

PLANNING PERMISSION

Name and address of Applicant

CASTLE CEMENT LTD
HANSON HOUSE
14 CASTLE HILL
MAIDENHEAD
SL6 4JJ

Name and address of Agent (if any)

TOM BROWN
CLIFFORD HOUSE
YORK ROAD
WETHERBY
WEST YORKSHIRE
LS22 7NS

Part I – Particulars of application

Date of application: **17 October 2012** Application No. **03/12/0940**

Particulars and location of development:

Variation of condition 13 of planning permissions 03/96/0772, 03/96/0773, 03/96/0774 to allow part of Lanehead Quarry to be deepened to minus 31 metres AOD (above ordnance datum). Lanehead Quarry, Ribblesdale Works, Clitheroe.

Part II – Particulars of Decision

The **Lancashire County Council** hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been granted for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:

Time Limits

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

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

2. The mining operations authorised by this permission shall cease not later than 31st October 2027. The site shall be progressively restored in accordance with the conditions of this permission and all final landscaping and planting works shall be completed by 31st October 2028 or within 12 months from the cessation of mining operations as defined in this permission whichever is the earlier.

Reason : To provide for the completion and final restoration of the site within the approved timescales in the interests of the visual amenities of the area and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

Working Programme

3. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
- a) The applications for the review of Interim Development Orders and Old Mining permissions refs 3/96/772, 3/96/773 and 3/96/774 dated 23rd December 1996 as amended by the letter from Castle Cement dated 24th July 1997 and planning application 3/12/0940 and accompanying supporting statement received by the County Planning Authority on 17th October 2012.
 - b) Submitted Plans and documents:
 - Drawings accompanying applications 3/96/772, 3/96/773 and 3/96/774
 - Drawing 827.90B Final restoration
 - Drawing 827.91 Sections and Elevations of restored lakeside.
 - Drawings accompanying planning application 3/12/0940
 - Drawing R99/29 Planning Application boundary
 - Drawing R99/31 Limit of deepening area
 - Drawing R99/28 Final Quarry development plan with access to Bellman Tunnel
 - 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 DM 2 of the Lancashire Minerals and Waste Local Development Framework Site Allocation and Development Management Policies DPD.*
4. Mining operations shall only take place within the area edged green on the drawing labelled 'Development plan 3/96/774/A' attached to planning permission 3/96/774.
- Reason : For the avoidance of doubt and to enable the County Planning Authority to control the development and to minimise its impact on the amenities of the local area and to conform with policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.*
5. No mining operations shall take place below a depth of 17 metres AOD.
- The requirements of this condition shall not apply to the area shaded brown on drawing R99/28 where mining operations shall not be undertaken below a depth of -31 metres AOD.

Reason: To safeguard local watercourses and groundwater resources and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

6. Limestone and shale materials quarried from the area shaded brown on drawing R99/31 shall only be used for the production of cement. No aggregates shall be produced from limestone and shale quarried from within this area.

Reason: In order to ensure the sustainable use of materials for cement manufacture and to conform with Policy M1 of the Lancashire Minerals and Waste Local development Framework Site Allocations and Development Management policies DPD.

7. Stockpiling of any minerals, coal, clinker or alternative raw materials shall only take place in accordance with the scheme and programme of details submitted on 13th November 1998 pursuant to the requirements of condition 4(d) of permission 3/97/774.

Reason: In the interests of the visual amenities of the area and to conform with policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

8. No tipping of overburden or soils or quarry waste on the land between the quarry and the River Ribble shall take place until a scheme and programme of such tipping operations has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall provide for the following:-

- a) The areas to be used for the disposal of such materials
- b) The trees and hedgerows to be removed to facilitate tipping operations and those that are to be retained
- c) The stripping and stockpiling of soils prior to the tipping operations commencing
- d) The final contours of the tipping
- e) The phasing of tipping operations and restoration
- f) Restoration details including details for the planting to replace that lost during development works.

Thereafter all tipping and restoration works shall be undertaken in accordance with the approved scheme and programme.

Reason: In the interests of the visual amenities of the area and to conform with policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

9. This permission shall permit the mining of limestone and shale only.

Reason: To safeguard the amenity of local residents and adjacent land users and to secure satisfactory restoration and to conform with policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

10. A copy of this permission and all other documents referred to in condition 3 shall be available for inspection at the Ribblesdale Works at all times throughout the duration of the development.

Reason: For the avoidance of doubt and to ensure that all site operatives are aware of the planning conditions and to conform with policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

11. The provisions of Part 17 Class B of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 or any amendment, replacement or reenactment 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 reenactment thereof.

Reason: To maintain the County Planning Authority's control of the development and to safeguard the amenity of local residents and adjacent properties and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

12. No topsoil, subsoil or overburden shall be sold or otherwise removed from the site. All such materials shall be retained on site for use in restoration works or shall be deposited within the approved tipping area for such materials approved under the requirements of condition 8.

Reason: To ensure that suitable materials are retained on site for use in approved restoration works and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

Hours of Working

13. No mining operations, tipping of overburden or restoration works shall take place outside the hours of:

0700 to 1900 hours, Mondays to Fridays (except Public Holidays)
0700 to 1400 hours on Saturdays

No mining operations, tipping of overburden or restoration works 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 or the carrying out, outside these hours, of essential repairs to plant and machinery used on site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

14. Notwithstanding the provisions of condition 13, mining operations shall be permitted between the hours of 07.00 to 16.00 hours on 8 Sundays in any one calendar year. At least 7 days written notice of such Sunday working shall be given to the County Planning Authority.

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 Development Framework Site Allocations and Development Management Policies DPD.

15. Notwithstanding the hours in condition 13, no soils or overburden shall be stripped from any part of the site or any overburden tipping operations undertaken before 08.30 and after 17.30 hours Mondays to Fridays inclusive or before 08.30 and after 13.00 on Saturdays.

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 Development Framework Site Allocations and Development Management Policies DPD.

16. Notwithstanding the requirements of condition 13, no heavy goods vehicles carrying aggregates shall leave the site before 07.30 hours Monday to Saturday and at no time on a Sunday.

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 Development Framework Site Allocations and Development Management Policies DPD.

Highway Matters

17. With the exception of emergency use, the only access to and egress from the site shall be to and from the main Ribblesdale Works access off West Bradford Road and the access off West Bradford Road via Chatburn Old Road.

Reason : In the interests of highway safety and to safeguard the amenity of local residents and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

18. Measures shall be taken at all times to prevent mud, dust or other deleterious materials being tracked out of the site by vehicles associated with the export of aggregates from the site.

Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

19. 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 Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

20. No vehicles used for the purposes of transporting cement, aggregates or other cement making materials shall be parked up at any time within the land edged red on drawing R99/29.

Reason: To safeguard visual amenity and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

Blasting

21. The vibrations from 95% of all blasts in any calendar month shall not exceed 6mm/sec peak particle velocity in any plane when measured at the properties identified below at a point closest to the blast shot holes.
 - a) At the boundary of any residential property located on or adjacent to Chatburn Old Road NGR 7661 4407.
 - b) The northern end of St Chads Avenue NGR 7654 4441
 - c) Rydal Place NGR 7610 4328
 - d) Pendle Trading Estate NGR 7625 4352
 - e) Pimlico Road NGR 7485 4329

The ground vibrations and the air over pressure from all blasts shall be recorded at the properties identified above or at any other location first approved in writing by the County Planning Authority.

As well as the ground vibration levels, records shall be taken of the maximum instantaneous charge, total charge weight, the blast location, the number of holes, the hole diameter and depth, the face height, the type of detonator, the burden and hole spacing and the weather conditions at the time of the blasting exercise. A copy of the blast and weather details recorded shall be retained for a period of 12 months and submitted at annual intervals on the anniversary of this planning permission or on request, to the County Planning Authority.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to enable the County Planning Authority to monitor the operations to ensure compliance with this permission and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

22. Notwithstanding condition 21, the vibrations from any blast shall not exceed 9mm/sec peak particle velocity in any plane when measured at the locations identified in condition 18.

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 Development Framework Site Allocations and Development Management Policies DPD.

23. The use of explosives shall only take place between the hours of 1000 to 1600 hours, Mondays to Fridays and at no other time.

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 Development Framework Site Allocations and Development Management Policies DPD.

Dust

24. Measures shall be taken at all times to prevent dust or wind-blown material being carried onto adjacent property and in particular shall include the watering of all haul routes and access roads during dry weather conditions, spraying of storage stockpiles, the fitting of dust suppression measures to mobile crushing and screening plant and the sweeping of all metalled internal haul roads.

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 Development Framework Site Allocations and Development Management Policies DPD.

Control of Noise

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

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

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

- a) Rydal Place NGR 7610 4328
- b) At the boundary of any property located on or adjacent to Chatburn old Road NGR 7661 4407

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 Development Framework Site Allocations and Development Management Policies DPD.

27. All mobile plant used on the site shall be fitted with the types of reversing alarms specified in the scheme and programme submitted under the requirements of condition 4(e) of permission 3/96/774 and approved by the County Planning Authority on 13th March 1998.

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 Development Framework Site Allocations and Development Management Policies DPD.

Safeguarding of Watercourses and Drainage

28. No deepening of Lanehead Quarry below a level of 17 metres AOD shall take place until a scheme and programme of water monitoring, reporting and mitigation has been submitted to the County Planning Authority and approved in writing. The scheme and programme shall contain the following information:-
- a) Details for the monitoring to be undertaken on the following water courses and surface water features: Bellman Farm Marsh, Worston Brook, Heys Brook, Chatburn Brook, Pimlico Brook, Mearley Brook, Rad Brook, Swanside Brook, Downham Beck and the Middlewood Drain. The details shall include information on the location of the monitoring point, the method of monitoring, the information to be recorded and the frequency of monitoring at each location. The surface water monitoring on the Heys Brook / Chatburn Brook shall be designed in a way that it allows assessment of flow onto and then off the Chatburn Limestone in order to assess any losses from the water course to bedrock.
 - b) details of the groundwater monitoring to be undertaken to include details of the location of monitoring boreholes, strata to be monitored, construction and design of monitoring equipment and frequency of monitoring at each borehole.
 - c) The setting of levels and parameters to trigger the extension of the surface water monitoring points to additional locations on the Twiston Beck and Ings Beck if the need for such additional monitoring is demonstrated by the groundwater monitoring information.
 - d) Details of the measures that will be undertaken to mitigate low flows in the Chatburn Brook / Heys Brook that cannot be attributed to climatic factors or the actions of other abstractors. The details shall include information on the volume of augmentation required to maintain stream flows and how such augmentation will be controlled.

The mitigation measures for the Chatburn Brook / Heys Brook approved under the requirements of d) shall be implemented prior to the quarry being deepened below

17m AOD and shall thereafter be maintained throughout the restoration and aftercare period until the ground and surface water monitoring indicates that they are no longer required in order to maintain the flows in that watercourse.

The ground and surface water monitoring shall be undertaken in accordance with the approved scheme and programme or any modification to that scheme and programme approved as part of the annual or pent - annual reports submitted under the requirements of conditions 29 and 30 below.

Reason: In order to protect ground and surface waters in the interests of local amenity and ecology and to conform with policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

29. Within one month of each anniversary of this planning permission, an annual report shall be submitted to the County Planning Authority detailing the results of the ground and surface water monitoring obtained over the previous year.

Each annual report shall include a review of the monitoring network including the need to replace any ground or surface monitoring points that are lost or damaged and a comparison of the ground water levels and other relevant data against the trigger levels established by condition 28 c). Each annual report shall also examine the need to extend the monitoring network if the need for such is demonstrated by the data that has been collected. If the need for such extension is demonstrated, the report shall include information on the location, design and frequency of monitoring of any new monitoring points.

The first annual report that is submitted following the cessation of quarrying operations, as defined in this permission, shall include information on the monitoring and mitigation regime that will operate during the restoration and aftercare phase including the monitoring points to be maintained and monitoring infrastructure to be removed.

Reason: In order to protect ground and surface waters in the interests of local amenity and ecology and to conform with policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

30. Within five years of each anniversary of this planning permission, an annual report shall be submitted to the County Planning Authority. Each annual report shall include a review of the monitoring information that has been collected for each ground and surface monitoring point in graphical format, relevant climatic information, details of quarrying operations undertaken over the monitoring period and dewatering exercises undertaken including volumes of water discharged to different water courses, an analysis with respect to ground and surface water levels and a prediction of the likely impacts of dewatering over the next five year cycle. The annual report shall be compiled by a competent appropriately experienced Chartered Hydrogeologist.

The first annual report submitted following the cessation of quarrying activities shall include a detailed review of the likely timescale for the refilling of the quarry and a prediction of final water levels if these would be below 65.5 metres AOD.

Reason: In order to protect ground and surface waters in the interests of local amenity and ecology and to conform with policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

31. No deepening of Lanehead Quarry below a depth of 0m AOD or -20m AOD shall take place until a report reviewing monitoring information and the effectiveness of existing mitigation measures has been submitted to and approved in writing by the County Planning Authority. If the report concludes that further monitoring or mitigation measures are required the report shall set out the location and design of such measures.

The quarry shall not be deepened below 0 metres AOD or -20 m AOD until such time as any additional monitoring and mitigation measures have been implemented in accordance with the details contained in the approved report. Any such additional monitoring and mitigation measures shall be maintained throughout the restoration and aftercare periods until such time as it is demonstrated through the annual reports that they are no longer required.

Reason: In order to protect ground and surface waters in the interests of local amenity and ecology and to conform with policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

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 ground and surface water resources and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

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

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

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

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

35. All foul drainage shall be discharged to a public sewer or else to a sealed watertight tank. Upon emptying the contents of the tank shall be removed from the site completely.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

Landscaping

36. Any trees within the site which are either removed or damaged, become diseased or which die at any time during the development, restoration and the aftercare period as provided for in this permission shall be replaced during the first available planting season, as defined in this permission, after which such condition is discovered with trees of a similar type, number and species so affected. This condition shall not apply to trees that are removed as part of the landscape management works described in the scheme and programme of landscaping measures approved under the requirements of condition 40 to this permission.

Reason: In the interests of visual and local amenity and the local environment and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

37. All hedges and trees forming part of the site boundaries or to be retained within the site including the plantations undertaken under the requirements of condition 4 (a) to permission 3/97/0774 shall be protected from any damage and maintained throughout the development and aftercare period. The requirements of this condition shall not apply to any maintenance or management works that are undertaken in accordance with the scheme and programme approved under the requirements of condition 40.

Reason: In the interests of visual and local amenity and the local environment and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

38. All areas of the site left undisturbed, and all topsoil, subsoil, soil making material and overburden mounds shall be kept free from noxious weeds throughout the development including the restoration and aftercare periods.

Reason: In the interests of visual and local amenity and the local environment and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

39. Stock proof hedges, fences or walls including gates shall be provided and maintained around the perimeter of the site at all times until the completion of restoration.

Reason : In the interests of public safety and to conform to Policy DM2 of the Lancashire Minerals and Waste local Development Framework Site Allocation and Development Management policies DPD.

40. Within six months of the date of this permission a scheme and programme of for the review of existing landscaping shall be submitted for the approval of the County Planning Authority. The scheme and programme shall contain the following details:
- a) A review of all landscape features within the land edged blue on drawing R99/29 including the landscape works undertaken under the provisions of condition 4 (a) to permission 3/97/774. The scheme and programme shall include identification of the need to undertake any further landscaping measures and a review of the existing planting belts to improve their ecological and long term landscape value.
 - b) Details for the landscaping of the northern faces of the quarry above the 65.5 m AOD level including areas to be landscaped and landscaping details.
 - c) Details for the further landscaping of the south eastern corner of the quarry including the former Horrocksford entrance. The details shall include information on gradients of mounding, impacts on existing trees and the landscaping of any mounding or screening features that are proposed. The scheme and programme shall contain a timescale for the implementation of the proposed landscaping works.

Reason : In the interests of the visual amenities of the area and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

Restoration

41. By not later than 31st December 2020, a scheme and programme for the final restoration of the site shall be submitted to the County Planning Authority for approval in writing. The scheme and programme shall be based upon the restoration concept plan ref 827.90B and shall include details of the following:
- a) The removal of all plant, machinery buildings, structures, erections and their foundations including the removal of all internal haul roads and hardstanding areas.
 - b) A contour plan showing the final levels and landform of the quarry above the 60 m AOD level. The plan shall show the contours at not less than 1 metre intervals and shall show the final positions of the faces and benches.
 - c) The re-spreading of any soils or soil making materials including details of the materials to be used, depths of replacement and their treatment;

- d) 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 and protection measures
- e) The seed mixes to be used including rates of application or natural regeneration or other establishment techniques appropriate to create species rich calcareous grassland.
- f) The works to create the cutting through the northern face of the quarry and the stream outflow necessary to maintain the water level in the lake at 65.5 metres AOD.
- g) The restoration of the bench at the proposed final water level including bench widths to be retained and means of restoration and landscaping
- h) Details for the phasing of restoration or any progressive restoration that may be possible.

The site shall be restored in accordance with the approved scheme and programme within the timescales imposed by condition 2.

Reason: To secure the proper restoration of the site and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

42. In the event of there being a cessation of mining operations, as defined in this permission, a scheme and programme for the final restoration and aftercare of the site shall be submitted within six months of such cessation to the County Planning Authority for approval in writing. The scheme and programme shall contain details of the following:-

The scheme and programme shall be based upon the restoration concept plan ref 827.90B and shall include details of the following:

- a) The removal of all plant, machinery buildings, structures, erections and their foundations including the removal of all internal haul roads and hardstanding areas.
- b) A contour plan showing the final levels and landform of the quarry above the 60 m AOD level. The plan shall show the contours at not less than 1 metre intervals and shall show the final positions of the faces and benches.
- c) The re-spreading of any soils or soil making materials including details of the materials to be used, depths of replacement and their treatment;
- d) 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 and protection measures

- e) The seed mixes to be used including rates of application or natural regeneration or other establishment techniques appropriate to create species rich calcareous grassland.
- e) The works to create the cutting through the northern face of the quarry and the stream outflow necessary to maintain the water level in the lake at 65.5 metres AOD.
- f) The restoration of the bench at the proposed final water level including bench widths to be retained and means of restoration and landscaping

The site shall be restored in accordance with the approved scheme and programme within one year from the date of approval of the scheme and programme.

Reason: To secure the proper restoration of the site and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

43. If by nine years following the cessation of mining operations as defined in this permission, the level of water in the lake is not at 65.5 metres AOD or at the level subsequently approved under a modification to a scheme and programme, a revised scheme and programme for the final restoration and aftercare of the site shall be submitted within 6 months to the County Planning Authority for approval in writing. The scheme and programme shall include amendments to the restoration scheme approved under conditions 41 or 42 of this permission to provide for the shoreline to the same standard and details but at a revised level taking into account the existing or predicted final water level.

The requirements of this condition shall not apply if quarrying operations within Bankfield Quarry are ongoing.

Reason: To secure the proper restoration of the site in accordance with an approved scheme and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

Monitoring

44. A monitoring report shall be submitted to the County Planning Authority within one month of the date of this planning permission and at annual intervals thereafter until the end of the aftercare period referred to in this permission. The report, where appropriate, 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 proposals;
- c) The results of the monitoring of habitat creation and establishment;
- d) The measures taken to implement the aftercare provisions;
- e) The intended operations for the next 12 months.
- f) A topographical survey of the land edged red on drawing R99/29. The survey shall be carried out not more than two months preceding the date of each annual report 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 levels relating to ordnance datum over all the land where mining operations have taken place.

Reason: To enable the County Planning Authority to monitor the site to ensure compliance with this permission and to conform with Policies DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocation and Development Management Policies DPD.

Aftercare

45. Within 3 months of the certification in writing by the County Planning Authority that the works of restoration, as defined in this permission, have been completed, a scheme and programme for the aftercare of the site to promote the amenity after use 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 management of the site to promote its amenity
- b) Management works to increase the nature conservation interest of the site including management of grasslands and wetland areas
- c) Maintenance of tree and shrub planting which shall include replacement of dead and dying species, weed control, maintenance of protection measures and thinning works.
- d) Maintenance of lake margins and other water features including the stream outfall to the River Ribble.
- e) Details of any measures required to control noxious weeds.
- f) An annual inspection to be undertaken in conjunction with representatives of the County Planning Authority
- g) Provision for the submission of an annual aftercare report following the annual inspection which shall include details of the aftercare works to be undertaken in the following year

Thereafter, aftercare works shall be undertaken in accordance with the approved scheme and programme 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 and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

Notes

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

Definitions

Cessation of mining operations: no mining operations having been carried out for a continuous period of 2 years

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

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

Completion of Restoration: The date the County Planning Authority certifies in writing that the works of restoration in accordance with condition x have been completed satisfactorily and that either:-

- a) The level in the lake has reached 65.5 metres AOD or
- b) The level of water within the site is at the level approved in condition or 41
- c) The level of water within the site is at the level approved in condition 42
- d) The level of the lake is at the level approved under any variation to the restoration scheme.



Date: 26 June 2019

Laura Sales
LANCASHIRE COUNTY COUNCIL
DIRECTOR OF CORPORATE
SERVICES

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

NOTE:

1. Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for Communities and Local Government and the Regions under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within 6 months of the date of this notice, using a form which you can get from the Planning Inspectorate, Registry/Scanning Room, 3/01B Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

2. Purchase Notices

- If either the local planning authority or the Secretary of State for Communities and Local Government and the Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the District/Borough Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

- 3.** In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State for Communities, Local Government and the Regions on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.