planning permission was granted on 16 June 2021 to change condition 1 of planning permission 13/12/0585 to extend the period of time to process the stone and restore the site at Catlow East Quarry to 31 December 2028 (ref. LCC/2020/0073).

Planning Policy

National Planning Policy Framework

Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD

Policy CS1	Safeguarding Lancashire's Mineral Resources
Policy CS3	Meeting the demands for New Minerals
Policy CS5	Achieving Sustainable Mineral Production
Policy CS7	Managing our Waste as a Resource
Policy CS8	Identifying Capacity for Managing our Waste
Policy CS9	Achieving Sustainable Waste Management

Joint Lancashire Minerals and Waste Local Plan

Policy NPPF1	Presumption in Favour of Sustainable Development
Policy DM1	Management of Waste and Extraction of Minerals
Policy DM2	Development Management
Policy M1	Managing Mineral Production

Pendle Local Plan Core Strategy

Policy SDP1	Presumption in Favour of Sustainable Development
Policy ENV1	Protecting and Enhancing Our Natural and Historic Environments

Consultations

Pendle Borough Council – No comment to make.

Nelson Town Council – No comments received.

Environment Agency – No objection to the removal of condition 18 of planning permission LCC/2020/0055 for Catlow West Quarry. Under the Environmental Permitting (England and Wales) Regulations an environmental permit will be required for any waste treatment operations. This must be obtained prior to any waste operation commencing.

The Environment Agency do not agree with the proposed variation of condition 26 (inert materials) of planning permission LCC/2020/0055. Alternatively, it is recommended that condition 26 could be changed to:

‘Remediation works should be completed and validated in accordance with the approved remediation strategy. At the same time, waste and/or material used in the quarry remediation should be chemically suitable, and deposited in such a way to;

- (a) prevent the input of any hazardous substance to groundwater, and*
- (b) to limit the input of non-hazardous pollutants to groundwater so as to ensure that such inputs do not cause pollution of groundwater.*

The remediation work should be carried out under a bespoke environmental permit, most likely for a landfill waste operation.’

LCC Highways Development Control – No comments received.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. One representation has been received with the following summarised comments:

- The quarry has increased in size and duration.
- The quarry operator is not complying with the current conditions in that quarry operations and vehicle movements take place outside permitted hours, there is a disregard of restriction of number of lorries entering and leaving site, there is indiscriminate dumping of unrecorded infill by lorry and tractor/trailer of unknown composition, and contempt for basic good practice in noise and dust mitigation.
- Vehicle movements cause damage to roads and properties within a conservation area and have an adverse impact on horse riders and cyclists and road safety.
- Crawshaw Lane is an unsuitable unsurfaced road.
- A transport assessment should be provided.
- Dust issues and lack of dust control management.
- There should be appropriate noise mitigation and controls at the site.
- Operations at the site should be time limited.

Advice

The principle of mineral and restoration operations at Catlow East and West Quarries has already been established. Both sites have previously operated as quarries primarily for the production of block and general building stone. However, the mineral deposit at the site is very variable with areas of in-situ stone mixed in with areas of old backfill and poorer quality rock. In order to better utilise the materials that are produced by the quarrying activities, the applicant proposes to increase the range of processing that is undertaken.

It should be noted that as part of the original application ref LCC/2015/0055 for Catlow West, crushing, screening and size reduction operations were proposed to be utilised. However, in the absence of a noise assessment to assess the impact of these activities, a condition was imposed to remove this element of the proposal in agreement with the applicant. The applicant has since trialled crushing and screening activities to determine the benefits for the business and a noise assessment has been carried out.

Approximately 200,000 tonnes of stone are available in Catlow West. This is contained within block beds, which are approximately 11 metres thick and are being worked in three phases from the south side of the disturbed land towards the north. Phase 1 is now largely exhausted and has been partially backfilled. The whole Catlow West site will ultimately be subject to the deposition of approximately 30,000 tonnes of available soil and overburden from within the site and up to 100,000 tonnes of imported inert waste material to create a landform suitable for restored pasture including areas of woodland planting, an area for a seasonal waterbody, dry dwarf scrub heath, and upland acid grassland with reptile refugia.

In relation to the backfilling, the current permission allows the importation of soils and subsoils for restoration purposes. However, it is often impracticable to ensure that potential infill materials are entirely free from contaminants such as concrete, ceramics and brick. The applicant therefore proposes to modify the condition to allow the site

to accept a wider range of infill materials which would make it easier to attract restoration materials therefore reducing delay to restoration works.

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. When determining planning applications Paragraph 211 of the National Planning Policy Framework is clear that local planning authorities should give great weight to the benefits of mineral extraction including to the economy. Commentary to Policy M1 of the Joint Lancashire Minerals and Waste Local Plan advises that proposals for the extraction of locally sourced building stone will be supported. Whilst this proposal is not specifically to enable production of building stone, it would allow the operator to better utilise materials that are a by-product of the building stone quarrying process and would contribute to the supply of construction materials that are required for traditionally designed buildings.

The National Planning Policy Framework and the Joint Lancashire Minerals and Waste Local Plan recognise that minerals and waste developments have the potential to give rise to adverse impacts on the quality of life of people for a variety of reasons including noise, dust and vibration. More specifically, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan supports development for minerals or waste management operations where it can be demonstrated that all material, social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels. In assessing proposals, account should be taken of the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to which its impacts could be controlled in accordance with current best practice and recognised standards. The main issue would be to ensure that screening and size reduction machinery does not generate unacceptable noise and dust issue for neighbouring residents.

In relation to noise, the Government's Planning Practice Guidance states that applicants should carry out a noise impact assessment, which should identify all sources of noise and, for each source, take account of the noise emission, its characteristics, the proposed operating locations, procedures, schedules and duration of work for the life of the operation, and its likely impact on the surrounding neighbourhood. The Planning Practice Guidance recommends appropriate noise standards and advises that mineral planning authorities should aim to establish a noise limit, through a planning condition, at noise-sensitive property that does not exceed the background noise level (LA90,1h) by more than 10dB(A) during normal working hours (0700-1900). Where it will be difficult not to exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator, the limit set should be as near that level as practicable. In any event, the total noise from the operations should not exceed 55dB(A) LAeq, 1h (free field).

For particularly noisy short term events such as soil stripping and road construction the Planning Practice Guidance (PPG) advises that increased temporary daytime noise limits of up to 70dB(A) LAeq 1h (free field) for periods of up to eight weeks in a year at specified noise-sensitive properties should be considered to facilitate essential site preparation and restoration work and construction of baffle mounds where it is clear that this will bring longer-term environmental benefits to the site or its environs. Given the distance from site operations to residents and the nature of operations at the site it is considered that this allowance would not be required.

The applicant has provided a noise assessment in relation to crushing and screening operations and heavy goods vehicle (HGV) movements in the context of neighbouring properties. The assessment concludes that quarry operations would be below the background +10 LA90,1h criterion and upper limit of 55 LAeq,1h. Consequently, it is considered that unacceptable noise would be unlikely, and a condition could be imposed to set an achievable noise limit of 40dB LAeq (1hour) (free field), when measured at Catlow Fold Farm, Catlow House, Southfield Lane, and Mount Pleasant, Southfield Lane at a point closest to the noise source. A new condition is also recommended that refers to designated areas for crushing and screening to ensure that these operations do not take place at the closest locations to houses and a further new condition is recommended to ensure that only broadband sound vehicle/plant reversing alarms be employed on site to prevent the potential for unnecessary disturbance.

In terms of dust, the existing permission at the site has a condition requiring that measures shall be taken to ensure that no dust or windblown material is carried on to adjacent property and in particular shall include the watering of all haul and access roads and the spraying of storage heaps or areas as necessary during dry weather conditions. The quarry operations have historically generated few dust complaints and residential properties are located at sufficient distance from the defined areas for crushing and screening activities such that dust is unlikely to be a significant issue.

The current application would not increase the overall footprint of the existing working area and would have no negative impact on the local landscape or conservation area. Operations at the quarry would continue to be relatively small scale and would largely be well screened by the surrounding land levels. The current working and restoration scheme would be carried forward to a new permission, should permission be granted and there would be no increase in the likely volumes of mineral extraction or imported waste materials compared to that which was originally proposed in 2015.

An objection/complaint has been raised in relation to recent alleged breaches of planning control including early starts, exceeding daily heavy goods vehicle (HGV) number limits, traffic impacts, dust issues, and suggestions of unsuitable restoration material being imported to the site. The operator has been reminded of the need to comply with the planning conditions. The representation also requests that should permission be granted; suitable noise controls should be imposed. New noise conditions have been recommended as set out above primarily to control the potential impact associated with crushing activities.

The site had not previously been a regular source of complaint and it should be noted that a breach of planning control by a site operator is not a material consideration when determining a planning application. Planning permissions generally apply to the land rather than an individual or company carrying out the development. Should enforcement action be considered necessary for failure to comply with the requirements of a planning permission, then separate steps can be taken if expedient to do so in the public interest.

The importation of waste to the site is subject to Environment Agency controls and discussions are currently taking place in relation to Environmental Permitting requirements and restoration works. The Environmental Permit would control the specific waste types suitable for restoration works and measures to prevent pollution. Nevertheless, the existing planning permission only permits soils, subsoils and overburden to be used in restoration works. The majority of importation activity would be in relation to Catlow West as there is limited scope for further soil importation at Catlow East due to the ground profiling that has already been achieved. However, the applicant wishes to broaden the scope of permitted inert waste types to generate more opportunities to finally restore the site in a timely fashion. This approach is common in many quarries with permission to backfill with waste for restoration and is considered acceptable with the knowledge that further scrutiny of waste types and waste management practices would be required as part of any Environmental Permit. On this basis, the Environment Agency's recommendation summarised above is considered unnecessary as these matters can be dealt with through the permitting process.

Access to the site is via Crawshaw Lane, an unmade farm track and definitive right of way. The access is not suitable for large numbers of heavy goods vehicle (HGV) movements and consequently the existing wider quarry site operates with a restriction of eight heavy goods vehicle (HGV) movements per day Monday – Friday with four heavy goods vehicles (HGVs) leaving the site on Saturdays and also a restriction of stone imported to the site at 100 tonnes per week. It is considered that a continuation of this condition would be appropriate and should control heavy goods vehicle (HGV) numbers to acceptable levels.

Human Rights

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

Conclusion

The change to the conditions would be unlikely to generate any unacceptable impacts on neighbouring land uses, local residents, the highway network, the character of the Conservation Area or the environment in general subject to compliance with previously accepted conditions and the addition of conditions relating to noise control. It is considered that the development accords with the policies of the National Planning Policy Framework and the Development Plan.

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 31 January 2026. The site shall be progressively restored in accordance with the conditions of this permission and be finally restored by 31 January 2028.

Reason: To ensure the working and restoration of the site within a reasonable timescale in the interests of visual amenity and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy ENV1 of the Pendle Local Plan Core Strategy.

Working Programme

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

Submitted Plans (from application ref: LCC/2015/0055):

Drawing no. GNSP/CQ/WEAPP-01A - Location Plan

Drawing no. GNSP/CQ/WEAPP-03 - Phasing Plan

Drawing no. GNSP/CQ/WEAPP-05 - Phase 1 Extraction

Drawing no. GNSP/CQ/WEAPP-06 - Phase 2 Extraction and Backfilling of Phase 1

Drawing no. GNSP/CQ/WEAPP-07 - Phase 3 Extraction and Backfilling of Phase 2

Drawing no. GNSP/CQ/WEAPP-11 - Proposed Haul Road and Material Stockpiling Location

Drawing no. GNSP/C/395/2, Rev C - Restoration Plan

Drawing no. GNSP/C/395/3 - Restoration Plan Section A

Document - Restoration Proposals, Aftercare and Management Plan, revised 24 November 2015'

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 and Policy ENV1 of the Pendle Local Plan Core Strategy.

Site Operations

3. A copy of this permission and all the documents referred to in condition 2 shall be available for inspection at the site office at all times throughout the operational life of the site.

Reason: For the avoidance of doubt and to ensure all site operatives are aware of the planning conditions and approved documents.

4. No trees or hedgerows shall be removed or pruned during the bird-breeding season between 1 March and 31 July inclusive unless they have been previously checked and found clear of nesting birds in accordance with Natural England's guidance and if appropriate, an exclusion zone set up around any vegetation to be protected. No work shall be undertaken within the exclusion zone until birds and any dependant young have vacated the area.

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

5. The extraction boundary shown on Drawing no. GNSP/CQ/WEAPP-07 - 'Phase 3 Extraction and Backfilling of Phase 2' shall be marked out with 1m high coloured timber posts at intervals of 30 metres. Thereafter, the marker posts shall be retained in position until the site has been restored. No extraction shall take place outside the extraction boundary.

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

6. No mining operations shall take place below a depth illustrated as 'base of block stone' on drawing numbers GNSP/CQ/WEAPP-05 to Drawing no. GNSP/CQ/WEAPP-07 inclusive.

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

7. Final restoration levels shall be no higher than the levels shown on Drawing no. GNSP/C/395/2, Rev C - Restoration Plan.

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.

8. Mineral extraction and restoration works shall be undertaken in accordance with the phasing sequence illustrated on drawing numbers GNSP/CQ/WEAPP-05 to GNSP/CQ/WEAPP-07 inclusive.

Reason: 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.

9. A topographical survey shall be submitted to the County Planning Authority annually until the completion of restoration. The survey shall have been carried out within the two months preceding the submission of the topographical survey and shall consist of a plan drawn to a scale of not less than 1:1250 which identifies all surface features within the site and a 10-metre grid survey identifying levels relating to ordnance datum over all the land where mining operations have taken place/restoration materials have been deposited.

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

10. Stockproof fencing shall be provided around the perimeter of the site and shall be maintained at all times until the completion of the aftercare period.

Reason: In the interests of public safety, local agriculture and ecological interests, and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

11. No mining operations, exportation of stone or building products or restoration works shall take place outside the hours of:

0800 to 1730 hours, Mondays to Fridays (except Public Holidays)
0800 to 1200 hours on Saturdays

No mining operations, exportation of stone or building products or restoration works 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 conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

12. No more than eight heavy goods vehicles (HGVs), as defined in this permission, shall leave the site (including all the site area shown on drawing no. GNSP/CQ/WEAPP-10 - Western Extension) in any one day during Mondays to Fridays, inclusive, and no more than 4 heavy goods vehicles shall leave the site (including the site area shown on drawing no. GNSP/CQ/WEAPP-10 - Western Extension) on Saturday. No such vehicles shall leave the site on Sundays or Public Holidays.

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

13. A written record shall be maintained of all movements out of the site (including the site area shown on drawing no. GNSP/CQ/WEAPP-10 - Western Extension) 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 during the permitted working hours.

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

14. Measures shall be taken at all times to minimise the incidence of debris from the site being deposited by vehicles leaving the site on 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 Joint Lancashire Minerals and Waste Local Plan.

15. Vehicular access to and egress from the site shall be to and from Southfield Lane via Crawshaw Lane as shown on drawing no. GNSP/CQ/WEAPP-01A - Location Plan.

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

16. Screening and size reduction of mineral shall be confined to the quarry area as shown on drawing number GNSP/CQ/WEST/SCR22-02 - Area for crushing & screening stone in West Quarry. There shall be no screening or size reduction of waste.

Reason: To maintain the County Planning Authority's control of the development and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

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

Reason: To maintain the County Planning Authority's control of the development and to safeguard the amenity of local residents and adjacent properties/landowners and land users, and the Conservation Area, and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

18. No blasting or use of explosives shall take place on the site.

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

19. 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 conform with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

20. Noise emitted from mineral extraction, processing and restoration operations hereby permitted shall not exceed 40dB LAeq (1hour) (free field), as defined in this permission, when measured at Catlow Fold Farm, Catlow House, Southfield Lane, and Mount Pleasant, Southfield Lane 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.

21. Measures shall be taken to minimise the incidence of dust or windblown material being carried from the site onto adjacent property and in particular shall include the watering of all haul and access roads and the spraying of storage heaps 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 DM2 of the Joint Lancashire Minerals and Waste Local Plan.

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

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

23. Woodland planting entitled 'Phase 1' and 'Phase 2' on Drawing no. GNSP/C/395/2, Rev C - Restoration Plan shall be implemented as prescribed on the drawing as set out in the document entitled 'Restoration Proposals, Aftercare and Management Plan, revised 24 November 2015.

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

24. Restoration shall be carried out in accordance with the details shown on Drawing no. GNSP/C/395/2, Rev C - 'Restoration Plan' and the details set out in the document entitled 'Restoration Proposals, Aftercare and Management Plan, revised 24 November 2015.

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

25. The materials imported to the site for the purposes of restoration shall be confined to inert naturally occurring excavation material, subsoil, topsoil, concrete, ceramics and brick only.

Reason: In the interests of local amenity and the water environment and to ensure satisfactory restoration and to conform with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

26. If by 31 January 2028, the site has not been restored to approved levels in accordance with the details referred to under condition 24, alternative details for the final restoration of the site shall be submitted to the County Planning

Authority within one month of 31 January 2028 for approval in writing. The submitted details shall include:

- a) a contour plan showing the final levels and landform of the site at not less than one metre intervals
- b) the replacement of soils or soil making materials including details of the materials to be used, depths of replacement and their treatment
- c) the landscaping of restored areas including seeding or tree and shrub planting including details of location and layout of planting areas, numbers, species, types and sizes of species to be used, planting techniques, protection measures and seed mixes to be used and rates of application
- d) the measures to be taken to secure normal plant growth
- e) details of surface water drainage to ensure that the site will be free draining including identification of discharge points and measures to control run off and prevent erosion
- f) details for the treatment of any water areas including depths of water, creation of shorelines and appropriate planting and landscaping of water features
- g) the removal of all plant, machinery, buildings, structures, erections and their foundations including the removal of all internal haul roads and hardstanding areas
- h) details for the creation of any wildlife habitat areas

Thereafter, the site shall be restored within 12 months of the approval in writing of the alternative details of restoration.

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

27. Aftercare works shall be undertaken in accordance with the details set out in the document entitled 'Restoration Proposals, Aftercare and Management Plan, revised 24 November 2015' for a period of five years from the date that the County Planning Authority certifies in writing that the works of restoration are complete.

Reason: To secure the proper aftercare of the site in the interests of visual amenity and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Definitions

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

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

Completion of 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.

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.

Recommendation

That planning permission be **granted** subject to conditions controlling commencement, working programme, site operations, noise, dust, hours of operation, highway matters, drainage and water resources, landscaping, nature conservation, restoration and aftercare.

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

Paper	Date	Contact/Directorate/Ext
LCC/2022/0012	May 2022	R Hope Planning and Environment 01775 534159

Reason for Inclusion in Part II, if appropriate

Not applicable