

Development Control Committee

Meeting to be held on 21 September 2006

Part I - Item No. 5

Electoral Division affected:
Chorley Rural North

Chorley Borough: Application No. 09/05/0319

Extraction and processing for sale of 4.32 million tonnes of high-grade sand from an area of 68ha including the construction of a new access road and processing plant with associated stockpiling area, weighbridge and office building with progressive restoration to agriculture and conservation area – Land at Runshaw, near Euxton, Chorley

Contact for further information:

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Executive Summary

Application – The application is for the extraction and processing for sale of 4.32 million tonnes of high-grade sand from an area of 68ha including the construction of a new access road and processing plant with associated stockpiles area, weighbridge and office building with progressive restoration to agriculture and ecological conservation area. Land at Runshaw, near Euxton, Chorley.

The application is accompanied by an Environmental Statement and non-technical summary that addresses the impacts of the development on landscape, water resources, ecology, noise and air quality, agricultural land, archaeology and traffic.

Recommendation – Summary

That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, submitted in connection with the application, subject to English Nature raising no objection to the proposed ecological mitigation/management measures and the applicant first entering into a Section 106 Agreement regarding long-term aftercare for a total period of ten years planning permission be **granted**, subject to conditions controlling commencement, time limits, working programme, site management, hours of working, highway matters, noise and dust, water management, soils and overburden, landscaping, restoration and aftercare and monitoring.

Applicant's Proposal

The application is for the development of a new quarry for the extraction of 4.32 million tonnes of high-grade sand from a site covering an area of 68ha over a period of 16.5 years, including 6 months for initial development and 12 months for restoration. The development would supply high-grade sand products for the

manufacture of concrete products, ready mixed concrete/mortar, coated road stones and for general building and horticultural uses. Once processed, sand would be exported from the site at a rate of around 300,000 tonnes per year, equating to an average of 52 HGV loads per day (104 movements).

The development would commence with the construction of an access road from the A581 (Dawbers Lane) running in a northerly direction for 600 metres and consisting of a single track surfaced road with passing places. The junction of the access road and Dawbers Lane has been relocated 50 metres to the east of that initially proposed, to increase distance from residential properties on Dawbers Lane and to reduce the numbers of trees that would be lost. A cutting and bridge would be constructed to facilitate access across the valley of the Chapel Brook to gain access to the proposed processing plant area.

A 3ha area to the north of the Chapel Brook would be terraced to accommodate the processing plant, stockpile area, offices and workshop, weighbridge and other ancillary facilities. Soils stripped during the construction of the access road and processing plant area would be used to create mounds between 2 and 5 metres in height on either side of the access road and to the east of the plant site. The plant would consist of a series of buildings and conveyors to remove silt and other impurities and grade the sand into marketable products. The maximum height of the plant would be 17 metres.

An initial excavation would commence directly to the north of the processing plant to create two lagoons to allow the settlement of silt removed from the sand by the processing plant. The excavation of sand would then extend progressively north eastwards towards Runshaw Lane, with stripped soils being used to form screening mounds along the eastern boundary of the site or being transferred directly to restoration areas. Excavated material would be transported to the processing plant by means of a spine conveyor, which would be progressively extended as the excavation moves northwards. Some of the sand reserves are below the water table and extraction would be undertaken using a long reach excavator removing the need to pump ground water. Some of the worked out areas would also be used as lagoons to allow the settlement of silt from water used in the plant. Once the lagoons are filled and the silts settled, the lagoons would be capped and then restored.

Towards the completion of phase 3 (year 6) the conveyor would be extended under Runshaw Lane via a tunnel. The construction of the tunnel would require the temporary closure of the lane for a short period. The sand reserves to the north of Runshaw Lane would then be worked in a similar manner to those to the south. On completion of extraction in the area to the north of Runshaw Lane, the spine conveyor would be progressively dismantled allowing the reserves under the whole length of the conveyor to be worked.

The applicant proposes to operate the site between 0730–1800 hours Monday to Friday and 0730–1200 hours on Saturday. No work would be carried out on a Sunday or Public Holiday. Topsoil and subsoil stripping and replacement operations are only proposed to be carried out between the hours of 0800–1700 Monday to Friday and 0800–1200 on Saturday.

The applicant estimates that the proposals including minerals extraction would generate an average of 52 HGV visits to the quarry per day (104 movements) and a maximum of 60 HGVs per day (120 movements). There would also be an average of 20 private vehicles visiting the site per day. All access would be via Dawbers Lane.

The site would be progressively restored by regrading the side slopes of the excavation and placement of stored overburden and soils. Part of the area to the north of Runshaw Lane would be restored to two lakes given that this area would be excavated below the water table. The area to the south of Runshaw Lane would be restored to a shallow valley feature incorporating a seasonal stream/swale feature to take outflow from the proposed lakes. The restored land would be divided into a number of agricultural fields with woodland and species rich grassland along the base of the new valley and around the proposed lakes. Finally, the processing plant, ancillary development and the access road would be removed and the land restored to agricultural use.

The development is a Schedule 1 Project under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and the applicant has submitted an Environmental Statement (ES) and Non-Technical Summary. The ES provides details of the proposed development and considers the planning context before examining the impacts associated with the proposal. It identifies a number of potential impacts in respect of traffic; landscape; water resources; ecology and nature conservation; air quality and noise. Mitigation measures are proposed for each of these potential impacts where necessary.

Description and Location of Site

The site (68ha in total) is located immediately to the west of the M6 motorway, 700 metres to the west of Euxton village near Chorley. The site is divided by Runshaw Lane, a C class road running between Euxton village and Leyland.

The land is comprised of mainly flat agricultural grazing and arable land separated into a number of large fields by hedgerows. Towards the south, the land falls to a shallow valley occupied by the Chapel Brook before rising again towards the A 581 (Dawbers Lane).

The northern edge of the site is bounded by agricultural fields and by the Jim Fowler Memorial Playing Fields, which are used by Euxton Villa Football Club. The western boundary of the site is again bounded by agricultural land with some isolated dwellings in the area around Nixon Hillock on Runshaw Lane. The southern boundary of the site is formed by the A581 Chorley to Southport Road (Dawbers Lane) from where the access to the site would be gained. A belt of trees covered by Tree Preservation Orders is located to the east of the access point, some of which would require removal to accommodate the access. On Dawbers Lane in the area surrounding the proposed access point are a number of dwellings together with a horticultural nursery. The M6 motorway forms the majority of the eastern edge of the site. Beyond the M6 are houses on the edge of Euxton, the nearest of which are located in the Euxton Park area (200 metres from the site boundary)

together with Primrose Hill Primary School. Two properties at Rothwell's Farm and Oak Tree Lodge are located off Runshaw Lane and are immediately adjacent to the sites eastern boundary.

The site is located within the Green Belt and part of the Chapel Brook Valley is a designated Biological Heritage Site. A number of footpaths cross the site, one of which would require temporary diversion.

Members visited the site and the surrounding area on 14 September 2006 and visited two active sand quarries in Cheshire currently operated by the applicant on Monday, 11 September 2006.

Background

There is no previous planning history on this site.

Planning Policy

Regional Spatial Strategy

Policy EM7 – Minerals Extraction
Policy EM8 – Land Won Aggregates

Lancashire Structure Plan

Policy 1 – General Policy
Policy 2 – Main Development Locations
Policy 20 – Lancashire's Landscapes
Policy 21 – Natural and Man Made Heritage
Policy 22 – Protection of Water Resources
Policy 26 – Provision for Working Minerals

Lancashire Minerals and Waste Local Plan

Policy 2 – Quality of Life
Policy 3 – Buffer Zones
Policy 7 – Open Countryside and Landscape
Policy 8 – Trees Woodlands and Hedgerows
Policy 9 – Agricultural Land
Policy 13 – Green Belts and Minerals Development
Policy 18 – Locally important Nature Conservation Sites
Policy 19 – Mitigating Adverse Impacts
Policy 20 – Wild Flora and Fauna
Policy 22 – Water Resource Availability
Policy 31 – Public Rights of Way
Policy 37 – Strategic Road Network
Policy 48 – Sand and Gravel Provision
Policy 106 – Reclamation of Minerals and Landfill Sites
Policy 107 – Proposed Reclamation Schemes
Policy 108 – Restoration of Agricultural Land

Chorley Borough Local Plan

Policy GN5 – General Design Considerations
Policy DC1 – Development in the Green Belt
Policy EP2 – County Heritage Sites
Policy EP4 – Protected Species
Policy EP6 – Agricultural Land
Policy EP9 – Trees and Woodlands
Policy EP10 – Landscape Assessment
Policy EP17 – Water Resources and Quality
Policy EP19 – Noise
Policy EP21 – Air Quality
Policy EP21A – Light Pollution

Consultations

Chorley Borough Council: Strongly object for the following summarised reasons:

- ? There is insufficient evidence that there are not environmentally less sensitive locations available to supply high-grade sand.
- ? The increased HGV traffic on local roads will affect the amenity of the local community and other users of local roads.
- ? The applicants have not provided sufficient details to prove that the proposal will comply with the emerging EU limits for air quality objectives for pM10's, which will cover the extraction period.
- ? The proposal will be detrimental to the amenities of local residents and to the users of the attractive countryside, which comprises the application site.

In view of concerns regarding dust, including those expressed by ERASE, Chorley Borough Council Environmental Health commissioned consultants to undertake an appraisal of the Air Quality Assessment (AQA) submitted by the applicant. The findings and conclusions of the consultant's appraisal can be summarised as follows.

- ? The AQA follows the approach recommended in Government Guidance (MPS2).
- ? The AQA identifies the principal potential sources of airborne dust associated with the quarry development and receptor locations that provide the basis for a 'worst case' assessment.
- ? The AQA is effective in estimating the risks associated with operations close to specific receptors.
- ? The approach taken by Dr Lewis in respect of the loss of silt is not likely to provide reliable estimates of the pM10 concentrations.
- ? It is not appropriate for the applicant to apply the results of the Newcastle Study to the exposure from the proposal.
- ? Control of pM10 concentrations at the most affected receptors will depend on careful planning of the operations close to the receptors and the diligent employment of mitigation measures.
- ? The applicant's conclusions that monitoring of pM10s will not be necessary are weak.

- ? The comparative assessment with Borrás does not provide an adequate basis for assessment against annual mean or daily mean pM10 air quality objectives.
- ? The mitigation measures proposed to reduce dust generation and consequent impact on nearby receptors follow standard industrial practice and are reasonably comprehensive.
- ? The model used to assess the impact of pM10s and nitrogen dioxide from HGVs travelling from the site is appropriate for assessing additional impact from developments that generate traffic on local roads.
- ? It is accepted that the conclusions of the model that the impact of HGV emissions on local roads would be 'slight adverse' is accurate.
- ? It is recommended that pM10 monitoring near to the most exposed receptors (most notably Long Butts [Oak Tree Lodge] and Rothwell's Farm) is the subject of a condition, if planning permission is to be granted and that trigger concentration levels should be specified as part of a dust action plan.
- ? Fine dust emissions from the edges of silt lagoons and during the drying out of lagoon 2 will be prevented while water levels are maintained and will be minimised provided surface crusts remain undisturbed.

South Ribble Borough Council: Raise serious concerns regarding the following:

- ? The impact of dust particularly in relation to pM10 emissions and the impact on Runshaw College.
- ? Safeguards should be in place to mitigate the visual impact of the processing plant.
- ? A bond should be secured to guarantee the restoration of the site.
- ? Measures should be employed to minimise HGV traffic using roads to the north and west of the site.

Euxton Parish Council: Object to the application for the following reasons:

- ? The impacts on the health of Euxton residents arising from dust from the quarry and pollution from HGVs.
- ? The quarry is too near houses, four local schools and a hospital and the traffic from the site will have a particular impact on the urban area.
- ? The existing road infrastructure does not have capacity to accommodate the additional HGVs, which will cause danger to pedestrians and cyclists, particularly along Wigan Road and Balshaw Lane.
- ? The planning Inspector at the inquiry into the LMWLP concluded that the development was unacceptable – this view should prevail.
- ? Concerns about the general environmental impact such as footpaths, property values and employment opportunities at Buckshaw village.
- ? The proposal should not be determined until LCC has made a thorough assessment of the ability to meet sand supply from other sites in Lancashire including Lydiate Lane at Leyland.
- ? Concern that the land could be used for housing or industry following the completion of the sand extraction.

Eccleston Parish Council: Object on the basis that the road infrastructure is unable to accommodate the additional HGV traffic and would lead to an increase in injury accidents.

Croston Parish Council: Object due to the impacts of traffic on the A581 and B5249, which are already subject to severe congestion. The Parish Council are also concerned at the County Council's failure to comply with the recommendations of the Planning Inspector in terms of appraising other potential sand reserves.

Astley Village Parish Council: Object due to the increase in HGV movements, which would cause loss of amenity and increased noise, dust and congestion on Westway and Euxton Lane.

Ulnes Walton Parish Council: Consider that the road infrastructure cannot accommodate the traffic that would be generated and that a fair assessment of the application cannot be made until the potential of other sites to provide sand has been established. The Parish Council are also concerned that the development would remove the Green Belt protection for the site allowing other building works following the completion of mineral extraction.

Section Manager (Traffic and Safety): No objection subject to adequate visibility splays being provided at the site entrance on Dawbers Lane. He considers that the site has good access to the strategic road network and that the highway network is able to accommodate the weight, volumes and movements of the traffic that would be generated.

Highways Agency: No objection. The HA consider that the general impact of HGVs would be low in terms of general traffic issues, but severance and intimidation concerns are of more significance. The HA are confident that the proposed development would be acceptable in terms of stability of the M6 motorway, but control would be required of any drainage or lighting to protect motorway safety.

English Nature: Object on the basis that the mitigation measures for protected species are not sufficiently developed.

Lancashire Wildlife Trust: Initially raised objection due to lack of information on the wildlife value of the site, the potential impact on the Chapel Brook BHS and on protected species such as Great Crested Newts (GCN) and bats. Comments were also made in relation to the impacts on public access to the countryside and to the design of the restoration proposals. In response to further information, the Trust state that they are still concerned about the mitigation for Great Crested Newts and the restoration of the site to intensive agricultural land.

Environment Agency: Initially raised objection to the development due to impact on the Chapel Brook BHS and on protected species. Comments are also made with regard to impacts on groundwater resources and the need to agree a system of monitoring to measure impacts. In response to further information, the EA have withdraw their objection, subject to conditions being imposed regarding restoration of the Chapel Brook valley and monitoring of ground and surface water levels.

DEFRA Land Management Unit: Note that the application site includes 28 hectares of best and most versatile quality land of which 11 hectares would be permanently lost to the development. Various conditions are suggested in relation to the restoration and aftercare of the agricultural land and protection of soils.

Ramblers Association: Draw attention to the proximity of the workings to Public Footpaths and to the possibility that some walkers may be affected by dust and the need to divert several footpaths. The Ramblers also make several general comments regarding the impact of HGV traffic, the effects of noise, dust and general disturbance and the long period of operations and its impact on the rural character of the area.

Campaign to Protect Rural England: Are concerned about the loss of Green Belt and would prefer to see sites outside of the Green Belt worked before the Euxton site. The CPRE concur with the views of EN with regard to ecological matters and are concerned that the restoration proposals would not be in keeping with the local landscape. The main concern of CPRE is that the highway network is unsuitable to accommodate the HGVs that would be generated.

Peak and Northern Footpaths Society: Object to the application. (No reason for objecting is provided).

United Utilities: No objection.

Countryside Agency: No comment to make.

National Grid Transco: Draw attention to the presence of gas infrastructure in the proximity of the site and the precautions that should be followed.

Representations

Prior to submitting the application, the applicant held a public exhibition of the proposals at Euxton Village Hall.

The application has been advertised by press and site notice and local residents have been consulted by individual letter. Further environmental information and amendments to the application including revised restoration details and amended access position have also been advertised in accordance with statutory procedures.

5,262 Representations have been received objecting to the application, including an objection from the Head Teacher to Euxton Primrose Hill Primary School. Most of the letters are cyclostyle letters from residents within Euxton but also from Chorley, Leyland and the surrounding areas. The issues raised by the letters can be summarised as follows:

- ? The development would have an unacceptable impact on Euxton village with no benefits to the local area. Euxton has already seen enough change with new housing development and the ROF site.
- ? The timescale for the development is too long.

- ? The traffic from the site would add unacceptably to existing congestion on Wigan Road, Balshaw Lane and Dawbers Lane to the detriment of other road users pedestrians and cyclists and would add to pollution along the access routes to the quarry.
- ? The development is too near the areas of housing in Euxton and a primary school and would give rise to dust and noise impacts.
- ? The dust and air pollution from the site would increase incidents of eczema, asthma and silicosis. In particular, it is claimed that the levels of pM10 fine particulates would breach levels set out in UK and EU legislation.
- ? The development is too near Euxton Villa Football Club and dust from the site would be hazardous to the health of players.
- ? The development would lead to a loss of trees, hedges and other wildlife features and would harm open countryside and the Green Belt.
- ? The site would be used for landfilling following the cessation of sand extraction.
- ? The access to the site should be direct to the M6.
- ? Reduction in property values.
- ? HGV traffic would cause highway safety problems by reason of the size and speed of the vehicles, mud on the highway and damage to the highway.
- ? The proposals were dismissed by the Inspector into the Lancashire Minerals and Waste Local Plan and the same conclusion should be reached with the current proposals.
- ? There is no evidence of need for the sand and in any event, the County Council should examine other sources of sand including those from marine sources and land at Lydiate Lane before the Euxton site is accepted.
- ? The quarry access onto Dawbers Lane would impact on residential amenity and harm the setting of a listed building.
- ? There would be disruption to watercourses and exacerbation of flooding problems.
- ? There would be subsidence problems at the nearest properties.
- ? The quarry development would deter new investment in the area such as the ROF site.
- ? Loss of high quality agricultural land.
- ? The traffic assessment undertaken by the applicants does not properly assess the highway impacts of the development.

Three of the cyclostyle letters are accompanied by petitions with a total of 85 names opposing the proposal.

A local group called Euxton Residents Against Sand Extraction (ERASE) have made detailed and extensive objections to the proposals on issues relating to the availability of other sites, the highway impacts of the development and the impacts in terms of dust, particularly in relation to fine particulates. The views of ERASE are summarised as follows:

Need – The Inspector to the LMWLP rejected the applicants proposals put forward to the local plan inquiry, endorsed a sequential approach to mineral sourcing and recommended that the County Council undertake further work to identify areas of potential high-grade sand deposits. The County Council has moved slowly and not

concluded its study. The existence of other sites is a material consideration and should not be disregarded.

Highway Issues – Traffic assessments do not express the impact, visual and physical, that will be experienced by drivers and pedestrians using Euxton's relatively narrow roads and pavements when faced by HGVs – up to 34,000 each year. The impact on the amenity of residents was recognised by the Inspector to the local plan inquiry. Increased accidents are a risk. HGVs would have the propensity to generate greater congestion than other vehicles.

Air Quality – Dust would be more extensive than suggested by the applicant and the employment of mitigation cannot be ensured. The site is in close proximity to the Jim Fowler Memorial Playing Fields giving rise to dust impacts on recreational users. The applicant has misrepresented detailed views expressed in respect of pM10 levels for the nearer parts of Euxton. Reference is made to MPS2 relating to exposure by local communities to pM10s and concern expressed that the added pollution arising from the site has not been satisfactorily addressed by the applicant. They believe it inevitable that the quarrying activities would add detrimentally to both the already high pM10 averages and exceedance rates for Chorley.

Further comments have been made on additional information submitted by the applicant in respect of air quality and which are similarly summarised as follows.

ERASE notes the EC current position with regard to pM10s, but notes it affirms the need to take into account coarser particles. HGVs are a major source of pollution and the chemical nature of diesel combustion is toxic, which is not addressed by the applicant. An increase in HGV traffic would be unacceptable in view of the nature of the local highway network. The applicant has understated the existing levels of pM10s. In terms of comparison to other sand quarries, the analogy with Borrás is flawed. Borrás is not so close to a substantial community situated immediately to the west and northwest, the data to which is falsely represented, inaccurate and inconsistent. The applicant's assertion of negligible emissions and site control do not accord with reality as evidenced by ERASE from their own investigations. The community already receives pollution from the M6, which is a compounding factor for long-term health.

Dust and Air Quality – ERASE maintain the report fails to meet their previous challenges and the token changes whilst welcomed to reduce nuisance will not ameliorate Euxton's exposure to pM10s from the operations and HGVs.

Traffic and Highway Issues – the applicants averaging of vehicle movements through Euxton is flawed and will result in higher peaks than predicted. Large vehicles, frequency and times of usage of the highway network will compound the effects of HGV's on congestion, amenity of highway users and adjacent properties. In the event that Runshaw becomes the only supplier of sand these problems would be exacerbated. The traffic implications are unacceptable.

Earthworks – the extensive and significant movement of soil and overburden as part of site development and operation, much of which is required to be undertaken in dry

and friable conditions, will generate dust which control measures will do little to reduce the consequent addition of pM10 pollution.

Lyndsay Hoyle MP has written on behalf of residents on Dawbers Lane, who would be affected by the proposed access and has requested that if planning permission is to be granted, new plans are developed for the site entrance and for it to be located as far away from residential properties as possible.

Advice

Director of Strategic Planning and Transport – Observations

This is the most significant proposal that the County Council has received for the extraction of sand for many years, both in terms of the size of the development and the degree of interest that has been generated within the local community. The development has resulted in a range of issues being identified by statutory consultees and has generated considerable opposition from Chorley Borough Council, South Ribble Borough Council, parish councils and local residents.

Although this is the first planning application that has been submitted for mineral working on this site, there is some national guidance and local plan history that is important and relevant to the proposals. This is set out as follows to assist in understanding the context to the current proposals.

The Supply of Sand and Gravel in Lancashire

The overall strategy of the Lancashire Minerals and Waste Local Plan seeks to ensure that Lancashire makes an appropriate contribution to meeting necessary local, regional and national supplies of minerals commensurate with the need to conserve and, where possible, create opportunities to enhance the environment and the quality of life of the residents of Lancashire. In considering this planning application it is necessary to evaluate the need for the sand and gravel that would be extracted during the development against the impact of the development on the Green Belt, landscape, the public highway and the need to protect the amenity of residents of Euxton who live near to the site or are affected by the HGV movements associated with it.

Government Guidance on the provision of aggregates is set out in Minerals Planning Guidance Note 6 (MPG 6), which stresses the importance of an adequate and steady supply of aggregates to meet the needs of the construction industry, balanced against environmental concerns. MPG 6 only sets levels of provision to be made at the regional level from which sub-regional apportionment is made. This sub-regional apportionment resulted in a requirement for Lancashire to contribute 8.2 million tonnes of sand and gravel between 2001 and 2016. There is also a requirement to maintain a land bank of reserves of at least 7 years post 2016, which equates to approximately 3.5 million tonnes on top of the 8.2 Mt apportionments. Taking into account the remaining permitted reserves across Lancashire, approximately 6 Mt of sand and gravel needs to be released with allowance for a 7 year landbank at the end of the period.

The policies of the Lancashire Minerals and Waste Local Plan distinguish between high-grade sand and low grade sand. Policy 48 seeks to provide 3.2 million tonnes of high-grade sand and gravel before 2006. This policy was formulated in 2001 and took account of MPG 6 apportionments for the period up to 2006, which have now been superseded. However, there still remains a requirement to provide for the maintenance of appropriate levels of reserves of high quality sand as previously noted. These reserves should be allocated in accordance with a sequential land-use approach subject to environmental and other considerations as assessed against the policies of the development plan.

In contrast, Policy 49 seeks to prevent the release of major new sites for low grade sand and gravel as it was recognised at the time of Plan adoption that there was a disproportionately high quantity of low grade sand and gravel compared to high-grade. In view of the shortage of new permissions over recent years, there is now a deficit of high-grade sand reserves.

High-grade sand is defined as “sand which is to be washed and graded before sale and which meets the relevant requirements of the appropriate British Standard” whilst “low grade sand” means sand which is not washed or otherwise treated before sale and does not meet the appropriate British Standard. In circumstances where deposits contain low-grade sand or gravel as well as high-grade sand and these former materials would be produced as a by-product of the production of high-grade sand, the relative proportions of the various materials and the additional environment impact of working them should be taken into account.

Lancashire Minerals and Waste Local Plan

The deposit draft version of the Lancashire Minerals and Waste Local Plan published in 1997 included a policy (Policy 48) on the release of high-grade sand for building purposes and identified 3 broad areas of search for sand and gravel reserves, one of which included land to the south and west of Chorley (including the current application site which at that time was called the ‘Runshaw site’). Policy 48 was the subject of considerable objection from local residents (including ERASE), Chorley Borough Council and the minerals industry. ERASE and Chorley Borough Council considered that the policy should be deleted and that a thorough analysis of sand and gravel resources in Lancashire should be undertaken, before any further land was released for extraction. Conversely, the minerals industry were concerned at the absence of site-specific allocations for sand and gravel extraction in the local plan. In particular, the present applicants wanted land at Runshaw to be given ‘preferred area’ status in the Local Plan, thereby establishing the acceptability of extraction on the current application site within the development plan.

These issues were examined during the local plan public inquiry in 1998 when objections to the deposit plan were considered. At the inquiry, the applicants presented a substantial volume of evidence to demonstrate that the Runshaw site was capable of being worked in an environmentally acceptable manner and should therefore be the subject of a site specific policy within the Plan. In reaching his conclusions the Inspector came to the following view:

'I therefore conclude that although the Runshaw site has proven economically workable reserves of high-grade sand which would help to meet the shortfall in this type of material, the detailed evidence demonstrates that proposed extraction would be likely to have a permanent and detrimental impact on the landscape of this area which, if restored as envisaged, would be out of keeping with the landscape characteristics of this locality. It would also have an adverse impact on the environment and quality of life of local residents partly as a result of the additional heavy lorries, which would be generated and would erode the amenity value of the Public Footpaths that cross this attractive area of open countryside on the fringe of the urban area of Euxton. Without firmly establishing that there are no better alternative sites or options to meet the necessary provision, including smaller scale projects, I cannot support the site specific allocation for sand and gravel at Runshaw...'

In many respects the current application is similar to the information and evidence presented to and considered by the Inspector at the Inquiry. However, in order to address the comments of the Inspector, the applicant has, as part of the current proposals, reduced the working area, omitted the concrete batching plant, introduced changes to restoration scheme and undertaken a full Environmental Impact Assessment, which identifies the impacts and proposes mitigation measures. The proposal can now also be assessed with the full benefit of responses from the consultation process.

The following sections of the report discuss each environmental impact in turn.

Assessment of Impacts

Landscape

The proposal is located in an area of open countryside falling within the Green Belt. Most of the site is in agricultural use and has a landscape character typical of this area with large fields divided by hedgerows containing significant numbers of mature trees. The southern part of the site is divided by the Chapel Brook, an attractive valley with areas of woodland. The part of the site to the north of Runshaw Lane is generally more open with larger fields and less hedgerows as a consequence of agricultural activities.

The ES includes a landscape assessment, which examines the main visual impacts of the development and identifies the mitigation measures that are necessary to reduce the impact of the development on the landscape of the area.

The initial development works would involve the creation of a new access from Dawbers Lane; this would involve the felling of some trees and the removal of hedgerow to create the necessary visibility splays. Some of these trees are protected by Tree Preservation Orders. Areas of earth mounding would be created alongside the access road to provide screening and disposal facilities for spoil excavated during the construction of the plant area. The creation of the haul road would require the culverting of the Chapel Brook and the construction of a causeway across the valley to reach the site of the proposed processing plant and stockpiling area. The completion of these initial works would then allow the main quarry

development to commence involving the removal of vegetation and stripping of soils over an area of approximately 34 ha. These works would take place in a progressive manner with restoration of worked out areas being achieved within 3 years of commencement. Soil storage mounds up to 3 metres in height would be created in various locations including those required to provide screening to the nearest individual properties and which would be removed as part of the final restoration of the site.

In visual terms, the site is not particularly visible or prominent in the local landscape. Given the generally flat nature of the area and absence of viewpoints, the site is well contained by existing hedgerows that would be retained throughout the development. With the exception of the Chapel Brook valley, the site does not have any particularly distinctive landscape features and therefore the visual impact of the development would be largely confined to the site area and its immediate surroundings. The main visual impacts of the development would be as follows:

- ? The construction of the access from Dawbers Lane would require removal of up to 12 large trees, which are covered by Tree Preservation Orders, together with 230 metres of roadside hedge, which would need to be removed or trimmed to create the required site lines. The degree of tree removal at this location has been slightly reduced by the repositioning of the access from that initially proposed, and although these trees are attractive features along Dawbers Lane, a substantial tree belt would remain behind the sight line following the access construction. There would also be various areas of earth mounding alongside the access road some of which would be up to 5 metres in height. Whilst these areas would contrast with the natural form of the landscape, they would be capable of being farmed and would not be particularly prominent when seen from Dawbers Lane. They would be removed as part of the final restoration of the site and therefore only temporary in nature.
- ? The construction of the access road would require the crossing of the Chapel Brook valley. Various cuttings and embankments together with a culvert over the stream would be required in this area. At present this valley is an attractive area of landscape and although the access road has been designed carefully to avoid the areas of existing woodland, it is considered that this aspect of the development would contrast sharply with the existing landscape. Nevertheless, it is considered that the natural form of the valley and stream could be restored following the completion of the development and therefore the long-term landscape impacts in this area would not be unacceptable.
- ? The plant site would consist primarily of a tower used to wash and classify the sand together with various stockpiles. The sand tower would be a metal clad structure 17 metres in height with the sand stockpiles up to 6 metres in height. Whilst these elements are of significant scale and would be alien features in a rural setting, most of the existing hedgerows/trees on the perimeter of this area would be retained and supplemented by additional planting. In addition, the ground levels in this area would be reduced by up to 5 metres to reduce the visual impact of these elements of the development. This part of the site is already at a lower elevation, as it is situated on the slopes of the Chapel Brook and would only be readily visible from the footpath along the Chapel Brook

valley. The colour of plant and buildings could be controlled to minimise their visual impact. For this reason it is considered that these elements of the development would not be visually obtrusive from the main public view points outside of the site boundary.

- ? The main landscape impacts of quarrying operations relate to the stripping of soils and vegetation from the site and replacement with a quarry excavation. Whilst the actual quarry excavation would not be readily visible from outside of the site boundaries, some impact would occur due to the loss of the trees and hedgerows which form a key component of the existing landscape. Approximately 1km of hedgerow and 100 individual trees would be removed. Although this removal would take place progressively over a 16 year period as the excavation advanced, it is considered there would be a gradual loss of landscape character until such time as the planting undertaken during the initial development stages and restoration phases reaches maturity.

Probably the greatest visual impact would be from the Public Footpaths that follow the Chapel Brook and which cross the fields to the south and west of Runshaw Lane. The development would require the temporary diversion of one footpath and the path along the Chapel Brook valley would pass near to processing plant and would have to cross the access road. Whilst the existing amenity of these footpaths would clearly be affected during the development period, it is considered that with careful restoration, the amenity value of these footpaths could be recovered in the long-term.

In terms of restoration, the quarrying operations would create a shallow valley running north – south through the site. In the main, the restoration proposals aim to recreate the existing field pattern albeit with strengthened hedgerows, new field ponds and a swale/stream feature in the base of the valley. Whilst this valley feature would be different than the existing largely flat landscape, it is considered that it would create a feature not dissimilar to the existing Chapel Brook valley and, given adequate landscaping, would not appear as an incongruous feature. In the area to the north of Runshaw Lane the extraction would take place below the water table leaving a lake feature. The application initially proposed one large lake with quite geometric shapes for the lake edges and slopes adjacent to the M6. The proposals have now been revised to create two separate lakes with more variation in the gradients next to the M6. Whilst the restoration of the area to the north of Runshaw Lane area would still leave a rather unnatural bowl shaped feature, it is considered that the revised proposals are much improved over those considered by the Inspector during the local plan inquiry and given appropriate treatment and time, could produce a landscape that would generally compliment the characteristics of the adjacent countryside.

The site is located within the Green Belt. However, due to their temporary nature and particular geological factors affecting the location of quarries, Government policy is that minerals development need not be inappropriate in the Green Belt provided that the site is well restored and that high environmental standards are maintained during operations. It is accepted that there would be some loss of openness during the period of operations and that this impact would be exacerbated by the relatively long timescale of this development. However, given the relatively low landscape

impact of this development and the nature of the restoration proposals, it is considered that the restoration proposals would contribute to the achievement of the objectives for including land within the Green Belt.

Some of the Parish Councils and other local residents are concerned that the quarrying proposals, if approved, would remove the Green Belt status of this area thereby allowing the site to be further developed following the cessation of mineral extraction. One of the main attributes of Green Belts is their permanence and mineral workings, given their temporary nature and subsequent restoration, would not affect this essential quality. The Green Belt status of the land would remain during and beyond the period of mineral working and the use of the land for quarrying of sand would not remove this designation from the site. Similarly, the fact that the site had been used for mineral working would not result in the land having 'brown field' site status. Ultimately the retention of the Green Belt designation would be a matter for the Borough Council as part of their Local Development Framework. However, it should be noted that the policies of the current Regional Spatial Strategy envisage Green Belt boundaries being retained on their existing alignments and quarrying activities elsewhere in the County have not resulted in any change in designation to date.

Concerns have also been raised that the site would be used for landfill following completion of quarrying. The working and restoration proposals provide for the progressive restoration of the quarry. As such there would be no residual unrestored void requiring the importation of fill material. Further, the working of the site below the water table would create difficulties for any subsequent landfill proposals. Any proposal to import waste materials, of whatever nature, would have to be the subject of a further planning application and which would be considered on its merits against the policies of the development plan.

Comments have been made that the proposal would adversely affect the setting of a listed building. The nearest listed building is on Dawbers Lane some 170 metres west of the proposed access. It is considered that given the distance of the access and more particularly the greater distance of the proposed plant and operational area, which would be screened from the listed building, that the setting of such would not be affected.

It is considered therefore that the proposal would not adversely affect the Green Belt or the purposes of including land within it. Similarly, notwithstanding the conclusions of the Inspector to the local plan inquiry, it is concluded that whilst the proposal would have a transitory impact on the landscape during the operational life and would result in an alternative landscape, following restoration, to that which currently exists, the restoration proposals would result in a landscape that would be acceptable and lead to the creation of alternative habitats that would complement the area rather than conflict with it. The proposal in landscape terms is therefore considered to be acceptable for the purposes of the Policy 20 of the JLSP and Policies 7, 8, and 13 of the LMWLP.

Ecology

The ES contains a full ecological survey, which has been supplemented by further information relating to protected species (Great Crested Newts and bats) and the impact on the Chapel Brook BHS.

The ES identifies that most of the site is comprised of improved grassland and arable fields that are of limited ecological interest. The main habitats of ecological interest are identified as the hedgerows and associated mature trees that lie within the site, the valley of the Chapel Brook, which is a designated Biological Heritage Site, together with a number of field ponds. These features have been subject to more detailed surveys to identify their interest for particular species, which confirm that the trees and hedges and associated habitats are of value for some species of birds and for bat foraging. One of the ponds also contains a breeding population of GCNs. There are also some more valuable grass and woodlands associated with the Chapel Brook valley.

The main losses in habitat terms would arise from the removal of approximately 1km of hedgerows and 100 trees, the removal of three ponds one of which contains GCNs and the impacts on the Chapel Brook valley arising from the construction of the access road. The applicant considers that these losses are mitigated by the fact that two of the ponds have little conservation value, some of the hedgerows to be removed are fragmented or poorly managed and that the brook crossing would affect only a narrow corridor of limited interest within the BHS as a whole.

Various mitigation measures are proposed to address these impacts including construction of new ponds and translocation of GCNs, other pond habitat, retention, management and replanting of hedgerows, careful routing and design of the access road and retention of areas of species rich grassland within the Chapel Brook BHS. The applicant also considers that the restoration proposals would provide a number of opportunities for ecology, including the creation of a seasonally wet swale habitat through the centre of the site, new water areas to the north of Runshaw Lane and new hedgerows and woodland areas. The applicant considers that these habitats would be of higher quality and more extensive than those currently found on the site.

The main policies in terms of ecology are Policy 21 of the Joint Lancashire Structure Plan and Policies 18, 19 and 20 of the LMWLP. These policies state that natural heritage will be protected from loss or damage according to the hierarchy of designations with the strongest protection afforded to features of international and national importance. Policy 21 of the JLSP states that where unavoidable loss or damage to ecological features would occur, mitigation measures will be required to ensure that there is no net loss of ecological interest.

The application as initially submitted generated objections from English Nature, the Environment Agency and the Lancashire Wildlife Trust. Further surveys have been carried out and supporting information submitted together with revisions to the restoration proposals to address these concerns.

The development would involve the removal of other habitats such as grassland, trees and hedgerows that are of value to more general species, particularly birds. In general it is considered that the development has been designed with care to try to minimise these losses. Whilst there would be some damage to these types of habitat during the period of the development, the restoration proposals provide for replacement hedgerows and trees to ensure that there would be no net loss of these features and the restored agricultural pasture would be similar to that currently existing.

In terms of protected species, there would be particular impacts on bats and GCNs. In terms of bats, impacts are unavoidable, as the development requires the removal of some trees in order to extract the mineral. However, a number of mitigation measures are proposed in order to reduce the impact on bats including management of felling, provision of bat boxes and management of retained hedgerows to encourage the development of new trees to replace those removed during the course of the development. In terms of GCNs, retention of the existing pond in situ would sterilise part of the mineral reserve and reduce the area available for silt lagoons. To mitigate for the loss of the GCN pond and two other ponds on the site, the applicant is proposing the creation of six new field ponds with peripheral habitats to provide terrestrial habitat. English Nature still considers that the applicant has not explained the mitigation measures for GCNs to the required level of detail and maintains its objection to the application. The applicant has submitted further information to address these concerns and subject to EN being satisfied with the proposed mitigation measures, the development is considered acceptable in terms of protected species.

Whilst the restoration proposals provide for a substantial portion of the site to be returned to its existing use as agriculture pasture, provision has been made for the development of substantial areas of new ecological habitat. In particular, the restoration of the area to the north of Runshaw Lane would provide two new lakes and a substantial area of woodland adjacent to the M6. Given detailed planning, these aspects of the restoration would provide new areas of habitat including those such as reed bed that are listed in Biological Action Plans for Lancashire. In the area south of Runshaw Lane, the restoration proposals involve the creation of a shallow valley feature taking the outflow from the two lakes, the base of which would be used for the creation of wet woodland and species rich grassland similar to that currently found in the adjacent Chapel Brook valley. In addition a number of new hedgerows would be planted to replace the hedges removed during the quarrying operations. The Lancashire Wildlife Trust are concerned that part of the restored land would be still be used for intensive agriculture to the detriment of those parts of the site restored to wildlife habitats. Their concerns are recognised but a balance has to be made between the agricultural requirements of the landowners and ecological interests. Provided that a legal agreement is used to ensure the longer-term management of the new hedgerows and ecological habitats within the site to extend the aftercare period to 10 years, it is considered that the restoration proposals would eventually provide enhanced wildlife opportunities over the existing situation.

Whilst the detailed development and management of these habitats would need to be the subject of planning conditions and a Section 106 Agreement providing for the

long-term management of these areas, it is considered that the proposals would provide adequate mitigation for the loss of ecological habitats. Subject the concerns of English Nature being satisfied in relation to the detailed mitigation measures, it is considered that the development complies with Policy 21 of the Joint Lancashire Structure Plan and Policies 18, 19 and 20 of the LMWLP.

Water Resources

Some of the mineral reserve to be extracted would be below the water table. The applicant proposes to extract these reserves by wet working techniques and therefore no pumping would be undertaken to lower ground water levels. On this basis, the Environment Agency raise no objections to the development provided that a condition is imposed requiring the establishment of monitoring boreholes around the perimeter of the site, in order to monitor any impacts that might occur during the working period.

As the development requires the culverting of the Chapel Brook and the creation of the processing plant on land slightly to the north, there is potential to cause flooding problems or pollution of the watercourse. However, provided that conditions are imposed regarding the design of the culvert, control of run off and containment of fuels and oils, it is considered that there would be no risk to surface watercourses. The development is therefore considered to comply with Policy 22 of the Joint Lancashire Structure Plan and Policies 23 and 24 of the LMWLP.

Archaeology

An assessment of archaeology has been undertaken which does not identify any archaeological issues that could not be addressed by a watching brief as part of the development of the site, which could be the subject of a planning condition. The development is therefore considered to comply with Policy 21 of the Joint Lancashire Structure Plan.

Agricultural Land

The site contains approximately 28ha of best and most versatile agricultural land of which 11 hectares would be permanently lost to the development. The loss of this area of quality agricultural land must be assessed as part of the overall consideration of this application. Government guidance on the protection of agricultural land set out in PPG7 states that the protection of high-grade land should be considered against other sustainability criteria such as biodiversity and landscape and that little weight in agricultural terms should be given to the loss of land of grade 3b or lower. At this site, whilst there will be a loss of best and most versatile land contrary to Policy 9 of the LMWLP, this loss must be considered against the other benefits that would accrue from the proposals in terms of need for the mineral and wildlife or landscape enhancement as part of the restoration proposals. With regard to this proposal, DEFRA recommend that conditions are imposed to ensure the restoration and aftercare of the maximum area of agricultural land possible and protection of soils. Subject to conditions being imposed to protect the soils and restoration/aftercare of land back to agricultural land quality where achievable, it is

considered that the development is acceptable in terms of the protection of quality agricultural land.

Proximity to Properties and Noise and Air Quality Impacts

Noise and dust can result from mineral workings including sand and gravel quarries. These impacts may be more significant where such operations are located close to urban areas or nearby development. Such impacts arise from the use of heavy machinery to strip and replace soils and from the extraction and processing of the mineral itself. In addition, noise and air quality concerns can arise from the use of HGVs transporting the finished products on the road network in the vicinity of the site. The ES includes an assessment of the impact of the development on noise and air quality. In light of concerns expressed in representations and by Chorley Borough Council Environmental Health Officer, the applicant has submitted additional data relating to the emissions of fine particulates from their existing sand and gravel quarry near Wrexham (Borras).

In terms of noise, the ES concludes that noise levels from the development would be within guidance levels contained in MPS2 except for limited periods when mineral extraction takes place near to Oak Tree Lodge, Rothwell's Farm and Primrose Hill on the eastern boundary of the site. Exceedences of noise levels are also predicted in relation to the Jim Fowler Playing Fields at the northern end of the site, on certain points on the footpath network crossing the site and at Five Acres and Woodside on Dawbers Lane when the site access is being constructed/restored.

The main generators of noise and dust from the actual quarrying activities would be from the plant/processing area and particularly from the soil stripping/restoration activities, which would be undertaken in a 6-8 week period each year. The bulk of the mineral extraction activities would be undertaken behind perimeter bunds or at depth within the quarry void, thereby providing some attenuation of noise and dust. In addition, these activities would only require small numbers of plant to load the electronically powered surface conveyor and the noise and dust levels produced by normal extraction activities would be low.

The impacts of noise and particularly dust have been raised in many of the objections from local residents, particularly from Euxton village itself and ERASE. The houses on the western edge of Euxton are between 200 and 300 metres from the boundary of the site with approximately 50 properties and Primrose Hill Primary School falling within the 250 metres of the site boundary. The nearest large scale development to the north is Runshaw College which is located over 400 metres from the site boundary. Policy 3 of the LMWLP requires buffer zones of 250 metres to be retained between mineral developments and major urban areas or particularly sensitive development such as schools, although this buffer may reduce depending on the nature of the intervening landscape. In this case the M6 motorway provides a physical separation between the site and the edge of the urban area and has a major influence on noise and to some extent dust levels, on the western edge of Euxton. Given that the site operations would be restricted to normal day time hours which correspond to the peak usage of the motorway, it is considered unlikely that the mineral extraction operations would give rise to noise problems within Euxton village itself. Runshaw College is located at considerable distance from the site and

therefore it is considered that the development would not give rise to problems of noise and dust at this location.

The properties most likely to be affected by noise and dust from the quarrying operations are those situated off Runshaw Lane including Oak Tree Lodge and Rothwell's Farm (10 metres from the site boundary), the small grouping of houses at Nixon Hillock (40 metres from the site boundary) and Primrose Hill (90 metres from the site boundary). However, mineral extraction operations would be phased and progressively restored and therefore this would contribute to reducing the impact of noise and dust on these properties. The processing plant, which would be operational throughout the full development period, would be located nearly 300 metres from the nearest of these houses and subject to noise and dust mitigation measures. The proposal is therefore considered unlikely to give rise to increased levels of noise or dust on these properties to a level that would prove unacceptable.

Oak Tree Lodge and Rothwell's Farm are particularly close to the boundary of the site and therefore specific attenuation measures have been proposed to minimise the impacts on these properties. These include revised mounding arrangements and increased quarrying standoffs, particularly to Oak Tree Lodge. Nevertheless, it is predicted that notwithstanding these measures, the noise levels set out in MPS2 would be exceeded at these properties when the perimeter bunds are being constructed and removed. However, these activities would be of very short duration and once completed would attenuate noise to acceptable levels during the remaining life of the development. Noise at Oak Tree Lodge would be reduced by earth bunding and the bunds would help attenuate the migration of dust to some degree. The presence of the mounds would however affect the outlook from Oak Tree Lodge, but this visual impact is considered to be acceptable given the benefits the mounds would provide in attenuating noise, dust and visual impact from the quarry operations themselves.

There are similar concerns regarding noise and dust at Rothwell's Farm but it should be noted that the occupier of this property has an interest in the development and has not raised objection to the development.

The occupier of Oak Tree Lodge has expressed concern that the earth mounding adjacent to the property would increase noise levels by causing reflection of noise from the nearby M6 motorway. Whilst the mounds would be up to 3.5 metres high, Chorley Borough Council's Environmental Health Officer considers that they would not be of such a scale to cause noise to be reflected to the degree feared by the occupier.

With regards to the other noise and dust concerns:

- ? The properties at Nixon Hillock would be 150 metres from the nearest part of the excavation and would be screened by new tree planting to be undertaken during the initial development works. Whilst there may be some increased noise, and to some extent dust, at these properties, it is considered that these impacts would not be unacceptable and could be reduced through normal mitigation measures.

- ? Primrose Hill is located adjacent to the east of the M6. Whilst this property may experience noise from soil stripping and extraction, the property is very close to the motorway and noise from this source dominates the noise climate at this property to the extent that noise from the quarry would probably be indiscernible.
- ? The Jim Fowler Memorial Playing Fields are located immediately to the north of the site. Objections have been received to the impacts of noise and, particularly dust, on the health of users of these playing fields. It is acknowledged that these playing fields are well used, particularly by Euxton Villa Football Club. However, the playing fields are located at the northern extremity of the site and therefore for the majority of the development period, quarrying activities would be undertaken a considerable distance to the south. When quarrying activities progress closer to the playing fields, much of the sand would be worked wet and would be transported to the processing plant by the spine conveyor, thereby minimising the risk of dust migration. In addition, the quarry would not be operational during the times when the playing fields are most heavily used and, therefore, it is considered that dust of a level to cause amenity or health concerns would not result.
- ? With regard to the two properties located near to the proposed access, existing noise levels at these properties may be exceeded during the construction and restoration of the access off Dawbers Lane. However, this would be a short-term operation and these impacts are, therefore, not considered significant, particularly given the already high noise levels along this A class road. There would be additional noise from HGVs entering and leaving the access, but the point of access has been amended so that it is further from these houses. With regard to traffic noise, the majority of vehicles would travel east from the access and those turning west would not be of such numbers to significantly increase noise levels from traffic over and above that currently experienced.

Some objectors, particularly ERASE, are concerned about the fine dust particulates (pM10s) that can arise from quarrying operations and the exhaust emissions of HGV's. Dust particulates of these sizes are of particular concern due to their implications for public health. ERASE dispute the applicant's air quality assessment and consider that the applicant's reliance on a study on pM10s and mineral workings (the Newcastle Study) is inappropriate and seriously underestimates the dust that would be produced from this site.

Government advice on the assessment of pM10 impacts is set out in MPS2. The assessment framework in MPS2 is based upon the findings of a study (The Newcastle Study) into the health impacts of opencast coal mining operations in North East England. The study found that increases in particulate levels were mainly due to earthmoving operations and as these activities are common to all types of mineral working, the Government took the view that the research recommendations should be applied to all mineral working proposals. Whilst ERASE question the relevance of the Newcastle Study to this application, the Study is nevertheless the basis for adopted Government Guidance and therefore its use by the applicant cannot be criticised. If anything the nature of opencast coal sites with their large amounts of earthmoving, formation of large above ground overburden mounds and greater use

of mobile plant will have the potential to produce far more dust than most sand quarries.

Mineral operations by their very nature have propensity to generate dust. At the Euxton site, most of the material to be excavated at the site would be coarse sand. Whilst there are clay layers and silts within this sand, the excavation would take place in damp conditions, sometimes below the level of the water table. These materials would be transported to the processing plant by conveyor and the fine particles (clays and silts) would be separated by a washing process and settled out in a series of lagoons. The applicant has sought to demonstrate the dust levels that would be produced from the site by reference to dust monitoring, undertaken at its existing sand and gravel quarry near Wrexham. Although, the results are open to some interpretation in terms of the comparability of the two sites and the weather conditions during the monitoring, it is reasonable to conclude that the quarrying operations do not give rise to significant long-term increase in dust at off-site locations. ERASE have provided letters from local residents near to the applicant's former operations at Myerscough as evidence that dust does arise from the quarrying operations. Whilst it is not disputed that dust complaints can arise from mineral workings, the County Council did not receive any complaints regarding dust during the 10 year period when the applicant's previous quarry at Myerscough was in operation.

Concerns to air quality issues including pM10s are also raised due to the proposed increase in HGVs within the urban area. Objectives for pM10 levels are contained within the Government's Air Quality Strategy. The EU recently proposed a new Directive for pM10 levels to be achieved by 2010 and which are considerably more stringent than the existing guidance levels. Chorley Borough Council were concerned that their existing monitoring demonstrates that the pM10 levels in the new EU guidance would be exceeded at a number of locations in Chorley, including some road junctions that would be affected by traffic from this proposal and that the increase in traffic from this development would exacerbate an already unacceptable situation. However, the EU have recently dropped their proposals for tighter pM10 levels and Chorley Borough Council consider that the levels in the existing Air Quality Strategy will not now be exceeded in their Borough. Clearly, increased exhaust emissions are a concern, especially along urban roads such as the A49 and Balshaw Lane and it is accepted that there is no acceptable level for such pollutants. However, the traffic from this development would not lead to a significant increase in pM10 levels and the impacts of additional pM10s needs to be considered against economic growth and regeneration objectives, all of which will result in additional road traffic in general.

In light of the concerns expressed regarding dust and pM10 emissions, Chorley Borough Council's Environmental Health Officer has employed a specialist dust consultant to undertake an appraisal of the Air Quality Assessment (AQA) prepared by the applicant. The Consultant's findings of the appraisal are not entirely conclusive, but generally recognise that the AQA has been undertaken in accordance with government guidance and the proposed means of mitigation, which follow industry practice, will limit the impact of the proposals at receptors. The AQA shows that pM10 concentrations are increased substantially downwind of extraction areas, stockpiles and access roads. The appraisal does not conclude that this

increase is unacceptable but comments that concentrations at close receptors (most particularly Oak Tree Lodge and Rothwell's Farm) will depend on the diligent application of the mitigation measures and recommends that pM10 concentrations should be monitored at the most exposed receptors and that trigger concentration levels should be specified as part of a dust action plan. With regard to emissions from HGVs, the appraisal accepts the model used as being appropriate along with the findings that the predicted incremental pollutant concentrations would be very small and considered 'slight adverse' according to draft criteria proposed by the National Society for Clean Air.

In his response the Borough Environmental Health Officer recognises that the nature of the operation limits the likelihood of dust being generated to a level that would cause unacceptable loss of amenity or health impacts to residents within Euxton village itself. This view would concur with that of the Inspector at the LMWLP Inquiry who concluded that proximity of this site to residential areas was not a fundamental reason to reject the proposal. There would be a more significant impact in relation to the properties that are located immediately adjacent to the site, which would experience noise and dust at certain times during the development. Although, the most severe impacts (associated with the construction of the screening mounds in close proximity to Oak Tree Cottage and Rothwell's Farm) would be of short duration and could be limited through conditions and good working practices, some loss of amenity is inevitable due to the close proximity of the quarry. Whilst these impacts will need to be balanced against the other material planning considerations in this application, they are not considered to be of such magnitude as suggested by objections received or to constitute a sustainable reason for refusing the application.

Traffic Issues

Issues relating to traffic impact, associated highway safety and capacity problems have been raised in most of the representations that have been received. Many residents are aware of the traffic increases that are predicted to arise from nearby major re-development sites including Buckshaw Village (former ROF site). They consider that the road network in the vicinity of the site is already operating at, or near capacity, and any additional HGVs on the road network would result in unacceptable levels of congestion, noise, pollution and highway safety concerns within the urban area of Euxton.

The applicant has undertaken a Traffic Assessment as part of the EIA and estimates that this quarry would produce approximately 290,000 tonnes of sand per year generating a maximum of 121 HGV movements per day. In order to assess the impact of these movements on the local road network, the applicant has assessed the destinations of the sand to be produced over the duration of the development and predicts that the bulk of the traffic (80%) would turn east from the access along Dawbers Lane to reach the A49 and from there to the M61, M6 or markets to the south. Much of this traffic (around 50% of the total) would travel along Balshaw Lane to gain access to the M61 and markets in the Bolton/Manchester area. A more detailed representation of the impacts of quarry traffic on roads in the vicinity of the site is shown on the map attached to this report.

In terms of road capacity and congestion, the applicant estimates that during the afternoon peak hour (the busiest time of the day), the development would result in a maximum increase in total vehicle movements of 0.6% on Dawbers Lane and between 0.2 and 0.3% increase at other affected locations. At other times the percentage increases are slightly higher due to the lower levels of general traffic during these periods. However, even in the quietest daytime period for total traffic, the maximum increase in traffic on Dawbers Lane would only be 2.3%. In order to accurately assess traffic impact over the life of the proposed sand quarry, these figures are based upon the predicted traffic arising from other committed developments including Buckshaw Village.

It is acknowledged that congestion exists on some roads such as the A49 and Balshaw Lane during peak periods. However, the roads that would be most affected by quarry traffic are all A class roads and given the low percentage increases, the Highways Agency and Section Manager (Traffic and Safety) consider that the road network in the vicinity of the site, including motorway junctions, is physically capable of accommodating the traffic generated by this development without causing unacceptable capacity or congestion problems.

Many local residents consider that the increase in HGV traffic would have implications for highway safety, particularly in terms of pedestrians, cyclists and children walking to and from school on the A49 and Balshaw Lane. With regard to general highway safety issues, the application contains details of the injury accidents on the roads that would be most affected by quarry related traffic. In nearly all cases, no HGVs were involved in the accidents. There are two locations on Dawbers Lane where there are particular road safety concerns due to the alignment of the A581. However, the site access is located well away from these particular locations and it is considered that the increased use of the A581 by HGVs would not have significant implications for highway safety given the already low accident rate for HGVs on this section of highway. Given the long length of private surfaced access road between the processing area and the Dawbers Lane entrance, it is considered that lorry traffic would not cause mud or sand to be tracked onto the A581 to the detriment of road safety provided that wheel washing and sheeting facilities are installed and used. Similar practices have been employed at Higher Brockholes Quarry where no problems of tracking out have been experienced.

Some objectors consider that an access should be constructed onto the M6 and given the close proximity of the site to the motorway, such a junction would be desirable in removing the need for traffic to pass through Euxton. However, the Highways Agency have a policy that motorways are to serve long distance traffic and would not countenance the construction of a new motorway junction simply to serve a single development site such as a quarry. This option is therefore not possible.

In terms of the environmental impacts of traffic, it is useful to look at the percentage increases in HGVs as these types of vehicle are more important in terms of the perception of traffic impact, particularly by noise, pollution, vibration and intimidation of other road users. The applicant estimates that the maximum percentage increases in HGV traffic would be as follows: Dawbers Lane (east of site access) – 32%, Dawbers Lane (west of site access) – 8.1%, A49/A581 junction – 14%,

A49/Balshaw Lane junction – 11%, Balshaw Lane (local centre) – 13% and Euxton Lane/A49 junction (1.9%).

Some of the roads and junctions that would be affected by quarry traffic have recently been improved in order to accommodate the additional traffic arising from the Buckshaw Village development. However, these improvements are mainly to the north of the site around Junction 28 of the M6 and would therefore only be of benefit for a relatively small proportion of quarry traffic. A large proportion of the traffic from this site would travel along Dawbers Lane to reach the A49 where HGVs would then disperse in various directions according to destination. Whilst Dawbers Lane would therefore experience the largest percentage increase in HGV traffic, along much of its route it is a rural road without much residential development directly abutting the highway. Although there are approximately 15 houses between the site access and the junction with the A49, most of these properties are set back from the highway therefore helping to attenuate the impact of the increased HGV traffic on the amenity of these properties.

Balshaw Lane and Wigan Road are located entirely within the urban area and are fronted by houses, shops and other facilities including three schools. Although these roads are both A class highways, their urban location means that they are used to a greater extent by pedestrians and cyclists. Any increase in HGV traffic along these routes is likely to lead to some limited deterioration in amenity for these particular highway users and property owners. In addition, there are approximately 50 properties located along the most affected stretch of Balshaw Lane and over 100 properties along the A49. Whilst it is recognised the local residents along the A49 will not welcome any increase in HGV traffic and associated noise, vibration and exhaust emissions, the percentage increase of HGVs along this road due to quarry traffic would be very small and it is considered that such increases would not be perceptible in these houses given the existing traffic conditions and the distance many of these houses are from the carriageway. However, the HGV increase on Balshaw Lane is greater due to HGVs seeking to access the M61. Furthermore, this road is generally narrower and more difficult to negotiate due to a railway bridge, the presence of traffic calming measures and mini roundabouts in the proximity of the shopping centre. It is likely that the alignment and layout of the Balshaw Lane would therefore lead to some increase in noise, vibration and general disturbance arising from HGV traffic. Notwithstanding the existing levels of traffic that use Balshaw Lane any increase in traffic irrespective of whether it is associated with the proposal may make Balshaw Lane a less pleasant area in which to live and shop. In view of these potential impacts, discussions have been held with the applicant regarding the possibility of routing controls to try to minimise the numbers of HGVs on this road. Whilst other routes are available which would avoid the need to use Balshaw Lane, these would mainly involve increased use of the A49 and Runshaw Lane to access the motorway network. Given the complexity of the road network in the area, and existing usage by HGV traffic, any routing agreement would be difficult to enforce.

The traffic associated with this development is potentially one of the most significant environmental impacts of this development. This is largely due to the location of the proposed quarry and the need for the majority of traffic to pass through the urban area to access the strategic road network. However, it is considered that the percentage increase in traffic associated with the development would not add

significantly to the existing levels of congestion. The main impact is therefore in terms of the amenity of local residents that front the main highway network and highway users. The affected highways are all A class roads and in many cases the degree of impact is mitigated by the small increase in the overall number of HGVs. In the case of Dawbers Lane, there are a relatively small number of residential properties that would be affected although those to the east of the access would be affected most. The impacts of traffic along Balshaw Lane are of more significance due to the particular characteristics of this road and the number of additional HGVs. This is the primary route to the motorway network and the impacts associated with additional HGVs could not be mitigated and consequently must be balanced against the need for the development.

Need and Policy Issues

Issues of need for minerals need to be addressed where material objections are identified to quarry developments that are not outweighed by other planning benefits. In addition, questions of need and the merits of other alternative sites can be raised where applications for planning permission are accompanied by Environmental Statements.

The Need to Release High-grade Sand Resources in Lancashire

Aggregate materials, such as sand, are utilised in a wide range projects required to support economic growth, to maintain standards of living and to provide the homes, roads and other buildings and infrastructure that are demanded by society. Government policy in MPG6 requires that a steady and adequate supply of aggregates should be available to the construction industry to meet the continuing needs of the economy and society. Estimates of the demand for aggregates at the national level are therefore apportioned out to regional and then county level to ensure that each Mineral Planning Authority makes an adequate contribution towards meeting the demand for these types of building products. Each MPA is expected to maintain a landbank of permitted reserves of sand and gravel material sufficient for at least 7 years of production.

The proposed development would produce approximately 300,000 tonnes of high-grade sand per year over a period of 15 years. High-grade sand is a term used to describe minerals that have been processed so that they meet the relevant BS standards for use in applications where high strength and quality are essential such as ready mixed concrete and other concrete products used in construction. The applicant states that the minerals produced from this site would be used to supply their own network of ready mixed concrete plants throughout Lancashire and Greater Manchester as well as other factories and outlets making use of such materials. At present high-grade sand is only produced from one site in Lancashire, which is at Lydiate Lane to the north of Leyland. Brockholes Quarry, near Preston, has historically been a source of these materials, but this site ceased production in early 2006 and is now under restoration.

Policy 48 of the Lancashire Minerals and Waste Local Plan is the key policy in terms of ensuring that adequate reserves of high-grade sand are released in order to meet the landbank requirements set out in MPG6. Policy 48 of the LMWLP provides for

the release of an additional 3.2 million tonnes of high-grade sand in order to maintain a 7 year landbank at the end of the plan period in 2006. These figures have been supplemented by the figures in the revised MPG6 which project the aggregate requirements through to 2016 and involve a reduction in the contribution from primary, land-won sources given the increased importance attached to the use of recycled materials. When apportioned to County level, the figures in the revised MPG6 require Lancashire to find 7.2 million tonnes of sand between 2001 and 2016 (including the 3.2m referred earlier).

Although there are two sets of provision figures covering different timescales, the position regarding the need to release more reserves is considered to be clear. Since 2001 the only planning permissions that have been granted for additional high-grade sand reserves are those recently approved at Sharples Quarry near St Michaels on Wyre and at Lower Brockholes, near Preston, (a total of approximately 650,000 tonnes of high-grade sand). Some of the production from Lydiate Lane Quarry, which was previously classed as a low grade deposit, is now being processed to improve the quality of the sand and which now contributes towards the high-grade sand landbank. The land bank of all sand and gravel reserves in Lancashire (high and low grade) is estimated to be approximately 6 years. However, as only relatively minor additional contributions have been made to meet the requirement for additional high-grade sand reserves as identified in Policy 48 and MPG6, it is evident that a need exists for further reserves to be released and to which the Euxton site would contribute.

MPG6 recognises that precise calculations of landbanks of permitted reserves and apportionments should rarely be used as the sole determinants of the need to release additional reserves. Planning authorities should also have regard to issues of real need and supply. This means that consideration should also been given to the actual levels of historical annual production together with any constraints at existing sites that may limit the ability to meet needs. Annual production of sand and gravel in Lancashire before 1997 was around 900,000 tonnes. After that date production fell with the closure of the applicant's quarry at Myerscough. Since 2000 production has been around 0.5 Mt per year most of which was derived from Higher Brockholes Quarry with minor contributions from other sites such as Lydiate Lane. Higher Brockholes would therefore have supplied a large proportion of the high-grade sand for construction work in Lancashire and the surrounding area. The recent closure of this site has therefore left a gap in production capacity, which needs to be filled if Lancashire is to contribute to the supply of such materials. Although two new sites have been permitted, they are both of relatively small scale and would not have the production capacities to fully satisfy historical levels of demand.

Whilst there is a clear need to release more sand reserves to meet the broad targets in Policy 48 of the LMWLP and MPG6, this must be done in a manner, which ensures that aggregates are worked with the minimum environmental impact. Policy 48 of the LMWLP therefore establishes a hierarchy of options for the provision of high-grade sand to ensure that proposals such as extensions to existing quarries, new small scale sites and sand reserves obtained through other development proposals fall higher in the hierarchy than major new quarries on green field sites such as the present proposals. Since 2001, no small scale sites or extensions to

existing quarries have come forward to supplement the land bank. Similarly, no significant sand reserves have been worked as part of other development and therefore it is considered that major Greenfield sites within the broad areas of search identified in Policy 48 need to be permitted to maintain the landbank of high-grade sand. The likely need to make provision through these means was predicted in the LMWLP. The County Council have recognised this when granting planning permission for sand and gravel extraction at Sharples Quarry (St Michaels on Wyre) in 2005; the site was considered to be a major green field site lying within the 'north and west of Preston' broad area of search in Policy 48. The Euxton site is located within the 'Leyland and Chorley' broad area of search and is therefore considered to be consistent with the sequential approach in Policy 48.

Alternative Sources of Supply

The Inspector at the local plan inquiry was concerned that little information was available in relation to the existence of other sites and that the approval of the Runshaw proposal, given its size, would effectively remove the need to consider smaller scale proposals that could supply needs with less environmental impact. The Inspector therefore considered that a survey of sand and gravel resources in Lancashire should be undertaken to identify the location of other potential sites and to inform the review of the LMWLP.

The survey work titled The Sand and Gravel Study (the Study) was initiated in 2004 before this planning application was submitted. It is the view of Chorley Borough Council as well as a number of parish councils, local residents and ERASE that this planning application is premature until such time as a thorough examination of alternative sites has been completed as part of the review of the LMWLP. In particular, some objectors consider that land at Lydiate Lane near Leyland should be released in preference to the Euxton site.

The Study has been a two stage exercise with the first stage being a desktop exercise to identify the broad areas where sand and gravel resources may occur. This stage was completed in November 2004. A second stage has recently been completed using geological information from the British Geological Survey, from landowners and from the minerals industry to identify exact sites and the approximate qualities of sand and gravel reserves occurring within those sites. These sub resource blocks were then visited to enable an assessment to be made of each site in terms of broad planning issues.

The Study has identified a large number of sites that may contain deposits of highgrade sand and gravel. Due to the existence of extensive exploration data, the Study highlights the existence of the Euxton site as a proven resource together with other areas (such as Lydiate Lane, Sandons Farm, Lower Brockholes and St Michaels on Wyre) that have been the subject of current or previous planning applications. A large number of other green field sites of various sizes are also identified. At face value, the Study therefore seems to indicate that alternatives do exist to the Euxton site. However, in interpreting the findings of the Study, it is important to recognise its limitations in terms of geological issues and the economics of opening new quarries.

In many instances, available data used in the Study to identify sand and gravel resources is much less detailed than would normally be used by the minerals industry to identify workable deposits. This is especially relevant in that the erratic, discontinuous and variable nature of sand and gravel deposits in Lancashire usually dictates extensive borehole investigations in order to identify the existence of an economically viable deposit. The Inspector into the LMWLP acknowledged this difficulty and noted that it was '*not practicable for LCC to undertake a comprehensive geological survey of all potential sand and gravel resources to the level of detail which would enable specific sites to be identified*'. In order to overcome this difficulty the Study has accessed confidential data from the minerals industry and other landowners. However, in many instances the sites identified are relatively small and new infrastructure would need to be provided to overcome access difficulties. Although meeting demand for sand through a number of small low impact sites is very attractive in principle, a certain critical mass of reserves is required to justify the initial investment in infrastructure to overcome any practical or planning objections that may be raised. For these reasons, it is considered that many of the small-scale sites identified by the Study may never become operational quarries and therefore cannot be considered as realistic alternatives to the Euxton site.

Objectors consider that the existing sand and gravel quarry at Lydiate Lane should be extended and that these reserves could meet the shortfall identified in Policy 48 of the LMWLP. The operator of this site made representations during the preparation of the LMWLP that further reserves existed at this site through deepening and a northerly extension. The presence of these reserves and absence of fundamental environmental constraints were noted by the Inspector, and although he stopped short of recommending this site as a preferred area for sand extraction, he recommended that serious consideration be given to extended working at this location. Nearly seven years have elapsed since the Inspector reached these conclusions. Notwithstanding the Inspector's conclusions, the operator of Lydiate Lane Quarry has not submitted an application to exploit the opportunity, which clearly existed. It is for the industry to bring proposals forward and the County Council can only release reserves when planning applications are submitted and found acceptable. The County Council has a statutory duty to determine planning applications and consider them against the policies of the development plan and relative to the impacts it may generate before determining the acceptability of such. It cannot resist proposals on the basis that other proposals may be brought forward at a later date. To adopt such a policy could be perceived as favouring a particular operator at the expense of others and could cause serious problems in terms of the supply of sand and gravel materials.

Relationship to the Development Plan Process

Some objectors consider that the approval of this application would be premature, given that work has now commenced on the review of the LMWLP in the form of a Local Development Framework. Issues of prematurity can be raised where an individual planning application is of such significance that it would have major implications for an emerging development plan document. These proposals by reason of their scale would clearly have implications for emerging policy covering the release of sand and gravel resources. However, the Study has illustrated that the Euxton site remains one of the few sites in Lancashire where there is a proven

resource of high-grade sand that exists in economically viable quantities. Other sites may exist but until the minerals industry undertakes further exploration work to establish their viability or bring forward development proposals, they will remain an uncertain prospect. In the interim the Council must release reserves to meet its regional apportionment. It is therefore considered unlikely that the emerging Minerals and Waste LDF will be proposing the release of other sites as alternatives to the application site.

Human Rights

The proposal raises issues relating to the protection of amenity and property under Article 1 of the 1st Protocol and Article 8 of the Human Rights Act 1998.

Article 8 concerns the right to respect for private and family life, the home and correspondence. Interference in this right can only be justified where it is in accordance with the law and is necessary in a democratic society in the interests of the economic well-being of the country or for protection of the rights and freedoms of others.

Article 1 of the 1st Protocol concerns the protection of property and provides that everybody is entitled to the peaceful enjoyment of his possessions and that no one should be deprived of his property except in the public interest.

In terms of this planning application, the Rights of those considered to be affected are those residents who live in close proximity to the site at Oak Tree Lodge and Rothwell's Farm who would be exposed to noise and dust from the quarrying activities.

However, the development would assist in the supply of minerals to the construction industry thereby enabling the new buildings and infrastructure that are demanded by society to be delivered at reasonable cost. The development would therefore be justified in terms of the economic well being of the country and protecting the rights and freedoms of others to enjoy a reasonable standard of living.

Similarly, with the Rights under Article 1, the proposal is considered to be in the public interest by maintaining a supply of quality building materials to the construction industry.

Accordingly, the grant of planning permission would safeguard the legitimate aims identified above and would not place a disproportionate burden on the residents of the area who may be exposed to the limited environmental impacts of the development.

Conclusions

Minerals including high-grade sand resources can only be worked where they are found and therefore planning applications for quarrying will often raise wide ranging environmental impacts. However, such resources are vital constituents of construction projects, which contribute to the economic and social development of society. It is therefore important that a steady and adequate supply of minerals is

made available through the granting of planning permissions where an acceptable balance can be reached between environmental impacts and demand.

It is concluded that this site would have a number of environmental impacts of varying significance. In particular, there would be damage to the local landscape through the progressive removal of trees and hedgerows and the construction of a road and processing plant in the area of the Chapel Brook. Some ecological losses would also occur from the same operations. Although the site would not lead to permanent harm to the Green Belt, it is acknowledged that the site is of particular value given its close proximity to the urban area and the footpath networks that would be disrupted by the mineral workings. Some of these impacts would be offset by the advance planting and progressive restoration proposals, but it must be acknowledged that the proposals would alter the character of the landscape. Nevertheless, the landscape is reflective of the wider landscape that is common throughout the area. The site would not be readily seen from any where other than local viewpoints and the footpath network. It is considered that the loss of this landscape for a temporary period and the reinstatement of the site to a similar and more varied landscape would be acceptable. It would not lead to the loss of Green Belt or undermine the purposes of such.

It is considered that the site is located sufficiently far from the main areas of Euxton to not cause unacceptable impacts from noise and dust. The main amenity impacts arising from the quarrying operations would be in relation to the relatively small number of houses off Runshaw Lane and Dawbers Lane. Whilst some of these impacts could be mitigated by careful working practices reinforced through planning conditions, it is considered that the impacts on two properties would be significant and could not be mitigated in the same way.

Probably the most significant impacts are in terms of the effects of lorry traffic on residential amenity and highway amenity along Dawbers Lane, the A49 and particularly Balshaw Lane. Whilst in overall terms, the increase in traffic is not significant, the increase in HGV traffic is of more relevance particularly in terms of its impact on residential amenity and the amenity of other highway users along these roads. These impacts could not be mitigated and are material to the balance of such impacts against the need to release high-grade sand reserves.

These conclusions are very similar to those identified by the Inspector at the LMWLP Inquiry. It is important to acknowledge that the Inspector did not conclude that the planning objections were of such a magnitude that the working of this site should never be permitted. His conclusions were that there was a need to release further reserves of high-grade sand, but that other sites should be investigated before releasing the Euxton site so that sand was worked at locations with the minimum environmental impact.

Since the Inspector's report, the need to release further reserves has persisted. The County Council has granted planning permission for two smaller sites, which will contribute to meeting the requirements for high-grade sand and the land bank. However, with the closure of an important site (Higher Brockholes), the need remains for additional reserves to be released to contribute to the landbank requirements and ensure an adequate and steady stream of materials to the

construction industry. It was always acknowledged that the County's longer-term requirements would have to be met through the release of one or more major Greenfield sites. However, the Study has not identified any other sites that have been proven to the required level and which are likely to be brought forward in the required timescale. In any event, given the difficulty of finding sand and gravel sites in Lancashire, there is no guarantee that other sites would not have similar or more environmental impacts than the Euxton site.

The issues in this application are therefore finely balanced. Whilst the development would have generate impacts most particularly in terms of HGV movements and the impact of such on highway amenity and the local environment, there is a clear need to release new reserves of sand. There are no viable alternatives currently before the County Council that would be preferable in environmental terms to the Euxton site. The balance is therefore considered to fall in favour of granting planning permission.

Summary of Reasons for Decision

The development would fulfil a need for high-grade sand resources identified in Policy 48 of the Lancashire Minerals and Waste Local Plan and also in national minerals planning guidance. There would be some loss of amenity to local residents living immediately adjacent to the site boundary and to residents and pedestrians/cyclists on Dawbers Lane, the A49 and Balshaw Lane who would be affected by increased lorry traffic, noise and dust. However, these impacts would be mitigated by measures employed on the site to suppress dust and noise. Subject to the employment of such measures, it is considered that these impacts are not of significant scale as to render the development unacceptable. The local highway network can accommodate the proposed increase in HGV movements and the loss of amenity associated with such on balance is outweighed by the need for the mineral resources. The development would not affect the Green Belt or the purposes of including land within it and the change in the landscape would be acceptable given the nature of the restoration proposals. The development is therefore acceptable in relation to the policies of the Development Plan. Subject to the applicant entering into a legal agreement regarding long-term aftercare and the imposition of planning conditions, it is considered that the development is acceptable in relation to landscape, ecology, protection of best and most versatile agricultural land, traffic, archaeology and noise and dust impacts on most local residents. The policies Development Plan relevant to this decision are Policies EM7 and EM8 of the Regional Spatial Strategy, Policies 1, 2, 20, 21, 22 and 26 of the Joint Lancashire Structure Plan, Policies 2, 3, 7, 8, 9, 13, 18, 19, 20, 22, 31, 37, 48, 106, 107, and 108 of the Lancashire Minerals and Waste Local Plan and Policies GN5, DC1, EP2, EP4, EP6, EP9, EP10, EP17, EP19, EP21 and EP21a of the Chorley Borough Local Plan

Recommendation

That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, submitted in connection with the application, subject to English Nature raising no objection to the proposed ecological mitigation/management measures and the applicant first entering into a Section 106

Agreement regarding long-term aftercare for a total period of ten years planning permission be **granted** 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)(b) of the Town and Country Planning Act 1990.

2. The mining operations authorised by this permission shall cease not later than 15 years and 6 months from the date of development as notified under the provisions of Condition 3 below. The site shall be progressively restored and shall be restored in its entirety within 16 years and 6 months from the commencement of development or within a period of 1 year from the cessation of mineral working as defined in this permission, which ever is the sooner.

Reason: To ensure the progressive restoration of the site within the approved timescales in the interests of the visual amenity of the area and to conform with Policy 20 of the Joint Lancashire Structure Plan and Policies 7 and 106 of the Lancashire Minerals and Waste Local Plan.

3. Written notification of the date of commencement of the development shall be sent to the County Planning Authority within 7 days of such commencement.

Reason: To ensure the progressive restoration of the site within the approved timescales in the interests of the visual amenity of the area and to conform with Policy 20 of the Joint Lancashire Structure Plan and Policies 7 and 106 of the Lancashire Minerals and Waste Local Plan.

Working Programme

4. 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 dated 23 March 2005 and supplementary information included in the undated letter from Tarmac Limited received on 7 February 2006 and letter from Tarmac Limited dated 10 May 2006.

- b) Submitted Plans:

Drawing No. R54/90a – Application Area
Drawing No. R54/110 – Revised Access and Road Alignment
Drawing No. R54/49b – Initial Works

Drawing No. R54/50b – Phase 1c Extraction
Drawing No. R54/51b – Phase 2 Extraction
Drawing No. R54/52b – Phase 3 Extraction
Drawing No. R54/53b – Phase 4 Extraction

Drawing No. R54/54b – Phase 5 Extraction
Drawing No. R54/55b – Phase 5 Extraction
Drawing No. R54/56b – Phase 6 Extraction
Drawing No. R54/57b – Phase 7 Extraction
Drawing No. R54/58b – Phase 8 Extraction
Drawing No. R54/59b – Restoration Concept
Drawing No. R54/82 – Plant site layout

- c) All schemes and programmes approved in accordance with this schedule of conditions.

Reason: For the avoidance of doubt and to enable the Local Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area and to conform with Policies 6, 20, 22, 26 and 28 of the Joint Lancashire Structure Plan, Policies 2, 3, 13, 14, 21, 22, 23, 37, 48, 49, 78, 82, 106, 107, 108 and 109 and of the Lancashire Minerals and Waste Local Plan and Policies DC1, EP17, EP20 and EP21 and TR4 of the Chorley Borough Local Plan.

Site Management

5. A copy of the conditions, and all documents referred to in Condition 4 shall be made available at the site office at all times throughout the development.

Reason: For the avoidance of doubt and to ensure all site operatives are aware of the planning conditions and to conform with Policies 6, 20, 22, 26 and 28 of the Joint Lancashire Structure Plan, Policies 2, 3, 13, 14, 21, 22, 23, 37, 48, 49, 78, 82, 106, 107, 108 and 109 and of the Lancashire Minerals and Waste Local Plan and Policies DC1, EP17, EP20 and EP21 and TR4 of the Chorley Borough Local Plan.

6. No development shall commence until details of the location, design, colour and specification of the sand and gravel washing and screening plant, all other buildings and associated lighting have been submitted to and approved in writing by the County Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to prevent the pollution of adjacent land and to conform with Policies 20 and 26 of the Joint Lancashire Structure Plan, Policies 2, 13 and 112 of the Lancashire Minerals and Waste Local Plan and Policies EP17, EP20 and EP21 of the Chorley Borough Local Plan.

Site Operations

7. The mining operations and restoration shall be worked in the order of phases shown on drawing nos. R54/49b to R54/58b. The working and restoration shall be phased in accordance with the following:
- a) There shall be no stripping of soils in Phase 1b until the soil screening mounds labelled bund 5 and bund 7 have been fully constructed in the locations and to the dimensions shown on drawing no. R54/49b.
 - b) There shall be no stripping of soils in Phase 1c until the soil screening mounds labelled bund 6 and bund 8 have been fully constructed in the locations and to the dimensions shown on drawing no. R54/50b.
 - c) There shall be no stripping of soils in Phase 3 until Phase 1b has been restored in accordance with the scheme and programme of restoration approved under Condition 43.
 - d) There shall be no stripping of soils in Phase 4 until Phase 1c has been restored in accordance with the scheme and programme of restoration approved under Condition 43.
 - e) There shall be no stripping of soils in Phase 5 until Phase 2 has been restored in accordance with the scheme and programme of restoration approved under Condition 43.
 - f) There shall be no stripping of soils in Phase 7 until Phase 3 has been restored in accordance with the scheme and programme and restoration approved under Condition 43.

Reason: To ensure the progressive working and restoration of the site within the approved timescales in the interests of the visual amenity of the area and to conform with Policy 20 of the Joint Lancashire Structure Plan and Policies 7 and 106 of the Lancashire Minerals and Waste Local Plan.

8. The provisions of Part 19 Class B of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 or any amendment, replacement or re-enactment thereof are excluded and shall not apply to this development. Any development referred to in that part shall only be carried out pursuant to a planning permission granted under Part III of the Town and Country Planning Act 1990 or any amendment, replacement or re-enactment thereof.

Reason: To maintain the Local 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 Policies 6, 20 and 26 of the Joint Lancashire Structure Plan, Policies 2, 14, and 112 of the Lancashire Minerals and Waste Local Plan and Policy DC1 of the Chorley Borough Local Plan.

9. No minerals shall be stockpiled outside the areas labelled 'stockpiles', 'building sand', 'concrete sand' and 'asphalt sand' on drawing no. R54/82. Stockpiles within such areas shall not exceed 6 metres in height.

Reason: To safeguard the visual amenity and amenity of local residents and adjacent properties/landowners and land users and to conform with Policies 20 and 28 of the Joint Lancashire Structure Plan, Policies 2, 13, 109 and 112 of the Lancashire Minerals and Waste Local Plan and Policy EP21 of the Chorley Borough Local Plan.

10. No development shall commence until a scheme and programme for the advance planting and habitat creation works shown on drawing no. R54/49B has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall provide for the following:
- a) Details for the planting of the advance tree planting areas shown on drawing no. R54/49B including details of numbers, types and sizes of species, spacings, planting techniques and protection measures.
 - b) Details for the strengthening of existing hedgerows with new planting including location of planting works and details of numbers, types and sizes of species, spacing, planting techniques and protection measures.
 - c) Details for the management of the planting undertaken in accordance with a) and b) above including management of the hedgerows forming the boundaries of the site.
 - d) Details for the creation of the new field ponds and surrounding habitat areas including depths and contours of ponds, landscaping works and habitat development works.

The approved advance planting and habitat creation works shall be undertaken in the first planting season following the commencement of the development and shall thereafter be maintained for a period of five years in accordance with the Lancashire County Council Environment Directorate specification entitled 'Tree and Shrub Planting with grass seeding and protective fencing'.

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

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy 28 of the Joint Lancashire Structure Plan, Policies 2, 14, 37 and 112 of the Lancashire Minerals and Waste Local Plan and Policy TR4 of the Chorley Borough Local Plan.

12. No waste materials shall be imported into the site.

Reason: In the interests of the visual amenity of the area and to conform with Policy 20 of the Joint Lancashire Structure Plan and Policy 7 of the Lancashire Minerals and Waste Local Plan.

13. No development shall commence until a scheme and programme for the construction of the access road across the Chapel Brook valley has been submitted to and approved in writing by the County Planning Authority, and until the access road has been constructed in accordance with the approved scheme and programme. The scheme and programme shall include details of the following:

- a) Details for the stripping of soils from the Chapel Brook valley Biological Heritage site including measures to be undertaken for the translocation of any plant species identified as part of the Phase 2 habitat surveys included within the Environmental Statement.
- b) Details for the culverting of the Chapel Brook including design of the culverts and access road crossing the Chapel Brook.

Reason: In the interests of ecology and protection of water resources and to conform with Policies 21 and 22 of the Joint Lancashire Structure Plan and Policies of the Lancashire Minerals and Waste Local Plan.

Soils and Overburden

14. No movement of topsoil or subsoil shall occur during the period from 1 October to 30 April (inclusive) without the prior written approval of the County Planning Authority. At other times the stripping, movement and respreading of top and subsoils shall be restricted to occasions when the soil is dry and friable and the ground is sufficiently dry to allow the passage of heavy vehicles, plant and machinery over it without damage to the soils.

Reason: To ensure the proper removal and storage of soils to ensure satisfactory restoration and to conform with Policy 26 of the Joint Lancashire Structure Plan and Policies 2, 9, 13, 106, 108, 109 and 112 of the Lancashire Minerals and Waste Local Plan.

15. No development shall commence until a scheme and programme for the stripping of the Grade 2 and 3a soils, their storage and their use in the restoration of the site has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall include the following:

- a) Details for the stripping of topsoils and subsoils and their storage in separate mounds on the perimeter of the site.

- b) Details for the marking of these soil mounds to ensure that they are retained for the restoration of the site and not mixed with lower quality materials or removed from the site.
- c) Details for the replacement of the soils in the areas to be restored to agriculture including depths of restoration, ripping and other measures to relieve compaction and promote drainage.

Reason: To ensure the proper removal and storage of soils to ensure satisfactory restoration and to conform with Policy 26 of the Joint Lancashire Structure Plan and Policies 2, 9, 13, 106, 108, 109 and 112 of the Lancashire Minerals and Waste Local Plan.

16. All available topsoil and subsoil shall be stripped from each part of the site before that part is excavated or is traversed by heavy vehicles, plant or machinery, or roads, buildings, plant yards or stores are constructed on it. All stripped topsoil and subsoil shall be stored in separate mounds within the site for use in the restoration of the site.

Reason: To ensure the proper removal and storage of soils to ensure satisfactory restoration and to conform with Policy 26 of the Joint Lancashire Structure Plan and Policies 2, 9, 13, 106, 108, 109 and 112 of the Lancashire Minerals and Waste Local Plan.

17. No topsoil mound shall exceed a height of 3.5 metres and no subsoil mound shall exceed a height of 5 metres. All such mounds shall be graded within one month of their construction and shall thereafter be seeded and kept weed free to produce a full grass sward over the full extent of the mounds throughout the development.

Reason: In the interests of the visual amenity of the area and to conform with Policy 20 of the Joint Lancashire Structure Plan and Policy 7 of the Lancashire Minerals and Waste Local Plan.

Hours of Working

18. No site development, mining operations, or restoration shall take place except between the hours of:

0730 to 1800 hours, Mondays to Fridays except Public Holidays
0800 to 1230 hours on Saturdays

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

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy 26 and 28 of the Joint Lancashire Structure Plan, Policies 2, and 112 of the Lancashire

Minerals and Waste Local Plan and Policy EP20 of the Chorley Borough Local Plan.

19. Notwithstanding Condition 18, no topsoil or subsoil stripping and or restoration operations including screening mound formation or removal shall take place except between the hours of:

0800 to 1700 hours, Mondays to Fridays except Public Holidays
0900 to 1230 hours Saturdays

No such operations 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 26 and 28 of the Joint Lancashire Structure Plan, Policies 2 and 112 of the Lancashire Minerals and Waste Local Plan and Policy EP20 of the Chorley Borough Local Plan.

Highway Matters

20. The sole access to and egress from the site shall be from the A581 Dawbers Lane as shown on drawing no. R54/110.

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 37 of the Lancashire Minerals and Waste Local Plan and Policy TR4 of the Chorley Borough Local Plan.

21. No development shall take place until visibility splays measuring 4.5 metres by 160 metres on either side of the junction of the site access road and the A581 Dawbers Lane have been provided. On completion of the works, the visibility splay shall be maintained free from all obstructions above a height of one metre measured above carriageway level for the operational life of the site.

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 37 of the Lancashire Minerals and Waste Local Plan and Policy TR4 of the Chorley Borough Local Plan.

22. No development shall commence until details for the location and design of wheel cleaning facilities have been submitted to and approved in writing by the County Planning Authority. Thereafter, the approved facilities shall be installed prior to the development of the plant area and thereafter maintained in working order and be used by all HGVs leaving the site throughout the development.

Reason: In the interest of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policies 27 and 28 of the Joint Lancashire Structure Plan,

Policies 2, 13, 14, 37 and 112 of the Lancashire Minerals and Waste Local Plan and Policies DC1 and TR4 of the Chorley Borough Local Plan.

23. Any internal haul road or private way between the wheel cleaning facilities and the A581 Dawbers Lane shall be metalled and drained and kept clear of debris along its entire length throughout the development.

Reason: In the interest of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policies 26 and 28 of the Joint Lancashire Structure Plan, Policies 2, 37 and 112 of the Lancashire Minerals and Waste Local Plan and Policy TR4 of the Chorley Borough Local Plan.

24. No more than 55 heavy goods vehicles, as defined in this permission, shall leave the site in any one day during Mondays to Fridays inclusive. No more than 28 heavy goods vehicles shall leave the site on Saturdays.

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 Policies 26 and 28 of the Joint Lancashire Structure Plan, Policies 2, 37 and 112 of the Lancashire Minerals and Waste Local Plan and Policy TR4 of the Chorley Borough Local Plan.

25. A written record shall be maintained at the site office of all movements out of the site by heavy goods vehicles. Such records shall contain the vehicles' weight and the time and date of the movement and shall be made available for inspection by the County Planning Authority or his representative on request at any time. The records shall be retained at the site for a period of twelve months.

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 Policies 26 and 28 of the Joint Lancashire Structure Plan, Policies 2, 37 and 112 of the Lancashire Minerals and Waste Local Plan and Policy TR4 of the Chorley Borough Local Plan.

26. All vehicles transporting minerals from the site shall be securely sheeted.

Reason: In the interest of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policies 26 and 28 of the Joint Lancashire Structure Plan, Policies 2, 37 and 112 of the Lancashire Minerals and Waste Local Plan and Policies TR4 and EP21 of the Chorley Borough Local Plan.

27. No development shall take place in Phase 4, as shown on drawing no. R54/53b, until details for the crossing of Runshaw Lane have been submitted to and approved in writing by the County Planning Authority. The details shall include:

- a) Details for the design and construction of the conveyor tunnel including details for the reinstatement of the road carriageway and traffic management measures along Runshaw Lane during the period of construction.
- b) Details of the lengths of hedgerow to be removed to allow the construction of the conveyor tunnel and details for its replacement including sizes, numbers and types of species, planting methods, and protection measures and timing of planting to ensure that the approved planting works are undertaken in the first planting season following construction of the tunnel.
- c) Details for the formation of a surface crossing for plant including location of crossing and details of traffic management on Runshaw Lane during the periods of use of the crossing.

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 Policies 26 and 28 of the Joint Lancashire Structure Plan, Policies 2, 37 and 112 of the Lancashire Minerals and Waste Local Plan and Policies TR4 and EP21 of the Chorley Borough Local Plan.

Noise and Dust

28. Noise emitted from the site shall not exceed 55dBLAeq (1 hour) (free field), as defined in this permission, when measured at Oak Tree Lodge, Rothwell's Farm, Nixon Hillock or Primrose Hill 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 conform with Policies 26 and 28 of the Joint Lancashire Structure Plan, Policies 2 and 112 of the Lancashire Minerals and Waste Local Plan and Policies EP20 and EP21 of the Chorley Borough Local Plan.

29. The noise limits set out in condition 28 above shall not apply during the stripping of soils and overburden on the site, the construction of storage mounds for these materials and their respreading during restoration of the site. Noise from any of these activities shall not exceed 70db(a)LAeq (1 hour) (free field) as defined in this permission as measured from any of the properties identified in condition at a point closest to the noise source. This condition shall not apply for more than 45 days in any one calendar year unless otherwise agreed in writing by the County Planning Authority. A written record shall be made of the dates when these activities are occurring and shall be made available to the Director of Planning on request.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policies 26 and 28 of the Joint Lancashire Structure Plan, Policies 2 and 112 of the Lancashire Minerals and Waste Local Plan and Policies EP20 and EP21 of the Chorley Borough Local Plan.

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

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policies 26 and 28 of the Joint Lancashire Structure Plan, Policies 2 and 112 of the Lancashire Minerals and Waste Local Plan and Policies EP20 and EP21 of the Chorley Borough Local Plan.

31. No mining operations shall take place until a scheme and programme describing the types of reversing alarms to be fitted to mobile plant on the site has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall provide for the fitting of low noise or non-audible reversing systems and shall include details of alternative measures that will be adopted should these warning systems fail to operate or be unsuitable. Following the written approval by the County Planning Authority the measures contained within the approved scheme shall thereafter be utilised at all times during the development.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policies 26 and 28 of the Joint Lancashire Structure Plan, Policies 2 and 112 of the Lancashire Minerals and Waste Local Plan and Policy EP21 of the Chorley Borough Local Plan.

32. Measures shall be taken to ensure that no dust or wind blown 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.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policies 26 and 28 of the Joint Lancashire Structure Plan, Policies 2 and 112 of the Lancashire Minerals and Waste Local Plan and Policy EP21 of the Chorley Borough Local Plan.

33. No development shall take place until a scheme and programme for the monitoring of noise and dust has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall include details of the following:

- a) Details for the monitoring of noise at the boundaries of the properties listed in Condition 28 above including frequencies and duration of monitoring and information to be recorded.

- b) Details for the monitoring of dust including location of monitoring equipment, the frequencies and duration of monitoring and information to be recorded. The dust monitoring proposals shall include provision for the monitoring of pm10 particulates and shall include provision for the background monitoring of all dust particles for a period of 6 months before the commencement of any soil stripping on the site.
- c) Details of a trigger level for dust and pM10 levels and a dust action plan to be implemented should the levels be exceeded.
- d) Details of the equipment to be used for the monitoring of noise and dust.
- e) Details for the reporting of results to the County Planning Authority including form and frequency of reporting including details of the weather conditions and site activities being undertaken within the monitoring periods.

Following the written approval by the County Planning Authority the scheme and programme shall be implemented in its entirety on commencement of the development and the measures contained within the approved scheme shall thereafter be implemented at all times during the development.

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

Water Resources

34. 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 Policies 22, 26 and 28 of the Joint Lancashire Structure Plan, Policies 2, 23 and 112 of the Lancashire Minerals and Waste Local Plan and Policy EP17 of the Chorley Borough Local Plan.

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

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policies 22, 26 and 28 of the Joint Lancashire Structure Plan, Policies 2, 23 and 112 of the Lancashire Minerals and Waste Local Plan Policy EP17 of the Chorley Borough Local Plan.

36. 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's or containers' total volume and shall

enclose within their curtilage all fill and draw pipes, vents, gauges and sight glasses. There must be no drain through the bund floor or walls. Double skinned tanks may be used as an alternative only when the design and construction has been first approved in writing by the County Planning Authority.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policies 22, 26 and 28 of the Joint Lancashire Structure Plan, Policies 2, 23 and 112 of the Lancashire Minerals and Waste Local Plan and Policy EP17 of the Chorley Borough Local Plan.

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

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policies 22, 26 and 28 of the Joint Lancashire Structure Plan, Policies 2, 23 and 112 of the Lancashire Minerals and Waste Local Plan and Policy EP17 of the Chorley Borough Local Plan.

38. No development shall take place until a scheme and programme for the monitoring of groundwater during the development period has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall provide for the following:

- a) Details for the construction of boreholes around the boundary of the site to allow for the monitoring of ground water levels. The details shall include information on the location of boreholes to be drilled and method of construction including depth and strata to be monitored.
- b) Details for the monitoring of water levels within the boreholes and within the quarry excavation including frequency of monitoring information to be collected and submission of results to the County Planning Authority.

The monitoring required by this condition shall commence not later than six months before the commencement of any mineral extraction at the site.

Archaeology

39. No development shall commence until a scheme and programme including a timetable, of archaeological investigation, researching and mitigation has been submitted to and approved in writing by the County Planning Authority.

Reason: In the interests of archaeology and to conform with Policy 21 of the Joint Lancashire Structure Plan and Policy 28 of the Lancashire Minerals and Waste Local Plan.

Ecology

40. No trees shall be felled until a bat survey to identify the presence of bats within any trees that are proposed to be removed as part of the development has been submitted to and approved in writing by the County Planning Authority. In the event that the presence of bats is identified, no development shall commence until the details of the measures to be taken to protect bats during the felling of trees and details of the replacement of bat roosts elsewhere within the site have been submitted to and approved in writing by the County Planning Authority.

Reason: To ensure the protection of bats and to accord with Policy 21 of the Joint Lancashire Structure Plan.

Landscaping

41. Any trees along the site boundary or those that are shown on the plan approved under the requirements of Condition 42 below that are damaged, become diseased or which die at any time during the development and restoration 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.

Reason: In the interests of visual and local amenity and the local environment, and to conform with Policies 1, 20 and 21 of the Joint Lancashire Structure Plan and Policy DC7 of the Preston Local Plan

42. No development shall commence until a plan showing the location of the trees and hedgerows that are to be retained throughout the development has been submitted to and approved in writing by the County Planning Authority.

Reason: In the interests of visual and local amenity and the local environment and to conform with Policies 20 and 26 of the Joint Lancashire Structure Plan and Policies 2, 13, 106, 107, 108 and 112 of the Lancashire Minerals and Waste Local Plan.

Restoration

43. No mining operations shall take place until a scheme and programme for the final restoration of the site has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall be based upon drawing no. R54/59b and shall include details of the following:

- a) Details for the contours of the restored land.
- b) Details for the replacement of topsoils and subsoils and their treatment to a level suitable for the proposed afteruse.

- c) Details for the seeding of restored areas including the seed mixes to be used on different areas of the site and rates of application.
- d) Details for the planting of woodland and hedgerows including location of planting, species, sizes and spacings of plants, planting methods and protection measures.
- e) Details for the creation of water features including the lakes to the north of Runshaw Lane and the stream valley to the south of Runshaw Lane including design of lake margins and stream valley.
- f) Details for the measures to be used to control the level of water in the lakes to the north of Runshaw Lane and methods for controlling outflow.
- g) The habitat creation measures to be undertaken on the margins of the lakes and along the stream valley including planting of marginal vegetation and landscaping measures and creation of new field ponds.
- h) Details for the restoration of the processing plant and stockpile area including the removal of all internal haul roads and hard-standing areas and regrading of the land to the contours shown in a) above.
- i) The restoration of the site access road including removal of the Chapel Brook crossing and reinstatement of the stream banks, breaking out of the access road and junction with Dawbers Lane and restoration of the land occupied by bunds 1, 2, 3 and 4.
- j) The measures to be undertaken to the reinstatement of the Public Right of Way including gates and styles.

The approved scheme and programme shall be carried out in its entirety.

Reason: To ensure satisfactory restoration of the site and to conform with Policies 26 and 28 of the Joint Lancashire Structure Plan and Policies 2, 13, 14, 106, 107 109 and 112 of the Lancashire Minerals and Waste Local Plan.

Aftercare and Monitoring

44. Within 3 months of the certification in writing by the County Planning Authority of the completion of restoration in Phase 1b, a scheme and programme of aftercare to promote the agricultural after-use of the site shall be submitted to the County Planning Authority for approval in writing.

The scheme and programme shall include details of:

- a) The management of the agricultural land including details of seeding, grazing, cultivation, operations to improve fertility and cropping.
- b) Details of any further works required to relieve compaction or regarding to alleviate surface ponding.

- c) Details of any measures required to control noxious or invasive weeds.
- d) Details for the maintenance of the tree and shrub planting including weed control, replacement of failures, thinning, and general maintenance.
- e) An annual inspection, to be undertaken in conjunction with representatives of the County Planning Authority, to assess the aftercare works that shall take place in the following year.

The approved aftercare works shall be carried out for a period of five years on each phase following the certification in writing that the works of restoration in that phase are complete.

Reason: To enable the Local Planning Authority to monitor the site and to ensure compliance with the planning permission and to conform with Policies 2, 6, 20, 22, 26 and 28 of the Joint Lancashire Structure Plan, Policies 2, 3, 14, 82, 107, 109 and 112 of the Lancashire Minerals and Waste Local Plan and Policy DC1 of the Chorley Borough Local Plan.

45. A monitoring report shall be submitted to the Mineral Planning Authority annually by 31 December until the end of the aftercare period.

The report shall include:

- a) Any operations carried out on the land during the previous 12 months in respect of mineral extraction.
- b) A topographical survey of the site undertaken within 2 months preceding the date of the report of this permission consisting of a plan drawn to a scale not less than 1:1250 identifying all surface features within the site and a 10 metre grid survey identifying levels related to ordnance datum over all the land where mineral extraction has been undertaken.
- c) Measures taken to implement the landscaping, progressive restoration and habitat creation.
- d) Measures taken to implement the aftercare provisions.
- e) Intended operations for the next 12 months.

Reason: To ensure that the site is returned to a beneficial after-use and to conform with Policies 26 and 28 of the Joint Lancashire Structure Plan and Policies 2, 13, 14, 106, 107 109 and 112 of the Lancashire Minerals and Waste Local Plan.

Definitions

For the purposes of this permission the following expressions shall mean:

Date of Commencement: The date that the applicant confirms the commencement of the development in accordance with Condition 3 to this permission.

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

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 30 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 have been completed satisfactorily.

Notes

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

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Directorate/Ext
Development information Folder 9/05/319	23 rd March 2005	Jonathan Haine Environment 534130

Reason for inclusion in Part II, if appropriate

N/A