VARIATION OF CONDITIONS 14, 15, 16, 17, 18, 19 OF PLANNING PERMISSION
REF 10/00078/WAS

BOUGHTON QUARRY, BRAMPTON LANE, NORTHAMPTON

PETER BENNIE LIMITED

February 2012
Version 3
Final
INTRODUCTION

Boughton Quarry has been operating under planning permission 10/00078/WAS since it was granted in February 2011.

This planning statements accompanies an application to vary conditions 14, 15, 16, 17, 18 and 19, the details of which are set out below.

This application has become necessary, due to the change in planning policy for the site. Boughton Quarry has been identified as a waste management site in the Northamptonshire Minerals and Waste Development Framework (MWDF) Locations for Waste Development DPD (adopted March 2011). This sets out the specific locations where waste management uses would be acceptable in principle. To accommodate waste uses, the landfill activities will need to be limited to the perimeter of the old quarry, leaving an area of the old quarry floor and an area of partially filled quarry at a low level.

The area contained within the landfill is being used for recycling of inert waste to produce recycled aggregates and the recycling of cement kiln waste to produce K-Lime.

In a separate planning application submitted to Northamptonshire County Council at the same time, part of the floor of the quarry is proposed to be used by a concrete batching plant and bagging plant, both of which are ancillary to the main waste recycling uses. The former will utilise recycled aggregate as a component of the concrete product and the bagging plant will bag recycled products for sale off-site, in bulk loads, to the building industry.

As a consequence of the change in policy, there are a number of conditions of the planning permission that are no longer relevant and need to be removed or reworded and the revised site contours require a revised landscaping scheme. The opportunity is being taken to provide a woodland restoration rather than an agricultural restoration scheme, as explained below.

Each condition to be removed or varied is set out in full below and the reasons for the change follow each condition.

The planning application comprises the following documents:

- Planning Statement
- Drawing GPP-PB-BQ-11-11 Site Location Plan
- Drawing GPP-PB-BQ-11-12 Site Plan
- Drawing GPP-PB-BQ-11-13 Site Layout Plan
- Drawing GPP-PB-BQ-11-14 Proposed Restoration Contours
- Revised Restoration Plan – Nov 2011 (Katie Burfitt)

Consultation

A meeting was held on site with two County Council Planning Officers, the County Council’s Senior Environmental Planner and a District Council Planning Officer. The main discussion related to the proposed restoration plan.

From this meeting the Senior Environmental Planner made the following suggestions for amendments to the restoration plan:
• Semi mature trees and/or shrubs are planted at the site. Consideration could also be given to planting some sections of ‘instant hedge’ on the site access road. The amount of grassland around the site entrance should therefore be reduced to increase screening where possible.

• Increasing the width of other “rough” grassland areas in order that in the long term the “rough grassland” is more distinct in the landscape particularly when viewed from the west including the Harlestone & Brampton Heaths.

• Remove the proposed stock fencing.

• Create a wetland feature or pond would be likely to provide more enhancement for biodiversity than the soakaway proposed in the southwestern corner of the site.

• The eastern part of northern boundary is appropriately pruned and gapped up with more local provenance native hedge planting and that a second hedgeline is planted on the central part of the northern boundary to enhance screening and the boundary habitats.

• The existing woodlands should be assessed and appropriate management, thinning or works to veteran trees proposed.

• The full details of ground preparation, the species, spacings/densities, grassland mixes, tree protection, mulching, mowing, maintenance and management of hedgerows and existing woodland would need to be submitted to and approved by the Authority, probably as part of a planning condition.

In response to the above recommendations the following changes have been provided:

• Additional shrub planting around the site entrance and access road and the removal of all privet from entrance and access road.

• Decrease of woodland to the west of the site giving an increase in rough grassland.

• Removal of stock fencing.

• Due to the limiting underlying geological formations the site requires a soakaway rather than a permanent pond/wetland feature in order that the calculated volume of storm water can be dispersed effectively. The drainage constraints of the geology have occurred due to the inert landfilling of the site which limits the transport of water into the underlying bedrock.

The detailed restoration plan, which will be submitted following the grant of planning permission, will specify:

• Full details of hedgerow management in order to retain a well established dense hedge along the northern boundary.

• Appropriate management prescriptions for the maintenance of all existing mature and immature woodland features.

• Full details of all tree, hedge and shrub planting and seeding works, including ground preparation as required, species and mix, spacing, seed mix, tree protection and aftercare and maintenance schedules.

DETAILS FOR VARIATION OF CONDITIONS

Condition 14: Landscaping

The current condition reads as follows:

Except as may otherwise be agreed in writing by the Waste Planning Authority the revised Landscaping Scheme dated 19th February 1996 prepared by J. A. Lockhart
previously approved on the 8th March 1996 (in connection with permission DA/95/441C and DA/96/251C) shall be carried out within the first available planting season following the completion of the development hereby permitted or the date referred to in Condition 18 of this permission, whichever is the sooner.

Proposed rewording

Except as may otherwise be agreed in writing by the Waste Planning Authority the revised Landscaping Scheme **submitted in connection with this application** dated 19th February 1996 prepared by J. A. Lockhart previously approved on the 8th March 1996 (in connection with permission DA/95/441C and DA/96/251C) shall be carried out within the first available planting season following the completion of the development hereby permitted or the date referred to in Condition 18 of this permission, whichever is the sooner restoration works as shown on Drawing dated November 2011 by Katie Burfitt

A revised Landscape Plan has been prepared by Katie Burfitt, which includes the layout of the proposed woodland and shrub planting to complement the restoration contours, dated November 2011.

The landscaping will be carried out in the first planting season following the final placement of soils on the revised fill contours. In the event that this planning permission is granted, importation of inert waste will cease and soils will be placed to complete the restoration. It is anticipated that this will be completed in 2012, with the landscaping carried out in the 2012/13 planting season.

**Condition 15: Cessation of K-Lime Processing, Recycling Operations and Removal of Buildings, Plant and Machinery**

The current condition reads as follows:

> All K-Lime processing operations, and waste recycling operations, other than the recycling of inert waste, shall cease by 30 November 2013, and the recycling building and associated plant, machinery and foundations shall be removed by this date. All other buildings, moveable structures, hardstandings, works, plant or machinery shall also be removed by 30 November 2013 unless otherwise expressly agreed in writing by the Waste Planning Authority as being required to remain or relocated in association with the final restoration works for the site.

It is proposed that this condition be removed, as it is no longer necessary.

It is acknowledged that during the first few months of the operation of the K-Lime recycling there were complaints received concerning dust and the possible consequence of health impacts on local residents. In response, dust monitoring was undertaken; managed and reported on by Alex Grant AirQ consultancy. The results from this monitoring, together with results from monitoring undertaken by the Environment Agency were compiled into a report by Mr Charles Philipp of the Environment Agency. A copy of this report is included in Appendix 2. The conclusions of this work are

> The dust monitoring company conclusion in their report for the September results that “The very low soiling rates indicate that significant impacts were not caused at properties on the eastern side of the A 508, Harborough Road North.” would appear to be confirmed by the results of the Environment Agency monitoring.
Whilst there may or may not be a dust problem for certain areas of the village the K-Lime processing plant is unlikely to be a significant factor in this.

Condition 16: Restoration

The current condition reads as follows:

Restoration of the site shall comprise: the removal of all machinery, plant, buildings hardstanding and other structures; and the haul road and vehicular access; the regrading and placement of soil to approved levels and contours in accordance with Drawings ASC/95/31 and ASC/95/32 submitted in connection with permission DA/95/441C, and the restoration of the site to a state suitable for agriculture. All such work shall be carried out prior to the end date in condition 18 below.

Proposed rewording

Restoration of the site shall comprise: the removal of all machinery, plant, buildings hardstanding and other structures; and the haul road and vehicular access; the regrading and placement of soil to approved levels and contours in accordance with Drawings ASC/95/31 and ASC/95/32, Drawing GPP/PB/BQ/11/14 and the drawing dated November 2011 by Katie Burfitt submitted in connection with permission DA/95/441C, the application, and the restoration of the site to a state suitable for agriculture woodland and shrub planting and this scheme should be fully implemented not later than 31 March 2013. All such work shall be carried out prior to the end date in condition 18 below.

A revised drawing has been prepared, which include details of the contours; Drawing GPP/PB/BQ/11/14. See comment on Condition 14 for anticipated programme for this work.

Condition 17: Revised Restoration Scheme

The current condition reads as follows:

In the event that tipping operations in all phases are not substantially completed by 30 November 2014 (two thousand and fourteen), a revised restoration scheme shall be submitted showing revised levels utilizing the materials already on site by that date. The revised scheme as may be agreed in writing by the Waste Planning Authority shall be implemented and completed by the end date in Condition 18.

It is proposed that this condition be removed, as it is no longer necessary.

Condition 18: End Date

The current condition reads as follows:
The inert waste disposal hereby permitted shall cease not later than 30th November 2015 (two thousand and fifteen) and the site shall be restored in accordance with conditions of this permission by that date.

It is proposed that this condition be removed, as it is no longer necessary.

Condition 19: Aftercare

The current condition reads as follows:

Except as may otherwise be agreed in writing by the Waste Planning Authority, not later than the completion of the operations or by the date referred to in Condition 18 of this permission, whichever date is the sooner the revised aftercare scheme dated 19 February 1996 prepared by J. A. Lockhart, previously approved on the 8 March 1996 (in connection with permission DA/95/441C and DA/96/251C) shall be implemented to bring the land to the required standard for agricultural use.

Proposed rewording

Within 3 months of the date of this permission, a revised 5-year aftercare scheme shall be submitted to bring the land to the standard for the establishment of woodland and associated habitats. The agreed scheme shall be implemented during the 5-year aftercare period and shall include the measures included in the Restoration and Aftercare statement submitted with this application.
APPENDIX 1: Restoration and Aftercare scheme
APPENDIX 2: Dust Report by the Environment

BOUGHTON K-LIME DUST INVESTIGATION REPORT

Introduction

When the waste transfer station at Boughton Quarry, Brampton Lane began receiving and screening of a dusty material called K-Lime, residents in the nearby village of Boughton began complaining of increased dust levels following the development.

Perceived Problem

K-Lime dust escaping from the site causing a dust nuisance and possible health problems to the village of Boughton. and other surrounding areas.

Actions taken by the site since complaints received

Screening of product and storage of screened product done indoors.

Increased damping of material at source prior to being received by the site.

Raising of the sprinklers to ensure better dispersion of water mist on top of stored K-Lime pile.

Dust monitoring begun.

Investigations undertaken

As part of the investigation into the complaints the site had recorded visits made on 18/4/11, 9/5/11, 23/5/11, 8/9/11.

Company dust monitoring was undertaken at three points, NE of the site, East of the site and East of the site entrance (essentially South) of the site. See separate map.

Environment Agency dust monitoring took place in the garden of a property that would be an early receptor due East of the site between 4/7/11 and 6/9/11. Swabs were taken from a window sill and a car. A dust monitor was present from 4/7/11 until 6/9/11.

An analysis of the K-Lime was carried out to determine its chemical composition.

Investigation Results

Detailed results are in the appendix to this report. A summary is as follows.

Chemical Composition
Analysis of a sample of K-Lime actually from the site gave the following main constituents:

<table>
<thead>
<tr>
<th>Constituent</th>
<th>Formula</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Calcium Carbonate</td>
<td>CaCO3</td>
<td>29%</td>
</tr>
<tr>
<td>Hydrocalumite</td>
<td>Ca4Al2O6C11-X10H2</td>
<td>18%</td>
</tr>
<tr>
<td>Calcium Hydroxide</td>
<td>Ca OH2</td>
<td>40%</td>
</tr>
<tr>
<td>Sand</td>
<td>SiO2</td>
<td>6%</td>
</tr>
</tbody>
</table>

None of these constituents or the more minor ones have any recorded harmful/hazardous properties in the chemical directory that lists harmful phrases. The Approved Supply List version 8.

Visits

Observations indicated considerable dust being blown around the site on a dry windy day. Some dust blown around on normal days. It was not clear if dust was escaping from the site. Dampening of the material appeared to control the dust.

Environment Agency dust monitoring

Predominant metals in the dust were calcium, magnesium and in the second sample iron. The amount of dust deposited for the second month of the sample was 72.7 mgs. This would seem to indicate the amount of K-Lime in the dust was small.

Company monitoring

The sampling from site 2 on the map, the site most likely to capture dust that could affect the village showed pH 7.2 + for June, July and August, results which could indicate some K-Lime contamination. Total solids deposition rate was lower than for the other two monitoring points for May and June but higher for July and August. The July and August samples were contaminated with bird droppings. It is also likely these were the months when the most K-Lime was being stored. Further monitoring is continuing.

Conclusions by the dust monitoring company is that “The very low soiling rates indicate that significant impacts were not caused at properties on the eastern side of the A 508, Harborough Road North.”

Conclusion

The dust monitoring company conclusion in their report for the September results that “The very low soiling rates indicate that significant impacts were not caused at properties on the eastern side of the A 508, Harborough Road North.” would appear to be confirmed by the results of the Environment Agency monitoring.

Whilst there may or may not be a dust problem for certain areas of the village the K-Lime processing plant is unlikely to be a significant factor in this.

Charles Phillipps  
Senior Environment Officer  
Upper Nene Environment Management  
11 November 2011
ENVIRONMENT AGENCY MONITORING

Swab sample

Insufficient dust to indicate more than white granules present in the dust. The predominant metal is calcium.

Dust sample taken between 4/7/11 and 9/8/11

pH 7.7. Metals analysis indicates 1.6 mg/kg of calcium, 0.09 Aluminium, 10.8 Magnesium, in solution

From solids of sample 0.19 Aluminium, 0.45 Calcium, Iron 1.13, Magnesium 0.2,

The laboratory says there are insufficient ions for the pH reading to mean anything. Calcium and Magnesium ions predominate. The laboratory say it would be unusual to find similar concentrations of calcium and magnesium in a product derived from limestone.

Dust sample taken between 10/8/11 and 6/9/11

deposit weight 72.7mg. Sample contains fine particulate matter, carbonaceous material, vegetable fibre, wood pieces, particles with quartz like appearance, brick coloured dust, white coloured deposits, glass pieces, The white deposit appeared soft to the touch.

Metals on solid portion Aluminium 8890 mg/kg, Calcium 11800, copper 819, Iron 33,100, potassium 2990, magnesium 4840, The white material does not appear to be mineral matter i.e. not chalk or Calcium Hydroxide.

COMPANY DUST MONITORING RESULTS

Deposition Rate, Undissolved Solids (mg/m2/day)

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<th>Stn 2</th>
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<td>Avg</td>
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### Deposition Rate, Dissolved Solids (mg/m²/day)

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<td>27.07.11</td>
<td>63</td>
<td>30</td>
<td>29</td>
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<tr>
<td>27.07.11</td>
<td>31.08.11</td>
<td>66</td>
<td>297</td>
<td>43</td>
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<tr>
<td>31.08.11</td>
<td>28.09.11</td>
<td>52</td>
<td>92</td>
<td>53</td>
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<tr>
<td><strong>Avg</strong></td>
<td></td>
<td><strong>57</strong></td>
<td><strong>114</strong></td>
<td><strong>39</strong></td>
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### Deposition Rate, Total Solids (mg/m²/day)

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<td><strong>Avg</strong></td>
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### Alkalinity (pH)

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<td>7.6</td>
<td>7.3</td>
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<td><strong>7.3</strong></td>
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### Total Effective Area Coverage - sum of all eight sectors (%/day)

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<td>31.08.11</td>
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<td>1.1</td>
<td>0.8</td>
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<tr>
<td><strong>Avg</strong></td>
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<td><strong>1.5</strong></td>
<td><strong>0.8</strong></td>
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Mineral analysis of K-Lime main Constituents

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<tr>
<th>Constituent</th>
<th>Formula</th>
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<td>SiO2</td>
<td>6%</td>
</tr>
</tbody>
</table>

Environment Agency Visits

Visits during which an inspection form were completed were as follows

18/4/11  Localised dust. Little wind. Some dust from lorry unloading.
9/5/11   Localised dust. Little wind
23/5/11  Dry weather. Windy day. Considerable dust from undampened areas as sprinklers not high enough. Not clear if dust leaving site in view of high wall to East (site in dip).
8/9/11   Overcast. Moderate wind. No dust. Site well dampened. Newly unloaded pile damper than seen on previous occasion.
VARIATION OF CONDITIONS 14, 15, 16, 17, 18, 19 OF PLANNING PERMISSION
REF 10/00078/WAS

BOUGHTON QUARRY, BRAMPTON LANE, NORTHAMPTON

PETER BENNIE LIMITED

November 2011
Version 1
Final
1. INTRODUCTION

The objective of the soil management regime is to ensure that the soil importation and placement techniques create an appropriate soil for germination of seed and establishment of trees. The use and aftercare at the site will achieve an effective and sympathetic restoration of the landfill site, and will leave behind an attractive landscape for the benefit of the general public and enhance the biodiversity.

The site will be restored to species-rich wild flower and rough grassland areas, with hedgerows and woodland, the details of which are shown on the ‘Revised Restoration Plan – September 2011’ by Katie Burfitt.

The objective of the aftercare scheme is to ensure that after the initial restoration of the site the land is suitably managed to bring it to a satisfactory and acceptable standard. It is clearly recognised that good aftercare is in the long-term interest of the land and this should ensure that the practices are sympathetic to the special needs of restored land.

2. SOIL CREATION

Soils have been stockpiled for use in restoration, but it is anticipated that there will be a shortfall in achieving a full soil depth across the whole site. Therefore, where woodland is to be established, the growing medium will largely comprise subsoil and screened inert waste. Any clean soils will be reserved for use in the upper restoration layer. Priority will be given to areas to be seeded for grassland establishment.

Organic material from green waste composting or similar soil ameliorant may be added to improve the structure and fertility of the soil.

3. SOIL PLACEMENT AND REMEDIAL WORK

All placement operations and work required to remove stones or to relieve compaction will follow the procedures set out in the MAFF (2000) Good Practice Guide for Handling Soils (version 04/00) FRCA Cambridge.

In grassland areas the top 250mm of soil forming material will be loose tipped and levelled to avoid soil compaction. No plant or machinery shall cross any area of placed soils except where unavoidable as a result of site operations authorised within the conditions agreed with the Mineral Planning Authority. Should it be necessary to traverse placed soils for any reason, then access to these areas will be marked out and carefully controlled.

Timing

Placement of the upper layer of 250mm in the areas for grassland establishment will only be undertaken when the material is in a dry and friable condition. This work will generally be undertaken in the period between 1 April and 30 September.
Following the placement of subsoil in the area for woodland planting, a green cover will be established on the finished surface. This will help to reduce the risk of surface saturation during wet periods and dust generation during dry periods and will speed up the rate at which a soil structure is formed.

Machinery

The machinery that will be used will be operated in accordance with the appropriate advice in MAFF (2000) Good Practice Guide for Handling Soils (version 04/00) FRCA Cambridge.

Stockpiles

Stockpiles exist of the various restoration materials already on site. Additional materials brought onto the site will be stockpiled separately, until they are required for placement.

Movement of the material from the stockpiles will take place when weather conditions are suitable, avoiding where possible prolonged wet or dry periods. This will help to reduce the risk of dust creation and to avoid damage to the soils. In exceptional circumstances, it may be necessary to undertake work in unsuitable conditions, but every effort will be made to avoid soil damage.

Soil placement

Soil forming materials will be placed to create a total depth of 2m above the compacted fill where trees are to be planted and a depth of at least 1m in the area of grassland. Soil material will be tipped directly in the area under restoration and will be levelled using a bladed dozer. An adequate volume of topsoil is unlikely to be available; the screening of suitable imported inert waste at the recycling centre will create the required material.

Stone removal

The inclusion of stone, broken bricks and rubble within the restoration layer will assist drainage, therefore it is not necessary in areas of tree planting for this material to be removed. Where a grassland surface is to be created, stones over 150mm will be removed from the upper 250mm layer.

Soil improvement

Applications of compost or similar soil improvers will be programmed in accordance with the requirements indicated by the planting specification as required.

Decompaction

Following the placement and levelling of soil material, the surface layer will be ripped to relieve compaction.
4.0 ESTABLISHMENT OF GRASSLAND

Sowing
The grass seed mixtures to be used will be agreed with the County Planning Authority, prior to sowing. Sowing will take place in the autumn, if conditions are suitable, otherwise in the following spring.

Maintenance
Normal agricultural machinery would be used for all operations.

Initially the structure of the soil profile on restored land can be fragile and unstable and therefore all land work will be carried out only when the ground is in a suitably dry condition. However, should machine access be required before the ground has had sufficient opportunity to dry out and become sufficiently stabilised only low ground pressure machines will be used to avoid excessive damage to the soil structure.

Remedial Measures
Provision will be made for soil loosening with a winged-subsoiler to rectify any significant permeability problems arising from soil placement. This will be assessed immediately soil placement has been completed and in subsequent years the need will be subject to agreement following annual reviews of the condition of the restored land during the aftercare programme.

Areas of uneven ground caused by differential settlement will be re-graded.

Weed and Pest Control
Weed and pest control will be carried out as deemed necessary.

5.0 ESTABLISHMENT OF WOODLAND.

Ground Preparation
Removal of stones is not necessary as this will have no beneficial effect on the growth of the trees and the stones are required to assist with the soil drainage.

A fescue-based amenity grass seed mix will be sown prior to planting to provide green cover over the site to remove excess moisture and to assist in the prevention of the incursion of noxious weeds.

Planting
The plants to be used will be those to be approved by the Local Planning Authority.
Protection

Due to the numbers of deer in the locality and the exposed nature of the site woodland planting will be protected using individual tree shelters.

Maintenance

A maintenance schedule will be prepared in conjunction with the letting of a contract for the planting work. This will be submitted to the Local Planning Authority at the first Aftercare meeting.

6.0 DRAINAGE

Surface run-off from the completed restoration layer will be intercepted in a perimeter ditch, as shown on the restoration plan. This will intercept surface flow and convey the surface water to the soakaway located in the southwest corner of the site.

The effectiveness of the drainage system will be monitored throughout the aftercare period; any remedial works will be assessed during the process of annual reviews.

7.0 ANNUAL REVIEW

There will be an annual review meeting, usually in April, between representatives of the Local Planning Authority and the applicant. Early meetings shall include a site visit but the need for site visits at later meetings shall be agreed as the aftercare progresses.

The following will form the basis of the annual review:

- Remedial work
- Application of fertilisers or compost
- Grassland management regime
- Drainage provision
- Weed and pest control measures
- Plant replacements.

This will be used to prepare a report on the land that will be submitted before the aftercare meeting as a basis for on-site discussion.