



INGLENORTH LIMITED
ROUND O QUARRY, COBBS BROW LANE, NEWBURGH

SECTION 73 APPLICATION FOR

VARIATION OF CONDITION 6 OF PLANNING PERMISSION 08/10/0241 TO ALLOW APPROVAL OF AMENDED RESTORATION CONTOURS AND THE SUBMISSION OF THE RESTORATION SCHEME TO COMPLY WITH CONDITION 29 AND DETAILS TO DISCHARGE CONDITIOND 29 AND 31 OF PLANNING PERMISSION 08/10/0241

PLANNING STATEMENT

APPENDIX 4

MARCH 2022

1. Introduction

- 1.1 Inglenorth Limited of Unit 81, Bradley Hall Trading Estate, Standish, Wigan, WN5 0XQ has commissioned Oakbay Design Limited (Landscape Architects and Environmental Management Consultants) to prepare and submit this planning application.
- 1.2 The site is owned by Inglenorth Limited
- 1.3 The planning application is made under Section 73 of the Town and Country Act 1990 (as amended) to vary conditions to existing permission 08/10/0241. as shown on Drawing No Z121.001 Rev 1.

Planning Permission 08/10/0241 to say

Condition 6 Delete condition 6 and replace with – The final levels of the site including any restoration soils shall not exceed those levels shown on Drawing No Z121.001 Rev 1 Amended Restoration Proposals containing Finished Restoration Contours.

- 1.4 The purpose of this application is to establish a final restoration scheme that allows the operator to complete the restoration works on site in accordance with the Drawing No Z121.001.Rev1 by 31stMarch 2023.
- 1.5 To comply with the existing planning permission a submission is made with this application to discharge conditions 29 and 31 relating to restoration of the land and a five year aftercare scheme to promote the agricultural and amenity after use of the site.

2. Site History

- 2.1 Round O Quarry has a long established use of mineral extraction. A small quarry was present in the south-eastern part of the site in the mid 1800's as shown on the earliest available map, although labelled as 'disused' on the 1908 and 1928 edition maps. The quarrying had expanded slightly by the 1950's, covering the current site by the 1980's and 90's.

- 2.2 The maps show that prior to quarrying the site was divided into three sections by two east-west trending strips of trees referred to as North Lines and South Lines. These treelines are not shown on any maps from 1928.
- 2.3 A slightly larger area of woodland appears to be present around the disused quarry in the south-eastern part of the site.
- 2.4 Some trees are also shown on either side of Green Lane to the south of the site, but no trees or shrubs are shown along the northern, western and eastern boundaries of the site.
- 2.5 Comparison of the 1955 and 2001 edition maps shows that many of the field boundaries around neighbouring farms have been removed opening up the farmland. This is particularly the case at Prescott's Farm to the south-east, Tears Farm to the north-west and Lowes Farm to the west and to a slightly lesser extent at Newburgh Grange and Woodcock Hall to the north.
- 2.6 Conditions attached to the planning permissions referenced 8/5/3656, 8/76/642 8/81/154 and 08/0973 set the scene for the extraction of minerals and thereafter for the full restoration of the site. Significantly the quarrying permissions required a screening bund to be constructed around the boundaries of the site utilising existing soils which was subsequently planted with native trees and shrubs to further improve the screening of on-site operations and reduce the overall visual impact of the operations. Much of the peripheral landscaping has now grown to maturity.
- 2.7 Mineral extraction operations had ceased prior to the last related Planning Permission 08/10/0241 granted on the 12th June 2012, which required for the landfilling to be complete before the 31st March 2020. This was complied with and most of the site has been restored with natural regeneration of vegetation from local seed to provide a large meadow/grassed area with wild flowers present.
- 2.8 The recycling facility which served the quarry under permission Reference 08/09/1141 and the local haul roads were removed in 2020 and the ground regraded awaiting final restoration.

3. Location

- 3.1 The Round O Quarry development occupies an area of approximately 20 hectares and is located off Cobbs Brow Lane approximately 1 km south of the village of Newburgh and 2.75 km north of Skelmesdale town centre.
- 3.2 The quarry is situated within the West Lancashire Green Belt and largely surrounded by open/agricultural land. It is bounded on the eastern side by Cobbs Brow Lane, to the north and west by open farmland and the south by Green Lane, an unsurfaced track with open fields beyond.
- 3.3 The nearest property is approximately 180m to the south of the site boundary Maharishi School of Enlightenment (Secondary School), whilst Prescotts Farm lies 250 to the south east. Two other properties, Lowes Farm and Mug House are located 200 and 280m respectively to the north west of the site. At the closest point The River Tawd and associated woodland is 370m from the south west of the site.
- 3.4 The main access into the quarry is immediately off Cobbs Brow Lane some 150m north of the junction with Beacon Lane and 400m north of its junction with Cobbs Clough Road.

4 Planning Policy

- 4.1 National Planning Policy Framework (NPF) Planning Policy Guidance to accompany the National Policy Framework Policy NPPF1 - Presumption in Favour of Sustainable Development. This is relevant with regard to achieving the definition of sustainable development and the operation of the planning system, protecting Green Belt and conserving and enhancing the natural environment and facilitation of the sustainable use of materials

Joint Lancashire Minerals and Waste Local Plan – Site Allocations and Development Management Policies – Part One (JLMWLP).

Policy DM2	Development Management
Policy DM3	Planning Obligations
Policy WM1	Capacity of Waste Management Facilities

West Lancashire Replacement Local Plan

Policy GN3 (4) Landscaping and the Natural Environment

Policy EN1 Biodiversity

Policy EN2 Preserving Natural Environments.

Policy EN9 Protecting Trees and Woodlands

5. Planning Permission 08/10/0241

5.1 The quarry has been restored through the importation of inert materials to achieve final levels which tie into existing surrounding land. The periphery mounding as shown clearly on the 2009 survey (Drawing No MA2756/002/QUARRY) was provided in the 1970's to screen the original quarry activities. As with most quarry sites, the operator removed topsoil and subsoil to create screening mounds around the site at the start of the works with the intension that the material be used at the end of the project to reinstate the final surface. These were then planted to further improve the screening of on-site operations and left to reduce the overall visual impact of the operations and also provide some noise and dust attenuation. In the 40-50 years that have passed since the soil mounds were constructed, the planting has become well established areas of woodland and blocks of planting along the boundaries of the site with hundreds of large mature trees. This now produces the main ecological value to the site and provide good habitats for wildlife and birds.

5.2 Submitted with the application was Drawing No ROQ-ES-004 dated November 2000 which identifies the extent of the existing planting however also provides contours which cut across the the screening bunds and through the woodland which effectively wipes out the majority of the woodland and tree planted periphery screening bunds. Now that the woodland and trees have matured it should be viewed as being against policy to remove the trees and shrubs and would significantly harm the development. To retain the screening bunds, the woodland areas and periphery tree planting requires an amendment to the scheme that is seen as desirable.

5.3 The scheme put forward for retrospective approval accepts that the woodland and periphery screening bunds, mature planting and woodland are retained.

The new landform created is simple and blends from the woodland to the east with gentle slopes of 1 in 60 and towards the south at grades of 1 in 40 and then ties into the steeper slopes to the north. The landform then slopes a little steeper as it falls to the western boundary to tie in with the existing bund.

- 5.4 The landform reflects that which formed the original brow that contained the mineral deposit. Whilst Round O Quarry itself occupies a relatively elevated position in the countryside, views into the site from Cobbs Brow Lane or more distant roads as well as nearby residential properties are extremely limited due to the existing peripheral screening bunds and planting. The landform and mature planting has now been assimilated into the character of the landscape. To mitigate, small gaps to the south and west will be filled with either thicket or screen planting to complete the full screening as part of the extensive planting scheme proposed. Existing drainage ditches are present in the south east of the site and also along the northern and western boundaries that feed into existing outfall ditches in the north west corner of the site and through the copse beyond the western side of the site.
- 5.5 The retention of the screening mounds effectively locks in the topsoil and subsoil within the mounds and alternative approaches are necessary to implement a worthwhile agricultural after use and ecologically beneficial approach is proposed.

6. Restoration Proposals.

- 6.1 Restoration proposals are presented on Drawing No Z121.001 Rev 1 with Sections shown on Z121.002 Rev1 and Detailed Drawing Z121.003 showing the proposed pond and wet grassland in the south east of the site. Also attached are two reports that look to satisfy outstanding matters relating to the Restoration of the site and a 5 year Aftercare Plan required to satisfy Conditions 29 and 31 of permission reference 08/10/0241.

Retained Existing Fine Grassland and Wildflower Meadow

- 6.2 Oakbay Design have been assured that the site operator took reasonable steps to ensure appropriate soily materials for the final surface of the inert waste but

inevitably this is restricted to available wastes at the time because the material used in the screening mounds was no longer available for this purpose.

- 6.3 The majority of the open grassland area was graded to form gentle gradients and was allowed to grass over naturally from local seed within the restoration soils.
- 6.4 The vegetation supports a wide range of butterflies and insects and provides ideal ground nesting habitat for birds and a food store for feeding birds and potentially bats. The natural grassland and wildflower meadow has established well on generally poor soils which are ideal for creating a variety of ecologically sound habitats. It is evident that there is some re-bar and plastic on the surface of the site and this should be removed. Also blocks of stone or concrete should also be removed in order that the site can be maintained without damage to agricultural equipment. The future management of the site will be minimal and shall consist of either controlled grazing in the late summer or by cutting the grasses in August each year and allowing the seed to fall before carefully raking up and removing the cuttings. Parts of the site are already regenerating with areas of gorse developing in beds as shown on the proposals plan. Invasive weed species will be physically removed or eradicated by the use of an approved herbicide treatment. A large area of dock has developed to the western part of the site as shown on the proposals plan and will be treated with appropriate herbicide.
- 6.5 A management regime will be agreed on an annual basis during the 5 year aftercare period.

Wetland, Pond and Species Rich Grassland

- 6.6 The buildings, roadways and hard surfaces which were located adjacent to the site entrance, have been removed and the land graded to form an even grade to the edges of the site. To increase biodiversity it is proposed to create a clay lined pond with associated marginal planting, small scapes, wetland and species rich grassland that will complement the value of the meadow. See Drawing Number Z121.003

Site Entrance

- 6.7 The site entrance has been down graded to an agricultural access with gates and timber fencing. Access will be tidied up and debris removed and a short stoned access will be provided. The old tanker will be removed and the ground made good and the large blocks of stone shall be removed and placed near to the new pond as a feature.

Peripheral Planting

- 6.8 Substantial planting is proposed to infill gaps along the southern boundary with a wide band of thicket planting and gaps on the western boundary by a wide band of screen and hedge planting. This will ensure visual enclosure to the site and provide shelter and feeding for birds and insects.
- 6.9 Additional planting will be provided to create an edge of shrub and thicket to the existing woodland and trees to the east, south east and west of the site to create new habitats and increase biodiversity of the planted areas for wildlife and provide a wide range of pollinator species for insects, butterflies and birds.

Woodland on the Eastern Part of the site.

- 6.10 The woodland trees and shrubs to the east of the site will be retained with minimal maintenance. The inner slopes to the woodland will be planted up with shrub/pollinator species to form a mixed variety of edge planting to the existing woodland.

Drainage

- 6.11 The slopes to the existing landform are generally gentle to the edges of the site. Since the site works were completed the site has revegetated with a mix of grasses and wildflowers site covering most of the finished surface. This vegetation has significantly reduced run off from the site following rainfall. There are minor undulations within the final grade of the landform which creates small wetland areas on the near surface that retains water and provides ecological benefit. At the perimeter, particularly on the northern, southern and western sides of the of the site, there are relatively steep slopes to the outside of the peripheral screening bunds, but these are densely vegetated with a mix of trees and shrubs. With further mitigation measures proposed to increase planting around the site and filling in of gaps in the existing planting this will reduce surface water run-off at the boundaries and further secure the steep bankings.

- 6.12 The site is surrounded by ditches on the north, west and southern boundaries and these have been inspected.
- 6.13 The boundary to the northern part of the site consists of a very low wall and a dip in the ground forming a swale type feature before rising steeply into the site. The edge of the site is well vegetated and the ground and swale are dry with no sign of water scarring. This feature runs westward to the north-west corner of the site and then joins up with a ditch that continues westward beyond the site.
- 6.14 Periphery ditch drainage has been provided along the western boundary.
- 6.15 Firstly there is an existing ditch approximately 150 metres long within the site, at the toe of the existing slope to the site which flows northwards to the north west corner of the site where it joins up with the swale feature before turning westwards. The ditch is overgrown and is in need of maintenance but was dry on inspection.
- 6.16 Secondly, a ditch has been dug within the adjacent farmers field which flows in a southerly direction towards the copse. This drain is in perfect condition and was dry on inspection.
- 6.17 Thirdly, there is an existing ditch which runs along the western boundary at the toe of the existing perimeter slope from the south-west corner of the site back towards the copse. The drain is overgrown and requires maintenance but was dry on inspection. This drain then flows through the copse and into a culvert towards the main river.

Green Lane Drainage

- 6.18 A drain runs from the site entrance along Cobbs Brow Lane turning down Green Lane for a distance of approximately 100m and then into a 300mm plastic pipe which connects to the drain/ditch on the south side of Green Lane. The existing ditch had a good flow westwards before heading south wards at the south west corner of the Round O site. This then flows to the main river.
- 6.19 With maintenance to the existing drains, the drainage for the site is appropriate.

6.20 Condition 29 See Restoration Statement

- a) *The removal of all plant, machinery buildings, structures, erections and their foundations including the removal of internal haul roads and hard standings.*
 - All complete
- b) *The reduction of the access to the agricultural access*
 - All complete
- c) *Surface water drainage information demonstrating that the site will be free draining, identifying appropriate discharge points*
 - See Drainage above. Existing drainage.
- d) *The replacement of soils or soil forming materials including the details of the materials to be used depths of replacement and their treatment*
 - See Restoration Statement 1.2.10-14
- e) *The ripping and cultivation of the soil materialsto remove impediments to the afteruse of the land and to produce a surface for seeding.*
 - See Restoration statement 1.2.10, 1.4, and 1.6.
- f) *The layout of the restored site including details of any field boundaries to be provided.*
 - See Drawing Z121.001 Rev1 and Z121.003
- g) *Details of planting and seeding works including location and layout of planting numbers, types and sizes of species, planting techniques and protection measures including methods to be employed to promote normal plant growth, seed mixes to be used and rates of application.*
 - See Drawing Z121.001 and Restoration Statement and Planting Schedule
- h) *Monitoring of settlement and remedial measures to be adopted.*
 - This is a requirement of the environmental permit for the landfill and will be carried out to the satisfaction of the Environment Agency
- i) *The nature of the intended after use(s) of the site*
 - Agricultural/Amenity/Ecological
- j) *A timescale for the phased implementation of the restoration proposals to encure that the approved restoration works in each of the phases identified in the schemeand programme approved under the requirements of*

condition 3 are completed within one year of the completion of tipping in that phase.

- All Approved Restoration Works to be completed by the 31st-March 2023

6.21 Condition 31

a) Maintenance of the restored site to promote its agricultural and amenity value

- Aftercare Scheme Section 5

b) Scrub and weed control where necessary

- Aftercare Scheme Section 5

c) Maintenance of tree planting which shall include, where necessary watering, replacement of dead, dying or diseased trees, weed control and thinning

- Aftercare Scheme Section 5

d) Details of the drainage installation including measures for the control of surface water run off

- Aftercare Scheme Section 5 to existing drainage.

e) An annual inspection to be undertaken in conjunction with representatives of County Planning Authority., to assess the aftercare works that shall take place in the following year.

- See Restoration Statement 2.2.1 Annual meetings and Aftercare Statement 5.11.1

7. Summary

7.1 The purpose of this application is to agree a suitable and appropriate final restoration scheme that allows the operator to complete the restoration works on site in accordance with the Drawing No Z121.001.Rev1 and Z121.003 by 31st March 2023 without destroying the mature planting that was put in place to screen site activities and associates habitats.

7.2 The application seeks retrospective approval for the existing landform now completed and extends the time required to complete the restoration of the whole site.to 31st March 2023.

7.3 It is considered that the restoration will be positive and there will be no damage to the character, visual impact or loss of amenity.

- 7.4 The proposal is considered to be in line with national and local development plan proposals and guidelines and is appropriate within the Green Belt setting with an afteruse of agriculture and amenity. Indeed the proposed ecologically sound approach to the restoration is one which should be supported.
- 7.5 In addition, a submission is made with this application to discharge conditions 29 and 31 from Planning Permission 08/10/0241 relating to restoration of the land and a five year aftercare scheme to promote the agricultural and amenity after use of the site.
- 7.6 It is proposed that large areas of meadow and wildflowers will be managed along with areas of species rich grassland and wetland grassland with a pond and scrapes and pools will greatly enhance the bio-diversity approach.
- 7.7 Extensive planting of trees, thicket and shrubs around the periphery of the site will enhance the existing mature vegetation and shrub/pollinator species have been added to form a mixed variety of edge to the woodlands.
- 7.8 The 5 year comprehensive aftercare programme ensures that the site will be managed and maintained to ensure a wide range of habitats are created.
- 7.9 The proposals and timescales are considered appropriate and therefore we feel that permission should be granted

10 March 2022

Oakbay Design Limited