



JOHNSONS WELLFIELD LTD.

**LAND TO THE EAST OF ARBORARY LANE
AND NORTH OF WHITEHEAD ROAD,
CROSLAND MOOR, HUDDERSFIELD**

(Moor End South)

**Section 73 Application Under the Town and Country
Planning Act 1990 (as amended) to Vary Conditions
Attached to Planning Consent 2017/62/91213/W0**

Planning Supporting Statement

August 2021

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1. INTRODUCTION

1.1. PREFACE

- 1.1.1. In October 2018, Kirklees Council approved the development for the extraction of minerals and subsequent reclamation to agriculture at Moor End South, Crosland Moor, Huddersfield (planning consent 2017/62/91213/W0).¹ (Appendix 1) (**the Site**)
- 1.1.2. The full address of the Site is Land to the East of, Arborary Lane, and North of Whitehead Road, Crosland Moor, Huddersfield HD4 7BY. (Grid reference SE10841288)
- 1.1.3. The **Permitted Phased Development Scheme** involves the extraction of approximately c.1 million tonnes of ashlar (block stone) mineral over a 20 year period. This would be achieved with the Site being worked in three Phases with progressive restoration to reinstate the Site to agricultural pasture land. Mitigation measures include a series of screen bunds to reduce potential effects, such as relating to noise and visual matters.
- 1.1.4. In the interim period, further geological data and the interpretation of borehole information has led to a review of the phasing sequences and development areas within the Site.
- 1.1.5. Therefore, the Applicant is proposing to modify the Permitted Phased Development Scheme to account for a smaller working area, a minor reduction in overall mineral to c.900,000 tonnes and a revised mitigation strategy which will provide a simplified and efficient working programme than is approved. As a result, it will also deliver important environmental benefits due to the reduced footprint of the working quarry. (**the Proposed Development**)
- 1.1.6. In March 2021, Bright & Associates (B&A) submitted a Request for a Screening Opinion and Scoping Opinion (March 2021) to Kirklees Council regarding the Proposed Development under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).²
- 1.1.7. Kirklees Council issued a Screening Opinion (May 2021) which confirmed that a new EIA would not be required given the current character of the Site and as the Proposed Development would reduce impacts on the environment and residential amenity when compared to the Permitted Phased Development Scheme. (Appendix 2)

¹ Application reference: 2017/62/91213/W0, Land to the East of, Arborary Lane, and North of Whitehead Road, Crosland Moor, Huddersfield, Kirklees Council, Permitted 18 October 2018

² Request for a Screening Opinion and Scoping Opinion Under The Town And Country Planning (Environmental Impact Assessment) Regulations 2017, Relating to a Revised Phased Development Scheme to Update the Previously Consented Quarry Development (Ref: 2017/62/91213/W0), Moor End South, Crosland Moor, Huddersfield, Prepared by Bright & Associates for Johnsons Wellfield Ltd., March 2021



1.1.8. Email correspondence from the Kirklees Council to B&A requested that an Addendum should be submitted regarding noise, landscape and visual impact and ecology/biodiversity enhancement measures. In addition, consideration should be given to Local Plan policies.³

1.1.9. The Applicant seeks to vary Condition 15 Working Programme (the Permitted Phased Development Scheme) and Condition 27 Restoration (Site restoration) attached to planning consent 2017/62/91213/W0 under this Section 73 application. It is accepted that other Conditions may require updating in terms of specific approved plans.

1.1.10. This Planning Supporting Statement has been prepared by B&A on behalf of the Applicant. It sets out the reasons for the proposed variation of Conditions and is supported by revised Drawings, Figures and Addendum Reports.

1.1.11. The full Addendum Reports have been included separately:

- ◆ **Landscape and Visual:** Landscape and Visual Impact Assessment Addendum Report, Bright & Associates, August 2021;
- ◆ **Noise and Vibration:** Noise Assessment Addendum Report, LF Acoustics Ltd., July 2021; and
- ◆ **Ecology and Nature Conservation:** Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment, Penny Anderson Associates, July 2021.

1.1.12. B&A devised the Permitted Phased Development Scheme in the 2017 Environmental Statement and has designed the Revised Phased Development Scheme which is described in more detail in Section 4.

1.1.13. The Revised Phased Development Scheme incorporates the recommendations made in the Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021). An important change involves the biodiversity enhancement measures in the eastern part of the Site. This will take place in Phase 1 (Stage 5) to allow maximum time for establishment.

1.1.14. In summary, this includes:

- ◆ The retention and enhancement of agricultural grassland which is defined by a new species-rich native hedgerow and a reduced density of grazing; and
- ◆ Sustainable Drainage Systems (SuDS) measures, notably a wetland feature incorporating an adjacent free draining sandy substrate and native scrub planting. French drains and a high level overflow pipe (connected to existing drainage arrangements) will feed towards the wetland feature.

³ Moor End South Screening and Scoping Request, Kirklees Council to Bright & Associates, Email Correspondence, Dated: 5 May 2021



1.1.15. It should be noted that no changes are being proposed to the Site boundary and working hours nor indeed the levels of HGV movements. These all remain as per the Permitted Phased Scheme.

1.1.16. Drawing ME1202-D2 Overview of the Revised Phased Development Scheme (2021) identifies the Site boundary and revised Phases 1 to 3.

1.2. STRUCTURE OF THE PLANNING SUPPORTING STATEMENT

1.2.1. This Planning Supporting Statement is divided into the following Sections:

- ◆ **Section 1 Introduction** sets out the background to the Section 73 application and identifies the Conditions to vary attached to planning consent 2017/62/91213/W0;
- ◆ **Section 2 The Site and Its Setting** gives an overview of the Site and surrounding landscape;
- ◆ **Section 3 Justification for the Proposed Amendments** sets out the reasons for the proposed variation of Conditions 15 and 27;
- ◆ **Section 4 The Proposed Development** describes the Revised Phased Development Scheme and provides a comparison to the Permitted Phased Development Scheme;
- ◆ **Section 5 Review of Environmental Issues** gives a summary of the technical reports undertaken as part of this Section 73 application and addresses matters raised in the Screening Opinion (May 2021);
- ◆ **Section 6 Planning Policy Context** reviews current national and local planning policy paying particular note to noise, landscape and visual impact and ecology/biodiversity enhancement measures. It accounts for changes to planning policy and guidance in the interim period since planning consent 2017/62/91213/W0; and
- ◆ **Section 7 Summary and Conclusions.**

1.2.2. The following Drawings and Figures are included which update those listed in the approved plans and supporting documents schedule (planning consent 2017/62/91213/W0) relevant to Conditions 15 and 27:

- ◆ Drawing ME1202-D2: Overview of the Revised Phased Development Scheme (2021);
- ◆ Drawing ME1202-D1 Sheet 1/12: The Revised Phased Development Scheme (2021) Phase 1, Stage 1 - Site Access Road;
- ◆ Drawing ME1202-D1 Sheet 2/12: The Revised Phased Development Scheme (2021) Phase 1, Stage 2 - Northern Field Area;
- ◆ Drawing ME1202-D1 Sheet 3/12: The Revised Phased Development Scheme (2021) Phase 1, Stage 3 - Eastern Sector Soil Strip;



- ◆ Drawing ME1202-D1 Sheet 4/12: The Revised Phased Development Scheme (2021) Phase 1, Stage 4 - Form eastern screen bund;
- ◆ Drawing ME1202-D1 Sheet 5/12: The Revised Phased Development Scheme (2021) Phase 1, Stage 5 - Completion of screening works;
- ◆ Drawing ME1202-D1 Sheet 6/12: The Revised Phased Development Scheme (2021) Phase 1, Stage 6 - Quarry development;
- ◆ Drawing ME1202-D1 Sheet 7/12: The Revised Phased Development Scheme (2021) Phase 2, Stage 7 - Progressive restoration;
- ◆ Drawing ME1202-D1 Sheet 8/12: The Revised Phased Development Scheme (2021) Phase 2, Stage 8 - Soil stripping with progressive working and restoration;
- ◆ Drawing ME1202-D1 Sheet 9/12: The Revised Phased Development Scheme (2021) Phase 2, Stage 9 - Progressive quarry working and restoration;
- ◆ Drawing ME1202-D1 Sheet 10/12: The Revised Phased Development Scheme (2021) Phase 2, Stage 10 - Progressive quarry working and restoration;
- ◆ Drawing ME1202-D1 Sheet 11/12: The Revised Phased Development Scheme (2021) Phase 3, Stage 11 - Progressive quarry working and restoration;
- ◆ Drawing ME1202-D1 Sheet 12/12: The Revised Phased Development Scheme (2021) Phase 3, Stage 12 - Final restoration;
- ◆ Figure D14 (Rev D): Proposed Restoration Masterplan; and
- ◆ Figure D15 (Rev A): Illustrative Cross Sections.

1.2.3. The following Appendices have been prepared:

- ◆ Appendix 1: Decision Notice 2017/62/91213/W0, Extraction Of Minerals And Subsequent Reclamation To Agriculture, At Land to the East of, Arborary Lane, and North Of Whitehead Road, Crosland Moor, Huddersfield, Kirklees Council, Dated 18 October 2018;
- ◆ Appendix 2: Screening Opinion, Land to the east of, Arborary Lane, and North of Whitehead Road, Crosland Moor, Huddersfield, Kirklees Council, Dated 5 May 2021;
- ◆ Appendix 3: Revised Soils Balance Table (dated August 2021);
- ◆ Appendix 4: Planning Policy Review (Table 4A and 4B); and
- ◆ Appendix 5: Biodiversity Background Information (Kirklees Council).

1.2.4. Footnotes in this report provide reference sources. Distance and direction is given from the nearest Site boundary.

1.2.5. Reference is made to individual Chapters and Drawings which form part of the 2017 Environmental Statement.



1.3. DEFINITIONS USED IN THE PLANNING SUPPORTING STATEMENT

- 1.3.1. The **Site** refers to the Planning consent boundary (denoted by the red line) shown on Drawing ME1202-D2: Overview of the Revised Phased Development Scheme (2021). This replicates the Site Boundary shown on Figure D2: Site Boundary Plan which is listed in the approved plans and supporting documents schedule (planning consent 2017/62/91213/W0).
- 1.3.2. The **Proposed Development** concerns the revisions to the approved scheme (planning consent 2017/62/91213/W0). It includes a smaller working area, a minor reduction in overall mineral to c.900,000 tonnes (previously 1 million tonnes) and a revised mitigation strategy which will provide a simplified and efficient working programme than is approved. As a result, it will also deliver important environmental benefits due to the reduced footprint of the working quarry.
- 1.3.3. The **Request for a Screening Opinion and Scoping Opinion (March 2021)** refers to the document prepared by Bright & Associates on behalf of the Applicant and submitted to Kirklees Council in March 2021.⁴ It outlined the findings of each environmental topic covered in the 2017 Environmental Statement and the reasons why the Proposed Development would not constitute EIA under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). It summarised the contents of a proposed Planning Supporting Statement.
- 1.3.4. The **Screening Opinion (May 2021)** refers to the Screening Opinion (Reference: 2021/20175) issued by Kirklees Council relating to the Proposed Development in May 2021.
- 1.3.5. The **Permitted Phased Development Scheme** is divided into three Phases and nine Stages as illustrated by approved plans listed in the plans and specifications schedule of planning consent 2017/62/91213/W0. Of note are the following: Figure D5 (V6): Site Boundary and Phasing Plan and the sequence, Figure D6 to D14 (V7). It is described in detail in Chapter D: Description of Development of the 2017 Environmental Statement and reviewed in Section 4 of this report.
- 1.3.6. The **Revised Phased Development Scheme** is divided into three Phases and 12 stages. It should be noted that the additional Stages are provided to simply add further detail (i.e. subdivision) of the Permitted Phased Development Scheme. It is illustrated by Drawing ME1202-D2: Overview of the Revised Phased Development Scheme (2021), the sequence, Drawing ME1202-D1 Sheet 1 to 12 and Figure D14 (Rev D): Proposed Restoration Masterplan. It is described in Section 4 of this report.
- 1.3.7. **Planning Supporting Statement** concerns the contents of this report which sets out the reasons for the variation of Conditions 15 and 27 attached to planning consent 2017/62/91213/W0.

⁴ Request for a Screening Opinion and Scoping Opinion Under The Town And Country Planning (Environmental Impact Assessment) Regulations 2017 Relating to a Revised Phased Development Scheme to Update the Previously Consented Quarry Development (Ref: 2017/62/91213/W0), Bright & Associates, March 2021



1.3.8. The **Landscape and Visual Impact Assessment (LVIA) Addendum Report (August 2021)** refers to the report undertaken by Bright & Associates.⁵ It reviews Chapter F and its conclusions in the 2017 Environmental Statement and assesses the Revised Phased Development Scheme.

1.3.9. The **Noise Assessment Addendum Report (July 2021)** refers to the report undertaken by LF Acoustics Ltd.⁶ It reviews Chapter H and its conclusions in the 2017 Environmental Statement and assesses the Revised Phased Development Scheme.

1.3.10. The **Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021)** refers to the report undertaken by Penny Anderson Associates.⁷ It assesses the Revised Phased Development Scheme, updates an earlier Extended Phase 1 Habitat survey (dated March 2016) and provides a Biodiversity Net Gain (BNG) calculation using the Defra Metric 3.0 BNG Calculator Tool.

1.3.11. The **2017 Environmental Statement** refers to the contents of the Environmental Statement coordinated by Lichfields and submitted to Kirklees Council in 2017. It evaluated matters relating to the Permitted Phased Development Scheme.

1.4. PUBLIC CONSULTATION PROCESS

1.4.1. The Permitted Phased Development Scheme was subject to public consultation during the pre application and EIA process. Further details are provided in the 2017 Environmental Statement (Chapter A: Introduction).

1.4.2. During summer 2021, the Applicant distributed leaflets to the home addresses of local residents and businesses in the vicinity of the Site. In August, this explained the changes being incorporated into the Revised Phased Development Scheme and the Proposed Restoration Masterplan (Figure D14 (Rev D)).

1.4.3. The Applicant is planning to set up a Liaison Group shortly which will meet on an annual basis.

⁵ Land to the East of, Arborary Lane, and North of Whitehead Road, Crosland Moor, Huddersfield Section 73 Application Under the Town and Country Planning Act 1990 (as amended) to Vary Conditions Attached to Planning Consent 2017/62/91213/W0, Addendum Report to the 2017 Landscape and Visual Impact Assessment, Bright & Associates, August 2021

⁶ Moor End South, Crosland Moor, Huddersfield, Section 73 Application Under The Town and Country Planning Act 1990 (As Amended) to Vary Conditions Attached to Planning Consent 2017/62/91213/W0, Revised Phased Development Scheme, LF Acoustics Ltd., July 2021

⁷ Moor End South, Crosland Moor, Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment, Penny Anderson Associates, July 2021



2. THE SITE AND ITS SETTING

2.1. INTRODUCTION

2.1.1. This Section presents a review of the Site and its setting. The detailed description of the Site and its wider context set out in Chapter B: The Site and its Setting of the 2017 Environmental Statement broadly remains the same in terms of aspects that would be relevant in this instance. All current designations were applicable at the time the 2017 Environmental Statement was submitted.

2.2. THE SITE

2.2.1. The Site is c.23.5ha in size (Grid reference SE10841288).

2.2.2. The current baseline for the Site in planning terms is the approval for the extraction of minerals and subsequent reclamation to agriculture as specified in the Conditions attached to planning consent 2017/62/91213/W0.

2.2.3. Also of relevance are the following:

- ◆ Overhead electricity lines cross the Site in the east in a north to south direction and in the north, in an east to west direction;
- ◆ The Site is located in an area of Green Belt (non-statutory designation) and the White Rose Forest Community Forest (non-statutory designation)⁸;
- ◆ No archaeological features or Listed Buildings are located within the Site;
- ◆ The Site falls with Flood Risk Zone 1 (very low flood risk)⁹; and
- ◆ The Site is bordered by Arborary Lane to the west, Whitehead Road to the south and agricultural fields to the north. Intake Road is further north. Turbid Lane (byway HUD/229/40) is adjacent east of the Site.¹⁰ Blackmoorfoot Road is the main route to the north.

2.3. THE SURROUNDING LANDSCAPE

2.3.1. The village of South Crosland is c.100m to the east of the Site. Much of the village and its environs are designated as a Conservation Area. Residential development is arranged primarily adjacent to Midway and School Hill. In some cases, former agricultural buildings have been converted to dwellings including at Top Of Hill Farm (application reference 2015/61/92039/W) which is on the western edge of the village.¹¹

⁸ Magic Map, <https://magic.defra.gov.uk/>, sourced August 2021

⁹ Long term flood risk, <https://flood-warning-information.service.gov.uk/>, sourced August 2021

¹⁰ Public Rights of Way, <https://www.kirklees.gov.uk/beta/countryside-parks-and-open-spaces>, sourced August 2021

¹¹ Application reference: 2015/62/92401/W, Demolition Of Agricultural Building And Erection Of Five Garages Associated With Conversion Of The Existing Stone Farm Buildings To Five Dwellings (Partly Within A Conservation



- 2.3.2. At a further distance, the Site is c.2km south of settlements located along the route of the Colne Valley and c.4.5km south-west of Huddersfield.
- 2.3.3. Blackmoorfoot Reservoir is c.320m to the west.
- 2.3.4. Agriculture is the predominant land use and comprises a small to medium scale field pattern of regular grassland pastures. Field boundaries generally feature dry stone walls.
- 2.3.5. With respect to other land use, there are remnants of previous extractive industries to the west. Existing mineral working sites at Crosland Moor are located to the north of the Site. The Airfield working area is c.570m north, Waterholes Quarry is c.1.1km to the north-east and the Thewlis Lane working site c.1.6km to the north-east. The Johnsons Wellfield Limited centre of operation is located off Thewlis Lane and Blackmoorfoot Road (c.1.6km north-east).
- 2.3.6. No subsequent relevant planning applications have been identified by Applicant in the interim period in relation to the Site and its immediate environs. Therefore, the conclusions of the 2017 Environmental Statement are robust.



3. JUSTIFICATION FOR THE PROPOSED AMENDMENTS

3.1. INTRODUCTION

- 3.1.1. This Section sets out the reasons for the variation of Conditions 15 and 27 attached to planning consent 2017/62/91213/W0. Table 1 at the end of this Section provides a summary of the Approved Plans and supporting documents to be Revised/Updated.

3.2. VARIATION OF CONDITION 15 WORKING PROGRAMME (THE PERMITTED PHASED DEVELOPMENT SCHEME)

- 3.2.1. **Condition 15** states *'The site shall be worked in 3 phases in accordance with approved plan series D6, D7, D8, D9, D10, D11, D12, D13 and D14.'*
- 3.2.2. **Reason:** *To ensure the progressive restoration of the site, to minimise the disturbed area of the site and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Sections 15 and 17 of the National Planning Policy Framework'.*
- 3.2.3. **Comment:** The Revised Phased Development Scheme consists of 3 Phases and 12 Stages. It is proposed to replace approved plan sequence, Figure D6 to D14v7 with series Drawing ME1202-D1 Sheet 1 to 12 which sets out each Phase/Stage. See Section 4 of this report.

3.3. VARIATION OF CONDITION 27 RESTORATION (SITE RESTORATION)

- 3.3.1. **Condition 27** states *'After completion of mineral extraction in each phase the site shall be progressively restored to agriculture/nature conservation in accordance with the restoration concept indicated on Plan no. D14 and a detailed scheme to be submitted to and approved in writing by the Mineral Planning Authority prior to any development involving the stripping of soils or the export of minerals from the site.'*
- 3.3.2. *The submitted scheme shall provide for:*
- ◆ (a) *the phasing and direction of backfilling of the site;*
 - ◆ (b) *the removal of plant, machinery, haul roads and fences;*
 - ◆ (c) *spreading a minimum depth of 350mm subsoil and 250mm topsoil over the backfilled overburden in agricultural grassland areas;*
 - ◆ (d) *spreading a minimum depth of 500mm subsoil or sandy overburden over the backfilled material on areas to be restored to nature conservation;*
 - ◆ (e) *ripping of any compacted layers of subsoil to ensure adequate drainage and aeration prior to spreading topsoil;*



- ◆ (f) details of cultivation techniques and equipment to be used;
- ◆ (g) final levels and contours of the restored land graded to blend in with those of the surrounding land to prevent ponding and promote good surface water drainage;
- ◆ (h) provision of any temporary surface water drainage ditches where restored levels may cause a risk of ponding;
- ◆ (i) grass seeding of any areas to be returned to agriculture including details of proposed seed mixture;
- ◆ (j) details of the restoration to nature conservation including seeding and planting details;
- ◆ (k) removal of all storage/screen mounds;
- ◆ (l) reconstruction of drystone walls and provision of gates in the local style;
- ◆ (m) comprehensive details of post restoration drainage arrangements for the site;
- ◆ (n) programme of works and timescales.

3.3.3. *The approved scheme shall be fully implemented following its approval. Reason: To ensure that the restoration of the site results in a beneficial afteruse and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP37 and Section 17 of the National Planning Policy Framework’.*

3.3.4. **Comment:** It is proposed to replace approved plan, Figure D14 (V7): The Development Scheme Phase 3 Stage 9 – Restoration Concept with Figure D14 (Rev D): Proposed Restoration Masterplan.

3.3.5. Restoration will be to original ground levels and the Site will be restored to pasture (improved grassland) with reinstated dry stone walls. This is comparable to the approved scheme and restoration contours.

3.3.6. Recommendations made in the Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021) have been incorporated into the Revised Phased Development Scheme and the Proposed Restoration Masterplan (Figure D14 (Rev D)). An important change involves the biodiversity enhancement measures in the first year of the Revised Phased Development Scheme in the eastern part of the Site. This will take place in Phase 1 (Stage 5) to allow maximum time for establishment. See Section 4 of this report.



Table 1: Approved Plans and Supporting Documents to be Revised/Updated

APPROVED PLANS AND SUPPORTING DOCUMENTS (FULL TITLE)	REVISED/UPDATED PROPOSED PLANS AND SUPPORTING DOCUMENTS	REASON FOR REVISION/UPDATE
Revised Phasing Boundaries		
Figure D5 (V6): Site Boundary and Phasing Plan (B&A CAD Ref: CS1067-D9v6)	Drawing ME1202-D2: Overview of the Revised Phased Development Scheme (2021)	To take account of revised Phases 1 to 3 and principal revisions.
Phase 1		
- Figure D6 (V7): The Development Scheme Phase 1 Stage 1 (B&A CAD Ref: CS1067-D3v7) - Figure D7 (V7): The Development Scheme Phase 1 Stage 2 (B&A CAD Ref: CS1067-D3v7) - Figure D8 (V7): The Development Scheme Phase 1 Stage 3 (B&A CAD Ref: CS1067-D3v7) - Figure D9 (V7): The Development Scheme Phase 1 Stage 4 (B&A CAD Ref: CS1067-D3v7)	- Drawing ME1202-D1 Sheet 1/12: The Revised Phased Development Scheme (2021) Phase 1, Stage 1 - Site Access Road - Drawing ME1202-D1 Sheet 2/12: The Revised Phased Development Scheme (2021) Phase 1, Stage 2 - Northern Field Area - Drawing ME1202-D1 Sheet 3/12: The Revised Phased Development Scheme (2021) Phase 1, Stage 3 - Eastern Sector Soil Strip - Drawing ME1202-D1 Sheet 4/12: The Revised Phased Development Scheme (2021) Phase 1, Stage 4 - Form eastern screen bund - Drawing ME1202-D1 Sheet 5/12: The Revised Phased Development Scheme (2021) Phase 1, Stage 5 - Completion of screening works - Drawing ME1202-D1 Sheet 6/12: The Revised Phased Development Scheme (2021) Phase 1, Stage 6 - Quarry development	Phase 1 of the Revised Phased Development Scheme includes Stage 1 to 6. The proposed Drawings take account of the smaller working area and simplified series of screen bunds as part of mitigation measures. Biodiversity enhancements recommended in the Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021) will take place in Stage 5 in the eastern part of the Site and includes: - The retention and enhancement of agricultural grassland which is defined by a new species-rich native hedgerow and a reduced density of grazing; and - SuDS measures, notably a wetland feature incorporating an adjacent free draining sandy substrate and native scrub planting. French drains and a high level overflow pipe (connected to existing drainage arrangements) will feed towards the wetland feature.
Phase 2		
- Figure D10 (V7): The Development Scheme Phase 2 Stage 5 (B&A CAD Ref: CS1067-D3v7) - Figure D11 (V7): The Development Scheme Phase 2 Stage 6 (B&A CAD Ref: CS1067-D3v7)	- Drawing ME1202-D1 Sheet 7/12: The Revised Phased Development Scheme (2021) Phase 2, Stage 7 - Progressive restoration - Drawing ME1202-D1 Sheet 8/12: The Revised Phased Development Scheme (2021) Phase 2, Stage 8 - Soil stripping with progressive working and restoration - Drawing ME1202-D1 Sheet 9/12: The Revised Phased Development Scheme (2021) Phase 2, Stage 9 - Progressive quarry working and restoration - Drawing ME1202-D1 Sheet 10/12: The Revised Phased Development Scheme (2021) Phase 2, Stage 10 - Progressive quarry working and restoration	Phase 2 of the Revised Phased Development Scheme includes Stage 7 to 10. The proposed Drawings take account of the smaller working area and simplified series of screen bunds as part of mitigation measures.
Phase 3		



APPROVED PLANS AND SUPPORTING DOCUMENTS (FULL TITLE)		REVISED/UPDATED PROPOSED PLANS AND SUPPORTING DOCUMENTS	REASON FOR REVISION/UPDATE
- Figure D12 (V7): The Development Scheme Phase 3 Stage 7 (B&A CAD Ref: CS1067-D3v7) - Figure D13 (V7): The Development Scheme Phase 3 Stage 8 (B&A CAD Ref: CS1067-D3v7)		Drawing ME1202-D1 Sheet 11/12: The Revised Phased Development Scheme (2021) Phase 3, Stage 11 - Progressive quarry working and restoration	Phase 3 of the Revised Phased Development Scheme includes Stage 11 and 12. The proposed Drawings take account of the smaller working area and simplified series of screen bunds as part of mitigation measures.
Figure D14 (V7): The Development Scheme Phase 3 Stage 9 – Restoration Concept (B&A CAD Ref: CS1067-D3v7)		- Drawing ME1202-D1 Sheet 12/12: The Revised Phased Development Scheme (2021) Phase 3, Stage 12 - Final restoration - Figure D14 (Rev D): Proposed Restoration Masterplan	Biodiversity enhancement in the eastern part of the Site recommended in Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021) in Phase 1 (Stage 5) will have had a maximum time for establishment. The final Stage of restoration will encompass: - Restored landform as illustrated by the indicative restoration contours (subject to final overburden placement and grading of soils). This reflects the removal of Site areas from the Revised Phased Development Scheme. - Restored pasture (improved grassland) with reinstated dry stone walls. - In due course, the Site entrance will be reduced to a single vehicle width access point on Arborary Lane.
Figure D15 (V5): Illustrative Cross Sections (B&A CAD Ref: CS1067-D11v5)		Figure D15 (Rev A): Illustrative Cross Sections	To take account of revised Phases 1 to 3 and screen bunds etc. as illustrated by the Revised Phased Development Scheme.
Planning Statement (March 2017) (Lichfields)		See Section 6 of this Planning Supporting Statement.	To assess the Revised Phased Development Scheme and take account of new planning policy.
Moor End South Environmental Statement (co-ordinated by Lichfields), Chapters A to N and associated Appendices	Chapter C: Planning Policy Context	Landscape and Visual: Landscape and Visual Impact Assessment Addendum Report, Bright & Associates, August 2021. A summary is provided in Section 5 of this Planning Supporting Statement.	To review the findings of the 2017 Environmental Assessment and assess the Revised Phased Development Scheme
	Chapter F: Landscape and Visual Impact Assessment	Noise and Vibration: Noise Assessment Addendum Report, LF Acoustics Ltd., July 2021. A summary is provided in Section 5 of this Planning Supporting Statement.	
	Chapter H: Noise and Vibration	Ecology and Nature Conservation: Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment, Penny Anderson Associates, July 2021. A summary is provided in Section 5 of this Planning Supporting Statement.	
	Chapter K: Terrestrial Ecology and Nature Conservation	See Section 5 of this Planning Supporting Statement.	Assesses the Revised Phased Development Scheme, updates the earlier Extended Phase 1 Habitat survey (dated March 2016) and provides a Biodiversity Net Gain (BNG) calculation using the Defra Metric 3.0 BNG Calculator Tool.
	Chapter N: Cumulative and Residual Effects	Appendix 3 includes the Revised Soils Balance Table (dated August 2021).	To consider any relevant changes in the interim period.
	Technical Appendix D2 Table of Quantities		Updates the table of quantities.



4. THE PROPOSED DEVELOPMENT

4.1. INTRODUCTION

4.1.1. This Section presents an overview of the Permitted Phased Development Scheme, describes the Revised Phased Development Scheme in detail and provides a comparison between the two schemes.

4.1.2. It deals with matters concerning the variation of Conditions 15 and 27 attached to planning consent 2017/62/91213/WO.

4.2. THE PERMITTED PHASED DEVELOPMENT SCHEME

4.2.1. Chapter D: Description of Development in the 2017 Environmental Statement describes the Permitted Phased Development Scheme and refers to approved plans listed in the plans and specifications schedule (planning consent 2017/62/91213/WO).

4.2.2. In summary, the main factors considered during the design process included:

- ◆ Screening of mineral extraction working;
- ◆ Avoidance of unsightly storage of overburden;
- ◆ Minimising the total area of disruption from agricultural use;
- ◆ A productive grazing use on the screen bunds;
- ◆ The retention of all soil resources;
- ◆ Dry stone wall resources and existing field patterns in terms of landscape character; and
- ◆ Providing an adequate supply of different stone resources for the Applicant and their manufacturing process at the existing factory. (paragraph D2.20)

4.2.3. The Permitted Phased Development Scheme is divided into three Phases (Figure D5v6: Site Boundary and Phasing Plan). The Site is worked in a clockwise direction from the north-east. Whilst the working and restoration area is limited to an area of c.4Ha at a time. It consists of nine Stages in total.

4.2.4. In terms of mitigation measures, a series of screen bunds are designed to allow the storage of soil resources (i.e. top soil and sub soil) and reduce visual and noise disturbance (paragraph D3.14). It is acknowledged that *'these will need to be in situ for a period of time to restrict visual disruption, almost on a continual basis'*. (paragraph D3.13) The external gradient of the bund slopes are generally 1:3 and 1:5. They are formed using overburden or sub soil and then finished with top soil and grass seeded thereby, creating a sloping grassland feature to allow grazing by sheep. (paragraph D3.11)



4.2.5. Additional mitigation measures include a Hawthorn hedge to the north of the screen bund to the northern Site boundary which acts as a screening feature during Phase 3. (paragraph D3.16)

4.2.6. Further to the screen bunds, noise mitigation measures include the proper use and maintenance of plant. These are also important factors for ecology matters together with progressive restoration, the creation of temporary habitats alongside the sensitive timing and methods of working. (paragraphs D3.48 to D3.60)

4.2.7. On completion, the Site would be restored to an agricultural afteruse with a pattern of dry stone walls designed to replicate the current field system and an ephemeral wet area in the south-eastern part of the Site. A permissive right of way is included in the northern part of the Site to link Turbid Lane and Arborary Lane. (paragraphs D2.59 to D2.64)

4.3. THE REVISED PHASED DEVELOPMENT SCHEME

4.3.1. As stated previously, further geological data and the interpretation of borehole information has led to a review of the phasing sequences and development areas within the Site.

4.3.2. The Proposed Development includes a smaller working area, a minor reduction in overall mineral to c.900,000 tonnes (previously 1 million tonnes) and a revised mitigation strategy which will provide a simplified and efficient working programme than is approved. Consequently, it will also deliver important environmental benefits due to the reduced footprint of the working quarry.

4.3.3. However, the essential approach adopted for the mitigation measures incorporated into the Permitted Phased Development Scheme remains the same. Of particular note is progressive restoration and screening direct views of extractive operations.

4.3.4. In summary, the main issues considered during the design review included:

- ◆ Smaller working areas;
- ◆ Ensuring equivalent visual screening through the position of screen bunds for sensitive receptors, particularly close to the Site;
- ◆ Progressive restoration of the Site beginning in Phase 1;
- ◆ Providing suitable screen bunds to allow sheep grazing (i.e. form, slope etc.);
- ◆ A simplified series of screen bunds to take place in Phase 1 which is not as disruptive to the Permitted Phased Development Scheme (i.e. formerly Phase 1 and 2);
- ◆ Reduced working area and materials storage away from the more sensitive eastern part of the Site;
- ◆ Ecological opportunities to offer significant biodiversity net gain following Site restoration; and
- ◆ SuDS measures to be incorporated.



- 4.3.5. The Revised Phased Development Scheme is divided into three Phases and 12 stages. The additional Stages are provided to simply add further detail (i.e. subdivision) of the Permitted Phased Development Scheme.
- 4.3.6. Drawing ME1202-D2: Overview of the Revised Phased Development Scheme (2021) demonstrates the principal revisions to the Permitted Phased Development Scheme. The boundary of revised Phases 1 to 3 are shown and a visual comparison can be made with the approved extraction areas. This takes account of the reduced footprint of the working quarry.
- 4.3.7. The main alteration is the removal of the screen bund and extractive processes from the eastern sector of the Site as the overall extraction boundary has reduced in area from 175,900m² to 116,100m², therefore resulting in a total reduction of 59,800m². In addition, there are also reductions in the extraction area within the western (21,000m²) and northern sectors of the Site (12,800m²). This also removes the peripheral (thinnest horizons of ashlar stone that are economically unviable to extract) with only a minor loss of overall total stone that will be quarried. The differences are not of a scale that would affect the life of the quarry, employment or any other factor.
- 4.3.8. For the Permitted Phased Development Scheme, the Phase 1 eastern bund ranged from 4m to 7m in the south-eastern corner and between c.5m to 2.5m along the remainder of the southern and western Site boundaries. The internal screen bunds were c.2.5m high. (paragraph F5.9)
- 4.3.9. In comparison, the Revised Phased Development Scheme involves a new location of the eastern screen bund which will be established in Phase 1. It will be a maximum 10m high reducing to 3m high on the north-eastern Site boundary and along the southern Site boundary. It has a more gradual external slope gradient between 1:5 and 1:2.5 and a broad undulating top level. It will remain in situ until final restoration in Phase 3 (Stage 12).
- 4.3.10. The height of the screen bund along the southern and western Site boundaries adjacent to Madgin Lane/Whitehead Road and Arborary Lane respectively will remain unchanged (2.5m high). However, it will be established in Phase 1 as opposed to Phase 2 in the Permitted Phased Development Scheme. This will provide enhanced mitigation measures and reduce potential views of extractive operations and related activities.
- 4.3.11. Recommendations made in the Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021) have been incorporated into the Revised Phased Development Scheme and the Proposed Restoration Masterplan (Figure D14 (Rev D)). An important change involves the biodiversity enhancement measures in the eastern part of the Site which will take place in Phase 1 (Stage 5) to allow maximum time for establishment.
- 4.3.12. It should be noted that there is no change to the location and design of the Site access from Arborary Lane shown on Drawing ME1202-D2: Overview of the Revised Phased Development Scheme (2021).



4.3.13. The key benefits of the Revised Phased Development Scheme include:

- ◆ **A smaller area of mineral working** due to the reasons set out above. Thereby, resulting in a reduction in the area of soil stripping and general disturbance in the Site;
- ◆ **Activity will be stepped back from Site boundaries** with areas that are the closest to Arborary Lane (to the west) and Intake Lane (to the north) will be removed from extraction but retained for material storage;
- ◆ **No requirement for the outer eastern screen bund.** Areas adjacent to Turbid Lane (byway) in the most eastern part of the Site will be retained as existing with no boundary screen bunds or extraction taking place. This represents the closest area to the village of South Crosland (c.100m east);
- ◆ **New location of the eastern screen bund to be established in Phase 1 and retained for the duration of all Phases.** This has been devised to offer comparable visual screening mitigation to the Permitted Phased Development Scheme. It represents an important environmental benefit over and above the Permitted Phased Development Scheme given the movement away from the nearest residential sensitive receptors and the avoidance of secondary earthworks that would have taken place after Phase 1. The new eastern screen bund will feature an integrated drainage strategy with the surface water drain directed towards a SuDS feature in the south-eastern sector of the Site;
- ◆ **Significant biodiversity net gain**, through the adoption of the recommendations made in the Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021). This is beneficial in terms of the eastern Site area and the overall final restoration scheme for the Site; and
- ◆ **In terms of infrastructure**, there is no need to divert the existing electricity line;

4.3.14. Restoration will be to original ground levels and Figure D14 (Rev D): Proposed Restoration Masterplan reflects the removal of Site areas from the Revised Phased Development Scheme. The Site will be restored to pasture (improved grassland) with reinstated dry stone walls. This is comparable to the approved scheme and restoration contours.

4.3.15. The remaining development of the Site replicates the Permitted Phased Development Scheme and no other changes are proposed. There will be three extraction Phases, whilst external screen bunds will be developed.

4.3.16. Figure D15 (Rev A): Illustrative Cross Sections updates Figure D15 (V5): Illustrative Cross Sections. It takes account of the revised Phases 1 to 3 and screen bunds etc. as illustrated by the Revised Phased Development Scheme.



4.3.17. Slight changes have been made to the number of Stages per Phase, however, there is no difference to the approximate duration for each Phase when compared to the Permitted Phased Development Scheme:

- ◆ Phase 1 (c. 10 years) is divided into six Stages;
- ◆ Phase 2 (c. 8 years) consists of four Stages; and
- ◆ Phase 3 (c. 2 years) is divided into two Stages.

4.3.18. The Revised Phased Development Scheme is illustrated by Drawing ME1202-D1 (Sheets 1 to 12) and each Phase is summarised in the table below. Figure D14 (Rev D): Proposed Restoration Masterplan updates Figure D14 (V7): The Development Scheme Phase 3 Stage 9 – Restoration Concept. The latter reflects the biodiversity enhancement opportunities identified in the Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021).

4.3.19. The Revised Phased Development Scheme has an approximate duration of 20 years and replicates that of the Permitted Phased Development Scheme.

4.3.20. Appendix 3 includes the Revised Soils Balance Table (dated August 2021). This updates Technical Appendix D2 Table of Quantities included in the 2017 Environmental Statement.

Table 2: The Revised Phased Development Scheme

STAGE	DETAILS
Phase 1 (c. 10 years)	
Refer to Drawing ME1202-D1 Sheet 1/12	
Stage 1 Site Access Road	• Stage 1 concerns the formation of the Site access road. • The external (i.e. roadside) screen bund (c. 2.5m high) alongside Arborary Lane will be formed from overburden and top soils, enabling the excavation of material to form the haul road and access road. The internal screen bund will be formed using overburden and finished with top soil. The screen bund slope gradients will be 1:3 on the external side and to 1:1.5 on the internal side. • Rockhead formed prior to the commencement of quarrying operations. • Temporary yard area with stripped top and sub soil. • Section of dry stone walling removed in relation to soil strip areas, adjacent (west) to the temporary yard area. • New stock fencing to allow grazing on adjacent fields and screen bund. • The access road will be hard surfaced for the first 100m into the Site as per the Permitted Phased Development Scheme. • The gated entrance point will be formed with dry stone walling adjacent to the surface radii with a gated access from the public highway as per the Permitted Phased Development Scheme.
Refer to Drawing ME1202-D1 Sheet 2/12	
Stage 2 Northern Field Area	• Stage 2 involves the northern field area. Stripped soils to form outer slope with 1:3 gradient and maximum height of 2.5m. Top soil to be spread over the entire screen bund to facilitate productive grassland for grazing whilst the bund is in place. • Section of dry stone walling removed in relation to soil strip areas, adjacent (north and south) to the temporary yard area. • Overhead electricity wires retained.
Refer to Drawing ME1202-D1 Sheet 3/12	
Stage 3 Eastern Sector Soil Strip	• In Stage 3, the soil strip area forms an arc (clockwise) as shown on Drawing ME1202-D1 Sheet 3/12, primarily in the eastern part of the Site. • Stripped sub soil stock (2.5m high) in the western sector of the Site. • Top soil to be used to form the western and south-western screen bund. External gradient is 1:3 and internal gradient is 1.5. Overall bund height is 2.5m. • Excess top soil to be stored in a temporary bund in the central environs of the Site.



STAGE	DETAILS
	- Sections of dry stone walling removed in relation to soil strip areas. - Storage area for walling stone in the south-western part of the Site. - New stock fencing to allow grazing on adjacent fields and screen bund. - All areas of spread top soil and of upper sub soil for seeding will be established with a grassland seed mix such as Barenbrug's (Barforage) Long Season with a necessary pre-seed fertiliser application. Following establishment of the grass sward, this will be managed by grazing with sheep as per the Permitted Phased Development Scheme.
Refer to Drawing ME1202-D1 Sheet 4/12	
Stage 4 Form eastern screen bund	- Stage 4 involves the formation of the eastern screen bund. - The soil strip area is concentrated in the central part of the Site. - Top soil to be held in temporary store for use in Stage 5. - Stripped sub soil stock (2.75m high) in the western sector of the Site. - Top rock to form eastern screen bund (on western side of the bund). - Sections of dry stone walling removed in relation to soil strip areas. - Storage area for walling stone in the south-western part of the Site enlarged. - New stock fencing to allow grazing on adjacent fields and screen bund. - The outer toe of the bund slope on the eastern side will have a surface water drain formed towards the central area as indicated on Drawing ME1202-D1 Sheet 4/12 where it will be directed towards a surface water pond.
Refer to Drawing ME1202-D1 Sheet 5/12	
Stage 5 Completion of screening works	- Stage 5 involves the final formation of the eastern screen bund and soil placement. - Preliminary area of stone extraction in Phase 1 resulting from the formation of the eastern screen bund with overburden used for the northern field placement. - Eastern screen bund to be a maximum 10m high reducing to 3m high on the north-eastern Site boundary and along the southern Site boundary. Gradient between 1:2.5 and 1:5. - New stock fencing to allow grazing on adjacent fields and screen bund. - Location of temporary yard area moved away from quarry working area and located in the central environs of the Site. - Hawthorn hedgerow planting on external slopes around the periphery of the northern field area to take place during this Stage. Recommendations made in the Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021) have been incorporated into the Revised Phased Development Scheme. The following biodiversity enhancement measures will take place in Phase 1 (Stage 5) in the eastern part of the Site to allow maximum time for establishment. - A reduced density of grazing will encourage the development of a tussocky sward (improving the state of the agricultural habitat from 'poor' to 'fairly poor' due to the improved sward structure). - Retention and enhancement of agricultural grassland in the eastern part of the Site which will be augmented by scarifying the surface and application of Emorsgate EM10 tussock grassland mix. - Creation of species-rich native hedgerow to define the boundary of diverse grassland (290m linear length). - Creation of a wetland feature (0.05ha) by directing drainage into the new pond. Permanent water level will be c.217 to 218mAOD. This will replace the existing wet flush which is susceptible to regular drying. Area of free draining sandy substrate (no top soil placed) with adjacent areas of native scrub planting (0.05ha). - Alignment of French drains, feeding towards soakaway wetland feature. - Route of high level overflow pipe to be connected to existing drainage arrangements (outflow invert set to 219.2mAOD).
Refer to Drawing ME1202-D1 Sheet 6/12	
Stage 6 Quarry development	- Stage 6 involves quarry development in Phase 1. The maximum extent and depth is shown on Drawing ME1202-D1 Sheet 6/12. - Quarry extraction completed on the edge of the Phase 1 area with infilling underway to achieve progressive restoration - Location of quarry compound in the central environs of the Site. - New stock fencing to allow grazing on adjacent fields and screen bund. - Area of wetland and habitat biodiversity established in the south-eastern corner of the Site.
Phase 2 (c. 8 years)	
Refer to Drawing ME1202-D1 Sheet 7/12	



STAGE	DETAILS
Stage 7 Progressive restoration	- During Stage 7, quarry development and progressive restoration continues in Phase 1 and soil stripping begins in Phase 2. - Soil strip area commences in the central and western part of the Site. - Stripped sub soil stock (2.75m high) in the western sector of the Site adjacent to the existing area. - Top soil store (2.75m high) on the southern periphery of the Site. - Sections of dry stone walling removed in relation to soil strip areas. - Storage area for walling stone in the south-western part of the Site enlarged. - New stock fencing to allow grazing on adjacent fields and screen bund. - Infilling of quarry workings to continue in the Phase 1 area with progression of quarry excavation.
Refer to Drawing ME1202-D1 Sheet 8/12	
Stage 8 Soil stripping with progressive working and restoration	- In Stage 8, progressive restoration continues in Phase 1 and working, namely soil stripping and extraction continues in Phase 2. - Quarry compound moved to the northern part of the Phase 1 area. - Extraction begins in Phase 2 with the maximum extent and depth shown on Drawing ME1202-D1 Sheet 8/12. - Soil strip area commences in the most-western part of the Site. - Stripped sub soil stock (2.75m high) in the western sector of the Site. - Top soil store (2.75m high) immediately adjacent to the soil strip area. - Soil placement and restoration completed in the central environs of Phase 1.
Refer to Drawing ME1202-D1 Sheet 9/12	
Stage 9 Progressive quarry working and restoration	- Stage 9 involves progressive quarry working and restoration. - Extraction continues in the most-western part of Phase 2 with the maximum extent and depth shown on Drawing ME1202-D1 Sheet 9/12. - Infilling of quarry workings continues in the eastern and southern sectors of Phase 2. Re-instatement of the quarry progresses westwards. - Infilling works broadly completed to facilitate progressive restoration in the northern and southern sectors of Phase 1. - Preparatory works to amend quarry access to enable Phase 3 extraction.
Refer to Drawing ME1202-D1 Sheet 10/12	
Stage 10 Progressive quarry working and restoration	- Stage 10 involves progressive quarry working and restoration. - Extraction continues in the most-western part of Phase 2 with the maximum extent and depth shown on Drawing ME1202-D1 Sheet 10/12. Extractive area extended into the Phase 3 (the northern field area). - Top soils will be stripped back into a temporary store to the north of the Phase 3 area. - Infilling of quarry workings continues in the central environs of Phase 2. Reinstatement of the quarry progresses westwards. - Infilling works broadly completed to facilitate progressive restoration in the remainder of Phase 1 and southern environs of Phase 2. - Sub soil and top soil stocks in the western part of the Site to be used for restoration in Phase 2. - Soil placement and restoration completed in the southern part of Phase 2.
Phase 3 (c. 2 years)	
Refer to Drawing ME1202-D1 Sheet 11/12	
Stage 11 Progressive quarry working and restoration	- Stage 11 involves progressive quarry working and restoration. - Extraction continues in Phase 3 (the northern field area). - Top soils will be stripped back into a temporary store to the north of the Phase 3 area. - Infilling of quarry workings continues in the western sector of Phase 2. Reinstatement of the quarry progresses westwards. - Sub soil and top soil stocks in the western part of the Site to be used for restoration in Phase 2.
Refer to Figure D14 (Rev D): Proposed Restoration Masterplan/Drawing ME1202-D1 Sheet 12/12	
Stage 12 Final restoration	The final stage of works involves the removal of all remaining bunds, the reestablishment of dry stone walls and completion of the general restorative process as shown on Figure D14 (Rev D): Proposed Restoration Masterplan (NB. replicated on Drawing ME1202-D1 Sheet 12/12).



STAGE	DETAILS
	Biodiversity enhancement in the eastern part of the Site recommended in Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021) in Phase 1 (Stage 5) will have had a maximum time for establishment. This final Stage of restoration will encompass: • Restored landform as illustrated by the indicative restoration contours (subject to final overburden placement and grading of soils). This reflects the removal of Site areas from the Revised Phased Development Scheme. • Restored pasture (improved grassland) with reinstated dry stone walls. In due course, the Site entrance will be reduced to a single vehicle width access point on Arborary Lane.



5. REVIEW OF ENVIRONMENTAL ISSUES

5.1. INTRODUCTION

- 5.1.1. This Section presents a summary of the Addendum Reports requested by Kirklees Council. The cumulative impact of the proposals is addressed in this Section and considered in more detail where applicable in the individual reports. This Section also addresses the other environmental issues raised in the Screening Opinion (May 2021).

5.2. LANDSCAPE AND VISUAL

- 5.2.1. An LVIA Addendum Report (August 2021) has been carried out by Bright & Associates to review the findings of Chapter F of the 2017 Environmental Statement and assess the Revised Phased Development Scheme.
- 5.2.2. The report provides a review of the 2017 LVIA Methodology and is judged to be current and appropriate. The GLVIA Third Edition still remains the main guidance for landscape professionals undertaking LVIA's.¹² Consideration has been given to landscape and visual matters raised in the Screening Opinion (May 2021).
- 5.2.3. B&A carried out Site visits and field work in April and May 2021 to evaluate potential visual and landscape effects resulting from the Proposed Development. An evaluation of the desk study was undertaken in June 2021 for any new publications in the interim period which may be of relevance to the findings of the 2017 LVIA.
- 5.2.4. The LVIA Addendum Report (August 2021) includes updated visuals for Viewpoint Locations 1, 2 and 4 to reflect the Proposed Development with a rendered photograph (Stage 3 to 4) and photomontage view (Stage 5) to illustrate the proposed eastern screen bund in Phase 1. An updated mapping insert showing the Revised Phased Development Scheme is included for Viewpoint Locations 1 to 4 and 11.
- 5.2.5. In terms of visual effects, a review of the original 20 Viewpoint Locations used to assess the Permitted Phased Development Scheme has been undertaken. Reference to the Revised Phased Development Scheme shows that there will be little or no change to the development design from external Viewpoint Locations to the north, south-west and west of the Site.

¹² Guidelines for Landscape and Visual Impact Assessment (Third Edition), Landscape Institute and Institute of Environmental Management and Assessment, 2013



5.2.6. As a result, the LVIA Addendum has reviewed the following Viewpoint Locations in more detail:

- ◆ Viewpoint Location 1 From Madgin Lane: Local road users (including pedestrians) (Medium to High sensitivity) and Residents (High sensitivity);
- ◆ Viewpoint Location 2 From gateway on Midway (road) and east of Top of Hill Farm: Local road users (including pedestrians) (Medium to High sensitivity);
- ◆ Viewpoint Location 3 From bridleway HUD/229/50 on James Lane (track) and west of Fleece Farm: Bridleway users (Medium to High sensitivity);
- ◆ Viewpoint Location 4 From footpath MEL/56/20 on Fields Lane (track): Footpath users (Medium sensitivity); and
- ◆ Viewpoint Location 11 From Turbid Lane (track) and byway HUD/229/40: Byway users (Medium to High sensitivity).

5.2.7. Consideration has been given to extractive operations and separately to the screen bunds and overall view in Phase 1 to 3 During Operation.

5.2.8. The baseline situation review notes that recent Site assessment and field work has confirmed that the Site setting as described in the 2017 LVIA has not altered. (Section 3) A review of national and local planning is provided (Section 6).

5.2.9. Results are summarised the table below.

Table 3: Summary of LVIA Addendum Report (August 2021) Results

EFFECTS	RESULTS
Direct Effects on Landscape Character	
Kirklees District Landscape Character Assessment (2015): E1 Holmfirth-Meltham Landscape Character Area	‘...In the 2017 LVIA, B&A assigned a High sensitivity to the E1 Holmfirth-Meltham Landscape Character Area due to the existing landscape character and the presence of agricultural pasture fields and dry stone walls. - The Proposed Development will include a smaller area of mineral working than previously consented. Activity will be stepped back from Site boundaries and noticeably reduced away from the more sensitive eastern aspect close to South Crosland. As part of simplified mitigation measures, the new location of the eastern screen bund which will be established in Phase 1 and then retained for the duration of all Phases of the Revised Phased Development Scheme. It will feature an integrated drainage strategy with the surface water drain directed towards a SuDS feature in the south-eastern sector of the Site. - Recommendations made in the Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021) will be incorporated into the Revised Phased Development Scheme and Proposed Restoration Masterplan (Figure D14 (Rev D). The aforementioned SuDS feature will include an adjacent free draining sandy substrate and native scrub planting. The eastern part of the Site will be retained and enhanced as agricultural grassland. This area will be defined by a new species-rich native hedgerow and involve a reduced density of grazing. - The above will result in a minor benefit to the landscape character due to the Proposed Development when compared to the Permitted Phased Development Scheme During Operation but not sufficient to alter the findings of the 2017 LVIA (i.e. a lower magnitude of impact)’. (paragraphs 7.4.3 to 7.4.6)
Indirect Effects on Landscape Character	
Kirklees District Landscape Character Assessment (2015): E1 Holmfirth-Meltham	‘In terms of indirect effects, the E1 Holmfirth-Meltham Landscape Character Area extends beyond the Site and encompasses areas to the east around South Crosland and south of Whitehead Lane. As stated, direct effects on the landscape character of the Site will be reduced overall due to the smaller



EFFECTS	RESULTS
Landscape Character Area	<i>mineral working area and simplified series of screen bunds. This will also offer isolated minor benefits for landscape character During Operation, particularly within close range to the east near South Crosland.</i> • <i>Remaining Landscape Character Areas within the study area have a notable topography (e.g. valleys) and a lack of direct interaction with the Site and its environs'. (paragraphs 7.4.7 and 7.4.8)</i>
Landscape Designations	
Green Belt	<i>'The Site is located in an area of Green Belt, a non-statutory designation. The Revised Phased Development Scheme will provide benefits both at a Site level and in a wider context regarding the openness of landscape when considering the protection of Green Belt areas'. (paragraph 7.4.9)</i>
South Crosland Conservation Area	<i>'The South Crosland Conservation Area is c.100m east of the Site. The removal of the most eastern part of the Site from either extraction or mitigation measures will offer benefits when considering the setting of the South Crosland Conservation Area'. (paragraph 7.4.9)</i>
Peak District National Park	<i>'The Peak District National Park (c.2.5km south-west) often forms part of the background to the Site. One of the special qualities of the Peak District National Park concerns areas outwith its boundaries including the importance of landscape character which contributes to its valued setting. The Revised Phased Development Scheme has the potential for some visual improvements regarding westerly views due to the location of the new eastern screen bund'. (paragraph 7.4.9)</i>
Visual Effects for Viewpoint Locations	
Revised Phased Development Scheme per Phase for extractive operations	• <i>'Phase 1 constitutes the longest Phase in timescale (c. 10 years). Phase 1 will see a lower magnitude of impact at Viewpoint Locations 1 and 3. Reduced impacts also occurred for Phase 2 (c. 8 years) at Viewpoint Locations 1, 2, 3 and 4 as well as in Phase 3 (c. 2 years) for Viewpoint Locations 1, 3 and 4;</i> • <i>A Minor (adverse) significance of effect or lower occurred with results generally reduced overall apart from at Viewpoint Location 11 where they replicated the results of the 2017 LVIA (i.e. either No Impact or Negligible); and</i> • <i>In comparison, the Permitted Phased Development Scheme recorded a number of Moderate (adverse) significance of effects at Viewpoint Location 1 (Phases 2 and 3) and at Viewpoint Location 2 and 3 (Phase 2)'. (paragraph 7.5.4)</i>
Revised Phased Development Scheme per Phase for screen bunds and overall view	• <i>'The simplified series of screen bunds will result in a lower magnitude of impact at Viewpoint Locations 3, 4 and 11 in Phase 1. Notably Small (rather than Medium) at Viewpoint Location 3 and Medium (as opposed to Large) at both Viewpoint Location 4 and 11. Viewpoint Locations 1 and 2 will replicate the Permitted Phased Development Scheme (i.e. Medium);</i> • <i>A differentiation is made between the nature of effects once the screen bunds have been formed with neutral as opposed to adverse applying in the later Stages of Phase 1 (which constitutes the longest Phase) along with Phases 2 and 3. In Phase 1, the resultant significance of effects were found to be lower at Viewpoint Location 11 reducing from a Major (Stage 1 to 3 adverse with Stage 4 neutral) to Moderate-Major (Stage 3 to 5 adverse with Stage 6 neutral). At Viewpoint Location 3 and 4 with a Moderate (Stage 3 to 5 adverse with Stage 6 neutral) reducing from a Moderate to Major level. There was parity at Viewpoint Location 1 and 2 with a Moderate to Major significance of effect;</i> • <i>For Phase 2, at Viewpoint Location 1, magnitude of impact was judged to be slightly higher (Medium as opposed to Medium- Small) albeit, with a similar Moderate to Major (neutral) significance of effect for receptors. For Viewpoint Location 2, 3, 4 and 11 there was a reduction in magnitude of impact. This led to a lower Moderate (neutral) significance of effect; and</i> • <i>'For Phase 3, magnitude of impact was lower at Viewpoint Location 11 which resulted in a Moderate (neutral) significance of effect. At Viewpoint Locations 1, 2, 3 and 4, results were found to be similar to the Permitted Phased Development Scheme with a Moderate (neutral) significance of effect'. (paragraph 7.5.5)</i>



5.2.10. The Revised Phased Development Scheme results in environmental benefits with notable benefits in terms of visual effects for local road users (including pedestrians), residents and the footpath network. This applies to both the screen bunds and overall view as well as more direct views of extractive operations. With respect to landscape character, there will be benefits regarding direct effects at a Site level and indirectly outwith in a wider context. Also of note are aspects relevant to designations including the Green Belt and openness both in visual and spatial terms along with the setting of the South Crosland Conservation Area and Peak District National Park.

5.3. NOISE AND VIBRATION

5.3.1. A Noise Assessment Addendum Report (July 2021) has been carried out by LF Acoustics Ltd. to review the findings of Chapter H of the 2017 Environmental Statement and assess the Revised Phased Development Scheme.

5.3.2. The report provides an explanation of noise units and guidance including current planning policy at a national level through the NPPF (July 2021) and Minerals Planning Practice Guidance (PPG) (March 2014). Reference is made to Policy LP36 Proposals for mineral extraction and Policy LP52 Protection and improvement of environmental quality contained in the Kirklees Local Plan (Adopted February 2019) (Section 2).

5.3.3. A review is included of the specific Conditions relating to noise set out in planning consent 2017/62/91213/WO, namely Conditions 39 to 47 (Section 3). The report includes a draft noise monitoring scheme for reference purposes to comply with Condition 47. It should be noted that no changes are being proposed to the aforementioned Conditions.

5.3.4. Reference is made to the baseline noise survey that was undertaken as part of the 2017 Environmental Statement and carried out over the 5 to 6 July 2016 (Chapter H, paragraph H4.1). The same noise levels are used given that there are no relevant changes to the assessment within the surrounding area.

5.3.5. The Noise Monitoring Locations are listed below and shown on Figure 1 of the Noise Assessment Addendum Report (July 2021). Location co-ordinates and the background noise levels (dB L_{A90}) which are taken from the tables in the 2017 Environmental Statement are provided (Chapter H, Section 4: Baseline Conditions):

- ◆ Receptor Location 1 Intake Lane at Moor End Farm (Easting 411052 Northing 413161) 41.0 dB L_{A90};
- ◆ Receptor Location 2 Crosland South, Junction of Magdin Lane and Midway (Easting 411433 Northing 412791) 39.6 dB L_{A90};
- ◆ Receptor Location 3 Crosland Spring Road (Easting 411484 Northing 412484) 48.7 dB L_{A90};
- ◆ Receptor Location 4 Reservoir Side Road at SE Corner of Blackmoorfoot Reservoir (Easting 410277 Northing 412594) 34.3 dB L_{A90}; and



- ◆ Receptor Location 5 Junction of Reservoir Side Road and Black Lane, Blackmoorfoot (Easting 410163 Northing 413148) 39.6 dB L_{A90}.

- 5.3.6. The above locations were originally agreed with planning officers at Kirklees Council (paragraph H3.8). They were considered to be representative of the properties most likely to be affected by the operations and were used for the monitoring, calculations and assessment. They were judged to be suitable positions for future periodic noise monitoring.
- 5.3.7. The report has adopted the same assessment methodology and criteria used in Chapter H of the 2017 Environmental Statement to ensure a consistent approach. This is deemed to be acceptable given that relevant planning policy at a national and local level pertinent to noise related issues remains either broadly unchanged (i.e. Minerals Planning Practice Guidance) or if revised, does not essentially change guidance, namely NPPF (July 2021) and the Kirklees Local Plan (Adopted February 2019).
- 5.3.8. The report has been carried out in adherence with the methodology set out in ISO 9613-2 Acoustics – Attenuation of Sound During Propagation Outdoors (1996).¹³
- 5.3.9. This methodology takes account of the following:
- ◆ Attenuation from a number of factors, including distance, barriers/bunds and ground absorption, utilising the same modelling assumptions as used previously in Chapter H of the 2017 Environmental Statement;
 - ◆ Calculations have been made using the SoundPlan computer modelling package;
 - ◆ Ground levels for the surrounding area upon which the model has been developed have been based upon a combination of LiDAR/ Google mapping data and contours within the Site boundaries; and
 - ◆ The same criteria for magnitude of impact when considering initial Site works and normal operations and subsequent significance of effect set out in Chapter H of the 2017 Environmental Statement has been adopted (paragraph H3.22 to H3.26)
- 5.3.10. Likely sources of impact replicate those set out in Chapter H of the 2017 Environment Statement. This includes the following plant requirements: EX700 Excavator, A40 Dumper and Dozer (Initial Site works and Normal Operations) and Drill Rig and Wagon (Normal Operations).
- 5.3.11. The assessment of potential effects considers the Revised Phased Development Scheme during initial Site works and then separately for each Phase which are summarised in the table below. Detailed results are provided in Section 6 of the Noise Assessment Addendum Report (July 2021).

¹³ Acoustics – Attenuation of Sound During Propagation Outdoors – Part 2: General Method of Calculation, ISO 9613-2, ISO, 1996

**Table 4: Summary of Assessment of Noise Levels**

SUMMARY OF RESULTS DURING INITIAL OPERATIONS AND PER PHASE	
Initial Operations	Refer to Table 6.3 Calculated Noise Levels During Initial Works and paragraph 6.4. <i>'Initial operations would be carried out within Phase 1 during Stages 1 – 4. During these Stages, the access road would be created, soils and overburden stripped and the perimeter bunds constructed.</i> <i>Noise levels at the surrounding properties would be at a maximum during the short periods whilst the closest perimeter bunding were constructed, with these operations typically taking 2 – 3 weeks to complete. Once the bunding is completed, noise levels would reduce at the properties, associated with the mitigation afforded by the bund and the fact that the plant was operating further away.</i> <i>The calculations [in Table 6.3] indicate noise levels at the surrounding properties would remain generally low and below a level which would result in adverse noise impacts upon the occupants of surrounding properties. An assessment of the calculated noise levels would indicate that potential noise impacts would be either negligible or minor adverse, with the higher noise levels typically associated with shorter term operations carried out close to the Site boundaries.</i> <i>As indicated [in Table 6.3], higher noise levels would be likely during the short periods whilst the plant was operating at positions closest to the properties, constructing the perimeter bunds. The calculations above indicate higher noise levels at Receptor 1 during the period whilst the northern bund was constructed. Given the short duration of this activity, which would require less than 8 weeks to construct the bund, the temporary working limit of 70 dB $L_{Aeq, 1 \text{ hour}}$ would be applicable and on this basis the operations would result in a negligible noise impact'.</i>
Phase 1	Refer to Table 6.4 Calculated Noise Levels During Operation Within Phase 1 and paragraph 6.5. <i>'Extraction would commence within Phase 1 during Stage 5, with work initially carried out in the northern part of the Phase. Extraction would continue in a southerly direction, with restoration progressing behind the working area.</i> <i>The calculations [in Table 6.4], indicate that the noise levels associated with operations during these Stages would remain substantially below the normal working limits, resulting in a negligible noise impact at Receptors 3 - 5.</i> <i>Higher noise levels are anticipated at Receptors 1 and 2, although noise levels would remain at least 5 dB(A) below the normal working limit. The effect at these receptors would be a moderate adverse impact, although remaining substantially below a level which would result in a significant adverse effect'.</i>
Phase 2	Refer to Table 6.5 Calculated Noise Levels During Operation in Phase 2 and paragraph 6.6. <i>Phase 2 comprises Stages 7 – 10. Extraction would commence within the northern area of the Phase and then continue south. Restoration would follow progressively.</i> <i>The calculations [in Table 6.5] indicate that the noise levels associated with operations during these Stages would remain substantially below the normal working limits, resulting in a negligible noise impact at Receptors 3 - 5.</i> <i>Noise levels would be higher at Receptors 1 and 2, although they would remain at least 5 dB(A) below the normal working limit and would thus, remain acceptable. The effect at these receptors would be a minor to moderate adverse impact, although remaining substantially below a level which would result in a significant adverse effect.</i>
Phase 3	Refer to Table 6.6 Calculated Noise Levels During Operation in Phase 3 and paragraph 6.7. <i>Phase 3 would see the continuation of extraction within the northern field area and progressive restoration, which would be completed during Stage 11. Stage 12 would principally involve the removal of the bunds and final restoration of the Site.</i> <i>As noted during the previous Phases, the operations within the quarry would generally result in negligible noise impacts at the surrounding properties, with noise levels remaining substantially below the normal working limits at the surrounding properties.</i> <i>Higher noise levels are anticipated at Receptor 1, which would be the closest to the working areas during this Phase. The calculations indicate that the noise levels during these Stages would remain below 3 dB(A) below the normal working limit. This would result in a moderate adverse effect at this location, although remaining substantially below a level which would result in a significant adverse effect.</i>



5.3.12. The assessment concludes that noise levels associated with the operation of Site would remain below the noise limits previously agreed (for planning consent 2017/62/91213/W0), which ensure that the operation of the Site would not result in significant adverse effects. The operation would therefore comply with the requirements of NPPF (July 2021), Minerals PPG (March 2014) and relevant Local Plan policies.

5.3.13. The report also provides information on control procedures to minimise noise levels (Section 7) in line with Minerals PPG (March 2014) which complies with Condition 47 of planning consent 2017/62/91213/W0. Appendix A includes a Noise Management Plan to be adopted for the duration of the works.

5.4. ECOLOGY AND NATURE CONSERVATION

5.4.1. The Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021) has been carried out by Penny Anderson Associates. It assesses the Revised Phased Development Scheme, updates an earlier Extended Phase 1 Habitat survey (dated March 2016) and provides a Biodiversity Net Gain (BNG) calculation using the Defra Metric 3.0 BNG Calculator Tool.

5.4.2. Relevant paragraphs and Sections of the report are noted for reference.

5.4.3. The report has been undertaken with in line with current guidance set out in the legislative context. At a national level this includes Biodiversity 2020¹⁴, Section 41 (England) of the Natural Environment and Rural Communities (NERC) Act 2006 and the National Planning Policy Framework (July 2021). (Section 1)

5.4.4. The updated Extended Phase 1 habitat survey of the site was undertaken on 4 June 2021. It followed the standard Joint Nature Conservation Committee (JNCC) technique for classifying and mapping British habitats (2010).¹⁵

5.4.5. The survey aimed to provide the following:

- ◆ A record of habitats that are present within the site and to further investigate those that are likely to be ecologically important.
- ◆ A general assessment for the presence or potential presence of protected species, noting any areas of suitable habitat and the location and type of any field signs recorded. In particular, this component of the field survey focused on potential for brown hare (*Lepus europaeus*) and breeding and wintering birds, especially golden plover (*Pluvialis apricaria*) which are a designated features of the South Pennine Moors Special Protection Area (SPA) and for which the site may provide functioning habitat; and
- ◆ Identify any significant changes since the previous survey. (paragraph 2.1)

¹⁴ Biodiversity 2020: A strategy for England's wildlife and ecosystem services, DEFRA, 2011

¹⁵ Handbook for Phase 1 Habitat Survey – a technique for environmental audit, Joint Nature Conservation Committee (revised edition 2010)



5.4.6. No constraints are noted regarding the Extended Phase 1 habitat survey (paragraph 2.2).

5.4.7. The field survey results are summarised in the table below. They are provided in full in Section 3 of the report.

Table 5: Summary of Field Survey Results

FIELD SURVEY RESULTS	
Habitats	
Arable	Fields currently in agricultural use and managed on a rotational basis. Two of the fields were sown with a cereal crop with approximately 1m wide uncultivated margins to the edges of the fields. (paragraph 3.2 and photograph 1)
Improved Grassland	'The fields towards the western side of the Site comprised improved grassland which had been recently cut leaving an approximately 1m wide margin to the field edges. Species were unchanged from the 2016 survey and comprised mainly perennial rye-grass with common and widespread grasses and forbs evident in the uncut margins including cock's-foot, Yorkshire-fog, red fescue, common sorrel, creeping buttercup and cow parsley'. 'The two fields on the eastern side of the site were grazed by livestock (cattle) with a longer sward that was dominated by perennial rye-grass with other species evident including Yorkshire-fog, meadow foxtail, sweet vernal-grass, rough meadow grass, common mouse-ear and creeping buttercup'. 'The damper patch of ground (see 'wet flush' on Figure 1) was evident although very dry and somewhat trampled by cattle on the day of survey and supported a slightly more diverse range of species including sweet-grass species, soft-rush, cuckoo flower, creeping buttercup, marsh foxtail and Yorkshire-fog'. (paragraphs 3.3 to 3.5 and photographs 2 and 3)
Field Boundaries	Stone walls (paragraph 3.6).
Protected and Notable Species	
Badger	'No evidence of badger (<i>Meles meles</i>) was noted during the survey but the habitats within the site are suitable for foraging, especially the grazed grasslands which are likely to provide abundant earthworms favoured by badger. There are no opportunities for badger sett creation within or adjacent to the Site'. (paragraph 3.7)
Brown Hare	'No brown hare were observed during the survey but all habitats on site are suitable for feeding and breeding brown hare. The abundance of similar agricultural habitats in the surrounding area suggests that the site is unlikely to be a unique resource for brown hare'. (paragraphs 3.8 and 3.9)
Bats	'There are no features within or adjacent to the site capable of supporting roosting bats and the value of the site for foraging bats is considered to be very low due to a lack of suitable foraging habitats, exposure/lack of cover and lack of habitat connectivity'. (paragraph 3.10)
Breeding and Wintering Birds	'Species observed during the updated Extended Phase 1 habitat survey comprised skylark [footnote 2] (singing above the site), approximately 10 lapwing feeding over the recently cut grassland fields, western jackdaw and starling foraging in the grazed fields in the east of the site and meadow pipit foraging along the southern field boundary'. 'The site was considered to have low potential to support significant numbers of ground nesting farmland bird species due to its intensive management for silage and a lack of field margin habitats. However, it does provide a feeding resource for a range of species as observed on site during the survey and is likely to provide a foraging resource for some wintering bird species, e.g. Corvids and starling'. (paragraphs 3.11 and 3.12)
Amphibians and Reptiles	'The Site and nearby Blackmoorfoot Reservoir have no potential for great crested newt (<i>Triturus cristatus</i> , GCN), and the site has no habitat suitable to support reptile species'. (paragraph 3.13)

5.4.8. Section 4 of the report provides discussion and recommendations.



5.4.9. With regards to habitats *'The Site was largely unchanged since the previous survey in 2016 and still comprised intensively managed agricultural land either cut for silage, sown for arable use or grazed by livestock, although the uses within individual fields had rotated since the last survey. These habitats are of limited ecological value due to a lack of botanical and structural diversity and a lack of connectivity to habitats in the wider landscape'*. (paragraph 4.1)

5.4.10. In terms of species:

- ◆ *'There is some, albeit limited, potential for low numbers of ground nesting bird species to utilise the site as a foraging resource during the breeding season (March to August inclusive) and for common and widespread wintering bird species and, potentially, badger to use the site for foraging;*
- ◆ *The improved grassland fields are managed intensively for silage and are considered unlikely to provide an important invertebrate food source for golden plover (*Pluvialis apricaria*) associated with the South Pennine Moors SPA, in contrast to permanent pasture which tends to be favoured by this species;*
- ◆ *Brown hare are likely to feed and breed on site, but there is significant alternative habitat for brown hare available in the immediate vicinity. Potential for foraging bats is considered to be very low;*
- ◆ *Overall, the lack of semi-natural habitats, intensive management for silage, the lack of cover/shelter and lack of connectivity with off-site habitats indicate that the site is unlikely to support significant numbers of protected or notable species;*
- ◆ *No detailed surveys for protected or notable species are considered necessary, however, it is recommended that method statements are prepared for soil and vegetation stripping to avoid disturbance and/or harm to brown hare and ground nesting bird species;*
- ◆ *It is understood that mineral extraction would take place in phases and that there would be scope to enhance habitats in areas of the site which would not be affected by extraction, or worked in later phases, as well as at the restoration stage and this is discussed further in the next section on Biodiversity Net Gain'; and*
- ◆ *'It is recommended that target habitats and species selected as the focus for any restoration and long-term management should be in line with the strategic approach set out in the Kirklees Local Plan Technical Paper: Environmental Designations (April 2017)'. (paragraphs 4.2 to 4.8)*

5.4.11. Section 5 of the report presents the biodiversity net gain using Biodiversity Metric 3.0. This updates the previous version and is used to evaluate the biodiversity units of a site before and after the development in question. Consideration is given to the following: the area of each habitat (Ha) and length of linear features (m), e.g. hedgerows, habitat type, habitat condition, the impact from development and the proposed biodiversity mitigation/compensation measures. (paragraph 5.1)



5.4.12. Paragraphs 5.2 to 5.13 present the habitat and linear feature assessment. Headline results are provided in Table 1 of the report. Appendix 4 includes the Biodiversity Net Gain Calculation Metric Outputs.

5.4.13. The proposed habitats on site at the restoration stage comprise:

- ◆ *'Restoration of the majority of the Site (21.27ha) to its current agricultural use with a reduced density of grazing to encourage the development of a tussocky sward. This will improve the condition of the agricultural habitat from 'poor' to 'fairly poor' by virtue of the improved sward structure;*
- ◆ *Retention and enhancement of 1.8ha of agricultural grassland from poor to moderate condition in the eastern portion of the site. To be enhanced by scarifying the surface and application of Emorsgate EM10 tussock grassland mix to create a more diverse sward able to withstand grazing, a reduction in perennial ryegrass cover to <25% and significantly reduced density of grazing compared with current grazing levels. This will be established during the first year of mineral extraction to allow maximum time for establishment (estimated to be c.18 years) prior to final site restoration;*
- ◆ *Creation of a 0.05ha wetland feature in 'good' condition to replace the existing wet flush which is prone to regular drying and is in 'moderate' condition. The replacement feature would comprise a permanently wet area created by directing drainage into the new pond. This will be allowed to develop natural wetland vegetation with management to control unwanted species, e.g. bulrush (*Typha latifolia*). This feature would also be established in the first year of operation to provide the maximum time for habitat establishment in target 'good' condition;*
- ◆ *Creation of 0.05ha of mixed native scrub planting in 'moderate' condition. Due to the relatively small extent it would not be possible to include glades and clearings that would otherwise elevate the condition to 'good'. Habitat to be established in first year of operation to allow maximum time to become established'; and*
- ◆ *'Creation of 290m of species-rich native hedgerow on the boundary between the proposed lowland dry acid grassland and restored agricultural land to comprise 80% hawthorn (*Crataegus monogyna*) and 5% each of dog rose (*Rosa canina*), blackthorn (*Prunus spinosa*), holly (*Ilex aquifolium*) and hazel (*Corylus avellana*). The hedgerow to be established in first year of operation to allow maximum time for habitats to become established'. (paragraph 5.15)*

5.4.14. The report finds that *'This represents a net increase of +23.50 habitat area units (equivalent to **46.18% increase**) in habitat units compared with the pre-development baseline, and a net increase of +3.83 (or **100% increase**) in hedgerow units compared with the pre-development baseline'.* (paragraph 5.16)

5.4.15. It concludes that *'the proposed site restoration plan would result in a significant biodiversity net gain compared with the baseline situation'.* (paragraph 5.17)



5.5. ENVIRONMENTAL ISSUES AND OTHER MATTERS RAISED IN THE SCREENING OPINION (MAY 2021)

5.5.1. A number of environmental issues and other matters were raised in the Screening Opinion (May 2021). The table below addresses each in turn. Cross reference is made to the technical reports which have been reviewed previously in this Section.

Table 6: Screening Opinion (May 2021) Environmental Issues and Other Matters

ENVIRONMENTAL ISSUE/MATTER RAISED	RESPONSE (E.G. WHERE ADDRESSED IN THE PLANNING APPLICATION)
Characteristics of Development	
Size	
<i>'The site subject to this screening opinion comprises an area of land measuring approximately 23.50 ha. and is situated approximately 800m south of existing operational mineral workings'.</i>	- No subsequent relevant planning applications have identified in relation to the Site and its immediate environs compared to the 2017 Environmental Statement. - The Revised Phased Development Scheme for the Site has a reduced footprint of the working quarry when compared to the Permitted Phased Development Scheme. It will provide environmental benefits which have been explored through the Addendum Reports submitted as part of this planning application.
Cumulative	
<i>'The site is relatively remote although there are significant mineral workings to the north of the site at Crosland Moor Quarry which already has a disturbed footprint of approximately 23 ha'.</i>	- The 2017 Environmental Statement concludes that <i>'Cumulative effects arising from the development when considered with other developments and operations in the surrounding area do not give rise to a need for additional mitigation measures that have not been previously identified in this ES'</i>. (Chapter N: Residual and Cumulative Effects, paragraph N6.14) - See above regarding the reduced footprint of the working area for the Site and existing mineral workings in the area.
Use of Natural Resources	
<i>'This proposal would involve the extraction of approximately 900,000 tonnes of sandstone. The applicant has indicated that there is no change proposed to the timing which was previously stated on the 2017/91213 to take approximately 20 years to extract and could involve an extraction rate of up to 60,000 tonnes of mineral per annum'.</i>	- Since permission was given in October 2018 (planning consent 2017/62/91213/WO), further geological data and the interpretation of borehole information has led to a review of the phasing sequences and development areas within the Site. - The Revised Phased Development Scheme involves a smaller working area, a minor reduction in overall mineral to c.900,000 tonnes and a revised mitigation strategy which will provide a simplified and efficient working programme than is approved. Therefore, it will also deliver important environmental benefits due to the reduced footprint of the working quarry. - The Revised Phased Development Scheme has an approximate duration of 20 years and replicates that of the Permitted Phased Development Scheme. No change is being proposed to the timeline of each Phase.
The Production of Waste	
<i>'Extractive operations would produce significant quantities of quarry waste. However, this material would be used in site restoration and would not therefore be exported from the site'.</i>	- The essential approach adopted for the mitigation measures incorporated into the Permitted Phased Development Scheme remains the same. Of particular note is progressive restoration and screening direct views of extractive operations. - The Revised Phased Development Scheme incorporates a simplified series of screen bunds which will be established in Phase 1. They are



ENVIRONMENTAL ISSUE/MATTER RAISED	RESPONSE (E.G. WHERE ADDRESSED IN THE PLANNING APPLICATION)
	designed to allow the storage of soil resources (i.e. top soil and sub soils) to be used for Site restoration.
Pollution and Nuisances	
<i>'It is considered that there are four potential sources of pollution or nuisances associated with this proposal'.</i>	
(1) Noise	
<i>'The extraction of mineral would involve the use heavy machinery including mechanical excavators and dump trucks. Noise would therefore be generated by the vehicles themselves and during extractive operations and when heavy vehicles are loaded and unloaded. However, the site is relatively remote and following initial development work such operations would primarily take place below ground level. There are residential properties in the area concentrated to the south east at South Crosland. However, the closest residential properties are to the north of Intake Lane and around School lane to the east, the closest of which are approximately 100m from the boundary of the site'.</i>	The following is of note regarding the Noise Assessment Addendum Report (July 2021): - It uses the same five Noise Monitoring Locations from the 2017 Environmental Statement which were originally agreed with planning officers at Kirklees Council. - The assessment concludes that noise levels associated with the operation of Site would remain below the noise limits previously agreed, which ensure that the operation of the Site would not result in significant adverse effects. The operation would therefore comply with the requirements of NPPF (July 2021), Minerals PPG (March 2014) and relevant Local Plan policies. The report also provides information on control procedures to minimise noise levels (Section 7) in line with Minerals PPG (March 2014) which complies with Condition 47 of planning consent 2017/62/91213/WO. Appendix A includes a Noise Management Plan to be adopted for the duration of the works.
(2) Dust	
<i>'The main sources of dust generation are likely to result from the movement of mineral during dry conditions and vehicle movements within the site. Any future approval of planning permission would require the site operator to take appropriate dust suppression measures and it is therefore considered that dust emissions are unlikely to cause significant nuisance to nearby properties in this instance'.</i>	- Air quality matters regarding the Permitted Phased Development Scheme were assessed in Chapter G of the 2017 Environmental Statement. - The Request for a Screening Opinion and Scoping Opinion (March 2021) reviewed the results of the assessment. There will be no alteration to the Permitted Phased Development Scheme in terms of air quality issues.
(3) Water pollution	
<i>'Due to the local geological conditions, it is not expected that flooding of the quarry void is likely to be an issue. However, any site drainage would need to be managed to ensure that existing ground water and surface water regimes are not detrimentally affected. This matter would therefore require detailed investigation and the potential implementation of measures to mitigate any detrimental impact'.</i>	- It should be noted that there will be no change to the hydrological parameters when compared to the Permitted Phased Development Scheme. - The new eastern screen bund will feature an integrated drainage strategy with the surface water drain directed towards a SuDS feature in the south-eastern sector of the Site. - Figure D14 (Rev D): Proposed Restoration Masterplan updates the approved plan, Figure D14 (V7): The Development Scheme Phase 3 Stage 9 – Restoration Concept.
(4) HGV movements	
<i>'The site would be served by a purpose built access directly onto Arborary Lane and the applicant has indicated that vehicle movements associated with this proposal would be up to 25 return loads per day as per the 2017/91213 permission. These vehicles would transport mineral to the existing stone processing works at Thewlis Lane via Nopper Road and Blackmoorfoot Road'.</i>	No change is being proposed to the access arrangements nor number of vehicle movements permitted through planning consent 2017/62/91213/WO.
The Risk of Accidents	
<i>'Any accidents associated with this proposal are likely to occur on site during the extraction of mineral or during loading operations. As the site is relatively remote and would be secured it is unlikely that members of the general public would be directly affected by the proposal. It is therefore considered that no additional risk of accidents would result'.</i>	The 2017 Environmental Statement addressed best practice and guidance for the operation and maintenance of plant etc. on site in line with mandatory Health and Safety regulations and in terms of highway safety outwith the Site associated with traffic movements.
Location of the Development	



ENVIRONMENTAL ISSUE/MATTER RAISED	RESPONSE (E.G. WHERE ADDRESSED IN THE PLANNING APPLICATION)
Existing Land Use	
<i>'The proposal relates to a site which is currently used for agriculture, which appears to have been used as for grazing and lies within a wider area of Green Belt. Although this proposal would result in the loss of agricultural land, this only represents a small percentage of that found in the immediate vicinity of the site and would be for a temporary period until site restoration'.</i>	• Permission was given in October 2018 (planning consent 2017/62/91213/WO) for the Permitted Phased Development Scheme which involves the extraction of approximately c.1 million tonnes of ashlar (block stone) mineral over a 20 year period. • The current baseline for the Site in planning terms is the approval for the extraction of minerals and subsequent reclamation to agriculture as specified in the Conditions attached to planning consent 2017/62/91213/WO. • The Site is approximately 23.5ha in size is situated within an area of Green Belt. The Site is located in an area of agricultural land (generally grazing). • The essential approach adopted for the mitigation measures incorporated into the Permitted Phased Development Scheme remains the same. Of particular note is progressive restoration and screening direct views of extractive operations. • The Revised Phased Development Scheme has an approximate duration of 20 years and replicates that of the Permitted Phased Development Scheme. • The Revised Phased Development Scheme incorporates the recommendations made in the Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021). An important change involves the biodiversity enhancement measures in the eastern part of the Site. This will take place in Phase 1 (Stage 5) to allow maximum time for establishment. Restoration will be to original ground levels and the Site will be restored to pasture (improved grassland) with reinstated dry stone walls. This is comparable to the approved scheme and restoration contours. The ecological opportunities offer significant biodiversity net gain following Site restoration. (see Figure D14 (Rev D): Proposed Restoration Masterplan)
Impact on Natural Resources	
<i>'The site contains a significant reserve of mineral and whilst this development would have an impact on natural resources, this mineral cannot be easily substituted with recycled materials'.</i>	• Since permission was given in October 2018 (planning consent 2017/62/91213/WO), further geological data and the interpretation of borehole information has led to a review of the phasing sequences and development areas within the Site. • The Revised Phased Development Scheme involves a smaller working area, a minor reduction in overall mineral resulting in a new available total of c.900,000 tonnes and a revised mitigation strategy which will provide a simplified and efficient working programme than is approved.
Impact on Natural Environment	
<i>'The site is not located within any designated areas of ecological or environmental sensitivity. However, records held by the Council indicate that the site may be being used by protected bird species for foraging/loafing. Consequently, further investigation would be required to assess whether any adverse impact on those species would result from this proposal. Furthermore, there is the potential for this proposal to have a significant visual impact on the surrounding area. The site can be seen from certain points in the surrounding countryside and will therefore have an impact on landscape character'.</i>	Ecology and Nature Conservation The Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021) concludes the following: • In terms of habitats, the Site is largely unchanged since the previous survey in 2016 which have a limited ecological value and a lack of connectivity in a wider context. • Ecological opportunities offer significant biodiversity net gain following Site restoration. All recommendations have been assimilated into the Revised Phased Development Scheme.
	Landscape and Visual The LVIA Addendum Report (August 2021) concludes that the Revised Phased Development Scheme results in environmental benefits notably in terms of visual effects for local road users (including pedestrians), residents and



ENVIRONMENTAL ISSUE/MATTER RAISED	RESPONSE (E.G. WHERE ADDRESSED IN THE PLANNING APPLICATION)
	the footpath network. This applies to both the screen bunds and overall view as well as more direct views of extractive operations. With respect to landscape character, there will be benefits regarding direct effects at a Site level and indirectly outwith, in a wider context.
Characteristics of the Potential Impact	
Extent of Impact	
<i>'The whole site represents an area of over 23.50ha. and the development therefore has the potential to have a significant effect on the character of the local landscape. The site and its immediate surroundings are allocated as Green Belt in the Council's Local Plan and it is therefore important that the character and openness of the landscape is not permanently damaged by this proposal. The site is on land which generally rises towards the north from Whitehead Road to Intake Lane to and can be overlooked from higher ground in the vicinity of the site and the wider landscape'.</i>	The LVIA Addendum Report (August 2021) concludes that the Revised Phased Development Scheme will provide environmental benefits both at a Site level and in a wider context regarding the openness of landscape when considering the protection of Green Belt areas.
Magnitude and Complexity of the Impact	
<i>'This issue must be considered in the context of the existing circumstances both at, and surrounding, the site and the effect those circumstances already have on the local environment. The proposal would involve a significant industrial operation in an open rural setting and it is therefore likely that the impact on the character of the local landscape associated with this proposal would be appreciable. This impact would be heightened to some extent by the cumulative impact associated with this proposal and existing mineral workings in this locality. However, whilst it is considered that this proposal would constitute a major development it would not amount to more than local significance'.</i>	• The 2017 Environmental Statement concludes that <i>'Cumulative effects arising from the development when considered with other developments and operations in the surrounding area do not give rise to a need for additional mitigation measures that have not been previously identified in this ES'</i>. (Chapter N: Residual and Cumulative Effects, paragraph N6.14) • The Revised Phased Development Scheme involves a smaller working area, a minor reduction in overall mineral to c.900,000 tonnes and a revised mitigation strategy which will provide a simplified and efficient working programme than is approved. Therefore, it will also deliver important environmental benefits due to the reduced footprint of the working quarry. • No planning applications relating to additional mineral sites further to those assessed in the 2017 Environmental Statement have been identified in the vicinity during the preparation of this report.
The probability of Impact	
<i>'Due to the open character of the site and its location within the surrounding landscape, it is likely that the impact associated with this proposal would be significant, however the restoration scheme assists in minimising this impact to a level that is not of more than local significance'.</i>	• The LVIA Addendum Report (August 2021) concludes that the Revised Phased Development Scheme results in notably in terms of visual effects for local road users (including pedestrians), residents and the footpath network (applies to both the screen bunds and overall view as well as more direct views of extractive operations). With respect to landscape character, there will be benefits regarding direct effects at a Site level and indirectly outwith, in a wider context. Also of note are aspects relevant to designations including the Green Belt and openness both in visual and spatial terms along with the setting of the South Crosland Conservation Area and Peak District National Park. • Restoration will be to original ground levels and the Site will be restored to pasture (improved grassland) with reinstated dry stone walls. This is comparable to the approved scheme and restoration contours. The Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021) concludes that the ecological opportunities offer significant biodiversity net gain following Site restoration. Recommendations have been incorporated into the Revised Phased Development Scheme and the Proposed Restoration Masterplan (Figure D14 (Rev D)).
Duration, Frequency and Reversibility of Impact	



ENVIRONMENTAL ISSUE/MATTER RAISED	RESPONSE (E.G. WHERE ADDRESSED IN THE PLANNING APPLICATION)
<i>'This proposal would represent a temporary development leading to the restoration of a site back to a use which is compatible with the Green Belt. Whilst there is no doubt that the proposed development would have an adverse impact during extractive operations, this would be for a limited period and suitable restoration of the site would result in it being returned to an agricultural/rural character. It is therefore considered that subject to satisfactory restoration the reversibility of any impact associated with this development can be achieved'.</i>	See above.



6. PLANNING POLICY CONTEXT

6.1. INTRODUCTION

- 6.1.1. A review of current planning policy has been undertaken regarding the Proposed Development. This has concentrated on noise, landscape and visual impact and ecology/biodiversity enhancement measures.
- 6.1.2. The following changes have occurred to national and local planning policy since the 2017 Environment Statement was submitted to Kirklees Council and planning consent 2017/62/91213/W0:
- ◆ The **Kirklees Local Plan** is the statutory development plan and covers the period 2013 – 2031. Both the 2017 Environment Statement and planning consent 2017/62/91213/W0 refer to the Kirklees Publication Draft Local Plan policies contained in the 2016 consultation document. The Kirklees Local Plan was adopted by Kirklees Council in February 2019 and supersedes the Kirklees Unitary Development Plan (2006) including Saved Policies;
 - ◆ The **National Planning Policy Framework (NPPF)** sets out the Government's planning policies for England and how these should be applied. The 2017 Environment Statement refers to the original 2012 version¹⁶ and the planning consent 2017/62/91213/W0, the revised 2018 version¹⁷. The most recent revision was issued in July 2021¹⁸; and
 - ◆ **National Planning Practice Guidance:** Minerals (2014) is still current whilst advice on the Green Belt and the Natural Environment was published in 2019.¹⁹
- 6.1.3. No Neighbourhood Plans have been published relevant to the Site in the interim period.
- 6.1.4. Appendix 4 Planning Policy Review provides a summary of former and current planning policy relevant to Conditions 15 and 27 and the Addendum Reports submitted as part of this application.

6.2. KIRKLEES LOCAL PLAN (ADOPTED FEBRUARY 2019)

- 6.2.1. The Kirklees Local Plan (Adopted February 2019) is the statutory development plan and covers the period 2013 – 2031. Part 1 Strategy and Policies contains the spatial strategy and development management policies.²⁰ Part 2 Allocations and Designations presents the allocations and designations included in the Local Plan.²¹

¹⁶ National Planning Policy Framework, Department for Communities and Local Government, March 2012

¹⁷ National Planning Policy Framework, Ministry of Housing, Communities and Local Government, July 2018

¹⁸ National Planning Policy Framework, Ministry of Housing, Communities and Local Government, July 2021

¹⁹ Planning Practice Guidance, <https://www.gov.uk/government/collections/planning-practice-guidance>, sourced August 2021

²⁰ Kirklees Local Plan Strategy and Policies Adopted 27 February 2019, Kirklees Council, 2019

²¹ Kirklees Local Plan Allocations and Designations Adopted 27 February 2019, Kirklees Council, 2019



6.2.2. With reference to the Policies Map (No's 3 Huddersfield and 5 Kirklees South), in terms of Minerals and Waste, the Site is identified as Site Ref. MES17 Land South of Intake Lane, Crosland Moor, Huddersfield and is also within an area of Green Belt. A Minerals Preferred Area (MPA), namely Site MPA2 Land South of Intake Lane, Crosland Moor, Huddersfield is adjacent north of the Site.

6.2.3. Part 2 Allocations and Designations provides further information regarding Site Ref. MES17. Mention is made to required reports as well as appropriate restoration and aftercare part of planning applications.

6.2.4. Policies contained in Part 1 Strategy and Policies have been reviewed and are commented below.

Policy LP2 Place Shaping

6.2.5. The policy states that development proposals should seek to help protect and enhance the qualities which contribute to character including for the Kirklees Rural area. Reference is made to the Peak District National Park and historic pre-industrial revolution villages outwith valleys.

6.2.6. **Comment:** The LVIA Addendum Report (August 2021) notes that one of the special qualities of the Peak District National Park concerns areas outwith its boundaries. This includes the importance of landscape character which contributes to its valued setting. The Revised Phased Restoration Scheme will result in environmental benefits regarding the setting of the Peak District National Park and the South Crosland Conservation Area.

Policy LP24 Design

6.2.7. The policy emphasises the importance of good design for development proposals which can be achieved in part by ensuring: (a) the form, scale, layout and details of all development respects and enhances the character of heritage assets and landscape, (h) that development should contribute towards the enhancement of the natural environment and supports biodiversity and (i) where appropriate the planting of new trees and other landscaping maximises visual amenity and environmental benefits.

6.2.8. **Comment:** The main issues considered during the design review are set out in Section 4 of this report. This includes the smaller working areas, a simplified series of screen bunds, SuDS measures and movement away from the more sensitive eastern part of the Site.



6.2.9. The Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021) concludes that the ecological opportunities offer significant biodiversity net gain following Site restoration. Proposals include the retention and enhancement of agricultural grassland which will be defined by a new species-rich native hedgerow. The wetland feature will include an adjacent free draining sandy substrate and native scrub planting. No changes are being proposed to the hedgerow planting on the edge of the northern Site boundary.

Policy LP30 Biodiversity & Geodiversity

6.2.10. The policy states that development proposals will be required to:

- ◆ *‘(i) result in no significant loss or harm to biodiversity in Kirklees through avoidance, adequate mitigation or, as a last resort, compensatory measures ...;*
- ◆ *(ii) ... provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist;*
- ◆ *(iii) safeguard and enhance the function and connectivity of the Kirklees Wildlife Habitat Network at a local and wider landscape-scale ...;*
- ◆ *(iv) establish additional ecological links to the Kirklees Wildlife Habitat Network where opportunities exist’; and*
- ◆ *‘(iv) incorporate biodiversity enhancement measures to reflect the priority habitats and species identified for the relevant Kirklees Biodiversity Opportunity Zone’.*

6.2.11. **Comment:** Mapping associated with this policy in the Kirklees Local Plan (Adopted February 2019) has been reviewed:

- ◆ **Map 2 Local Plan Key Diagram:** The Peak District National Park includes areas designated as a Special Protection Area (SPA) and a Special Area of Conservation (SAC). The Site is c.1.7km (north) of the indicative area in proximity to SPA/SAC;
- ◆ **Map 3 Wildlife Habitat Network:** The Site is outwith the defined areas. The closest are found to the north and south of South Crosland and around the Blackmoorfoot Reservoir and Edge Moor;
- ◆ **Map 5: Strategic Green Infrastructure Area:** The Site is c.300m west of the Holme Valley Corridor and c.620m south-east of the River Colne Corridor; and
- ◆ **Map 4: Biodiversity Opportunity Zones:** The Site is located in Mid-Altitudinal Grasslands. Valley Slopes is adjacent (north-east).

6.2.12. Appendix 5 of this Planning Supporting Statement includes relevant Biodiversity Background Information published by Kirklees Council concerning the Mid-Altitudinal Grasslands Biodiversity Opportunity Zone.



6.2.13. The Kirklees Biodiversity Action Plan lists overarching objectives/opportunities:

- ◆ *'1. Protect and enhance those areas which are an important component of the habitats upon which upland breeding bird communities are dependent;*
- ◆ *2. Restore grasslands and populations of grassland breeding bird communities focusing around the core areas of greatest interest and diversity;*
- ◆ *3. Protect and enhance habitats along the interface with adjacent areas ...; and*
- ◆ *4. Ensure that new development does not impinge upon areas of ecological value in these areas'. (paragraph 3.3)*

6.2.14. Kirklees Council recently carried out a public consultation process regarding the Draft Biodiversity Net Gain in Kirklees Technical Advice Note in 2020. Reference is made to the importance of considering relevant Biodiversity Opportunity Zone and the Kirklees Wildlife Habitat Network.

6.2.15. The Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021) recommends that target habitats and species selected as the focus for any restoration and long-term management should be in line with the strategic approach set out in the Kirklees Local Plan Technical Paper: Environmental Designations (April 2017).

Policy LP31 Strategic Green Infrastructure Network

6.2.16. The policy states that development proposals within and adjacent to the Strategic Green Infrastructure Network should ensure *'(iv) the protection and enhancement of biodiversity and ecological links, particularly within and connecting to the Kirklees Wildlife Habitat Network'*.

6.2.17. **Comment:** Mapping associated with this policy in the Kirklees Local Plan (Adopted February 2019) has been examined. The Site is c.300m west of the Holme Valley Corridor and c.620m south-east of the River Colne Corridor (Map 5: Strategic Green Infrastructure Area). Although outwith both Corridors, the biodiversity enhancements recommended in the Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021) will be incorporated into the Revised Phased Restoration Scheme and the Proposed Restoration Masterplan (Figure D14 (Rev D)). The report concludes that ecological opportunities will offer significant biodiversity net gain following Site restoration.

Policy LP32 Landscape

6.2.18. The policy notes that development proposals should consider and seek to improve landscape character including (a) with regards to the Peak District National Park, notably its setting, special qualities and views from surrounding areas, (b) the setting of settlements within the landscape, (c) the pattern of field boundaries and (d) the appearance of water features within the landscape.



6.2.19. **Comment:** (a) and (b) The LVIA Addendum Report (August 2021) concludes that environmental benefits will result for both the setting of the Peak District National Park and the South Crosland Conservation Area.

6.2.20.(c) and (d) The Revised Phased Restoration Scheme will include restored pasture (improved grassland) with reinstated dry stone walls. SuDS measures will include a wetland feature incorporating an adjacent free draining sandy substrate and native scrub planting. French drains and a high level overflow pipe (connected to existing drainage arrangements) will feed towards the wetland feature. See Figure D14 (Rev D): Proposed Restoration Masterplan.

Policy LP36 Proposals for mineral extraction

6.2.21. Part 1 lists criteria that proposals will be judged against and each is taken in turn:

- ◆ *'a. the impact on the environment including water resources and the best and the most versatile agricultural land':* **Comment:** The new eastern screen bund will feature an integrated drainage strategy with the surface water drain directed towards a SuDS feature in the south-eastern sector of the Site. The Site will be restored to an agricultural afteruse as per the Permitted Phased Development Scheme;
- ◆ *'b. the impact on residential amenity, highway safety and local heritage assets':* **Comment:** The LVIA Addendum Report (August 2021) established that the Revised Phased Development Scheme will result in notable benefits in terms of visual effects for local road users (including pedestrians), residents and the footpath network. This applies to both the screen bunds and overall view as well as more direct views of extractive operations;
- ◆ *'c. the impact on human health':* **Comment:** The Noise Assessment Addendum Report (July 2021) concludes that noise levels associated with the operation of Site would remain below the noise limits previously agreed, which ensure that the operation of the Site would not result in significant adverse effects. The operation would therefore comply with the requirements of NPPF (July 2021), Minerals PPG (March 2014) and relevant Local Plan policies; and
- ◆ *d. any cumulative effects arising from multiple impacts from individual sites and/or a number of sites in a locality':* **Comment:** (d) The 2017 Environmental Statement concludes that *'Cumulative effects arising from the development when considered with other developments and operations in the surrounding area do not give rise to a need for additional mitigation measures that have not been previously identified in this ES'*. (Chapter N: Residual and Cumulative Effects, paragraph N6.14) The Addendum Reports have not identified unacceptable cumulative effects. The Proposed Development involves a smaller working area. No planning applications relating to additional mineral sites further to those assessed in the 2017 Environmental Statement have been identified in the vicinity during the preparation of this report.



6.2.22. Part 2, lists criteria that proposals will be judged against and development will be permitted provided that it will not:

- ◆ *'a. cause unacceptable detriment to the landscape including its character or local visual amenity during or subsequent to extraction'*: **Comment:** (a) The Revised Phased Development Scheme will not cause unacceptable detriment to the landscape character or local visual amenity during extraction as demonstrated by the LVIA Addendum Report (August 2021). The Site will be restored to an agricultural afteruse as per the Permitted Phased Development Scheme;
- ◆ *'b. be materially detrimental to interests of nature conservation, cultural heritage, geological or archaeological importance'*: **Comment:** The Revised Phased Development Scheme will result in environmental benefits when compared to the Permitted Phased Development Scheme. This includes the visual amenity, landscape character and designations as well as biodiversity enhancement measures;
- ◆ *'c. cause nuisance or materially significant disturbance to local residents as a consequence of the generation of dust, noise or vibration by site operations or associated transport'*: **Comment:** The Noise Assessment Addendum Report (July 2021) provides information on control procedures to minimise noise levels (Section 7) in line with Minerals PPG (March 2014) which complies with Condition 47 of planning consent 2017/62/91213/W0;
- ◆ *'e. result in pollution of water resources or soils or the interruption of land drainage'*: **Comment:** The new eastern screen bund will feature an integrated drainage strategy with the surface water drain directed towards a SuDS feature in the south-eastern sector of the Site; and
- ◆ *'g. result in permanent loss of best and most versatile agricultural land'*: **Comment:** see (a) above.

Policy LP37 Site restoration and aftercare

6.2.23. Part 1 states that restoration proposals should be sensitive to the character and wider site setting as well as being an appropriate after-use. Criteria for design considerations have been reviewed against the Revised Phased Development Scheme:

- ◆ *'a. clearly indicate how the site will be restored and managed, before, during and after working'*: **Comment:** (a) The Site will be appropriately restored and managed. Given that the eastern part of the Site is being removed from the Revised Phased Development Scheme. The Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021) recommends the retention and enhancement of agricultural grassland which is defined by a new species-rich native hedgerow and a reduced density of grazing. Target habitats and species selected as the focus for any restoration and long-term management should be in line with the strategic approach set out in the Kirklees Local Plan Technical Paper: Environmental Designations (April 2017);



- ◆ *'b. ensure that restoration is completed at the earliest opportunity including the use of progressive restoration techniques where appropriate'*: **Comment:** (b) Progressive restoration is a key mitigation measure. Further to the above, the Revised Phased Development Scheme features progressive restoration as part of mitigation measures. Following the establishment of screen bunds, they will be grass seeded and then managed by grazing with sheep as per the Permitted Phased Development Scheme; and
- ◆ *'c. ensure that restoration and aftercare is appropriate with regard to the characteristics of the site's surroundings, including landscape character'*: **Comment:** The Proposed Restoration Masterplan (Figure D14 (Rev D)) is appropriate in terms of landscape character both at a national and local level notably, the Kirklees District Landscape Character Assessment (2015).

6.2.24. Part 2, states proposals for mineral extraction will be permitted only where the proposed site restoration provides benefits including enhancement of biodiversity interests. Matters to consider include: *'a. measures to assist or achieve priority habitat or species targets and/or biodiversity Action Plan targets'*; and *'e. measures to restore land back to agriculture for sites involving the best and most versatile agricultural land'*.

6.2.25. **Comment:** (a) and (e) see above regarding the Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021).

Policy LP52 Protection and improvement of environmental quality

6.2.26. The policy states that development proposals which have the potential to increase pollution from noise and other forms of pollution should be appropriately assessed. They should include (if relevant) mitigation measures to prevent or reduce pollution which may have unacceptable impacts on the environment or and affect the well-being of people. Where possible, development proposals should improve the existing environment.

6.2.27. **Comment:** No unacceptable adverse impacts have been identified in the Addendum Reports undertaken as part of this planning application.

6.3. NATIONAL PLANNING POLICY FRAMEWORK (JULY 2021)

6.3.1. The essential approach set out in the National Planning Policy Framework (July 2021) remains unchanged from recent editions. Paragraphs of relevance to noise, landscape and visual and ecology/biodiversity enhancement measures have been reviewed and commented on.

Section 2 Achieving sustainable development

6.3.2. **Paragraph 10** highlights that at the heart of the Framework is a presumption in favour of sustainable development



- 6.3.3. **Comment:** The LVIA Addendum Report (August 2021) concludes that the Revised Phased Development Scheme will provide benefits both at a Site level and in a wider context regarding the openness of landscape when considering the protection of Green Belt areas. The Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021) made a series of recommendations which have been integrated into the Revised Phased Restoration Scheme. The report concludes that significant biodiversity net gain will occur following Site restoration.

Section 12 Achieving well-designed places

- 6.3.4. **Paragraph 132** states that design quality should be an important factor as proposals evolve.
- 6.3.5. **Comment:** The main issues considered during the design review include the smaller working areas, a simplified series of screen bunds, SuDS measures and movement away from the more sensitive eastern part of the Site. This has allowed the incorporation of biodiversity enhancement measures to be integrated into the Revised Phased Restoration Scheme (see Section 4 of this report)

Section 13 Protecting Green Belt land

- 6.3.6. **Paragraph 150** refers to types of development which are not judged to be *'inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it'*. This includes a) mineral extraction.
- 6.3.7. **Comment:** see paragraph 10 above regarding the LVIA Addendum Report (August 2021).

Section 14 Meeting the challenge of climate change, flooding and coastal change

- 6.3.8. **Paragraph 152** emphasises the importance of the planning system to support the transition to a low carbon future in a changing climate. Consideration should be given to flood risk.
- 6.3.9. **Comment:** The Revised Phased Development Scheme includes a new eastern screen bund. This will feature an integrated drainage strategy with the surface water drain directed towards a SuDS feature (pond) in the south-eastern sector of the Site. It will incorporate an adjacent free draining sandy substrate and native scrub planting. (see Figure D14 (Rev D): Proposed Restoration Masterplan)

Section 15 Conserving and Enhancing the Natural Environment

- 6.3.10. **Paragraph 179** concerns the protection and enhancement of biodiversity. Opportunities to secure measurable net gains for biodiversity should be pursued.



6.3.11. **Paragraph 180** states with regards to habitats and biodiversity, that when deciding planning applications, local planning authorities should apply the following principles d) *‘... opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity...’*.

6.3.12. **Comment:** An Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021) has been undertaken as part of this planning application. In terms of habitats, the report states that Site is largely unchanged since the previous survey in 2016 which have a limited ecological value and a lack of connectivity in a wider context. It concludes that significant biodiversity net gain following Site restoration will result due to the Revised Phased Development Scheme.

6.3.13. **Paragraph 185** states that planning policies and decisions should ensure that new development is appropriate for its location including in terms of pollution on health, living conditions and the natural environment. Specific reference is made to a) noise.

6.3.14. **Comment:** The Noise Assessment Addendum Report (July 2021) concludes that the Proposed Development will not result in significant adverse effects. The LVIA Addendum Report (August 2021) determined that the Revised Phased Development Scheme will provide benefits both at a Site level and in a wider context regarding the openness of landscape when considering the protection of Green Belt areas. See response to paragraphs 179 and 180 regarding the Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021).

Section 17 Facilitating the sustainable use of minerals

6.3.15. **Paragraph 211** states that planning policies should (f) set out requirements to ensure that neither permitted and proposed operations have unacceptable adverse impacts on the natural and historic environment or human health and (h) ensure that restoration takes place as soon as possible. In addition, that high quality restoration and aftercare of mineral sites will take place.

6.3.16. **Comment:** With regards to (f), no unacceptable adverse impacts have been identified in the Addendum Reports undertaken as part of this planning application. (h) The Revised Phased Development Scheme incorporates the recommendations made in the Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021). An important change involves the biodiversity enhancement measures in the eastern part of the Site. This will take place in Phase 1 (Stage 5) to allow maximum time for establishment.

6.4. NATIONAL PLANNING PRACTICE GUIDANCE

6.4.1. National Planning Practice Guidance has been reviewed regarding noise, landscape and visual and ecology/biodiversity enhancement measures. Minerals (2014) is still current whilst advice on the Green Belt and the Natural Environment was published in 2019. Relevant paragraphs have been reviewed and commented on.



Minerals (2014)

What are the key stages that must be considered when considering restoration and aftercare conditions?

- 6.4.2. **Paragraph 38** refers to a series of key stages which mineral planning authorities should consider when preparing restoration and aftercare conditions. This includes soil stripping and storage, the replacement of overburden, landscape and landform objectives for the site, restoration and aftercare. (Reference ID: 27-038-20140306, Revision date: 06 03 2014)
- 6.4.3. **Comment:** Soils will be stored in screen bunds on-site and will be used during progressive restoration. The Revised Phased Development Scheme incorporates progressive restoration as part of mitigation measures. Following the establishment of screen bunds, they will be grass seeded and then managed by grazing with sheep as per the Permitted Phased Development Scheme. The Site will be restored to original ground levels with agriculture and stone walls etc. as per the Permitted Phased Development Scheme.

How should minerals operators seek to control noise emissions?

- 6.4.4. **Paragraph 19** refers to noise impact assessments including development proposals and their likely impact on the surrounding neighbourhood. (Reference ID: 27-019-20140306, Revision date: 06 03 2014)
- 6.4.5. **Comment:** The Noise Assessment Addendum Report (July 2021) concludes that noise levels associated with the operation of Site would remain below the noise limits previously agreed, which ensure that the operation of the Site would not result in significant adverse effects. The operation would therefore comply with the requirements of NPPF (July 2021), Minerals PPG (March 2014) and relevant Local Plan policies.

Green Belt (2019)

What factors can be taken into account when considering the potential impact of development on the openness of the Green Belt?

- 6.4.6. **Paragraph 1** concerns the impact of proposals on the openness of the Green Belt in line with the NPPF. Attention is drawn to spatial and visual aspects, the duration of the development and whether sites are returned to their original state or to an equivalent (or improved) state of openness. (Reference ID: 64-001-20190722, Revision date: 22 07 2019)
- 6.4.7. **Comment:** The LVIA Addendum Report (August 2021) concludes that the Revised Phased Development Scheme will provide benefits both at a Site level and in a wider context regarding the openness of landscape when considering the protection of Green Belt areas.



Natural Environment (2019)

How can biodiversity net gain be achieved?

- 6.4.8. **Paragraph 23** states that consideration should be given to whether provisions for biodiversity net gain will be appropriate regarding further development or climate change. (Reference ID: 8-023-20190721, Revision date: 21 07 2019)
- 6.4.9. **Comment:** The Revised Phased Development Scheme incorporates the recommendations made in the Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021). An important change involves the biodiversity enhancement measures in the eastern part of the Site. This will take place in Phase 1 (Stage 5) to allow maximum time for establishment. The aforementioned report concludes that the ecological opportunities offer significant biodiversity net gain following Site restoration.



7. SUMMARY AND CONCLUSIONS

- 7.1.1. This Section 73 application seeks permission to vary Conditions 15 and 27 attached to planning consent 2017/62/91213/W0.
- 7.1.2. This Planning Supporting Statement has been accompanied by Addendum Reports as requested by Kirklees Council Screening Opinion (May 2021). These concern noise, landscape and visual as well as ecology/biodiversity enhancement measures. A review of current national and local planning policy has been undertaken including changes since planning consent 2017/62/91213/W0 was granted (October 2018).
- 7.1.3. Good design is an essential aspect of sustainable development and is emphasised in the National Planning Policy Framework (July 2021) and the Kirklees Local Plan (Adopted February 2019).
- 7.1.4. The changes required to the Permitted Phased Development Scheme have provided an opportunity to provide environmental benefits. The main issues considered during the design review include the smaller working areas, a simplified series of screen bunds, SuDS measures and movement away from the more sensitive eastern part of the Site. This has allowed the incorporation of biodiversity enhancement measures to be integrated into the Revised Phased Restoration Scheme.
- 7.1.5. The Revised Phased Development Scheme incorporates the essential approach previously adopted for the mitigation measures notably, progressive restoration and screening direct views of extractive operations. The former involves the biodiversity enhancement measures in the eastern part of the Site. Recommendations made in the Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021) have been assimilated into the Revised Phased Restoration Scheme during Phase 1 (Stage 5) to allow maximum time for establishment.
- 7.1.6. Further to the above, the final Stage of restoration will encompass restored landform as illustrated by Figure D14 (Rev D): Proposed Restoration Masterplan. This shows the indicative restoration contours (subject to final overburden placement and grading of soils) and reflects the removal of Site areas from the Revised Phased Development Scheme. Whilst the Site will be restored to pasture (improved grassland) with reinstated dry stone walls. This is comparable to the approved scheme and restoration contours.
- 7.1.7. The Revised Phased Development Scheme has an approximate duration of 20 years and replicates that of the Permitted Phased Development Scheme. Changes are proposed to the number of Stages per Phase. The timeline of each of the three Phases remains the same.



7.1.8. The changes integrated into the Revised Phased Development Scheme will result in notable environmental benefits which have been considered in this Planning Supporting Statement and assessed through accompanying Addendum Reports which reached the following conclusions:

- ◆ The LVIA Addendum Report (August 2021) concludes that the Revised Phased Development Scheme will result in environmental benefits with notable benefits in terms of visual effects for local road users (including pedestrians), residents and the footpath network. This applies to both the screen bunds and overall view as well as more direct views of extractive operations. With respect to landscape character, there will be benefits regarding direct effects at a Site level and indirectly outwith in a wider context. Also of note are aspects relevant to designations including the Green Belt and openness both in visual and spatial terms along with the setting of the South Crosland Conservation Area and Peak District National Park;
- ◆ The Noise Assessment Addendum Report (July 2021) determined that noise levels associated with the operation of Site would remain below the noise limits previously agreed, which ensure that the operation of the Site would not result in significant adverse effects; and
- ◆ The Extended Phase 1 Habitat Survey Update and Biodiversity Net Gain Assessment (July 2021) concludes that in terms of habitats, the Site is largely unchanged since the previous survey in 2016 which have a limited ecological value and a lack of connectivity in a wider context. The Revised Phased Restoration Scheme will result in significant biodiversity net gains in terms of the restoration of the Site.

7.1.9. As demonstrated in this report, the Revised Phased Development Scheme will comply with current planning policy set out in the NPPF (July 2021), National Planning Practice Guidance and the Kirklees Local Plan (Adopted February 2019).

7.1.10. In conclusion, it is requested on behalf of the Applicant that permission should be granted for the variation of specific Conditions 15 and 27 as set out above.

DRAWING AND FIGURE LIST

DRAWING/FIGURE NO.	TITLE
Drawings	
Drawing ME1202-D2	Overview of the Revised Phased Development Scheme (2021)
Drawing ME1202-D1 Sheet 1/12	The Revised Phased Development Scheme (2021) Phase 1, Stage 1 - Site Access Road
Drawing ME1202-D1 Sheet 2/12	The Revised Phased Development Scheme (2021) Phase 1, Stage 2 - Northern Field Area
Drawing ME1202-D1 Sheet 3/12	The Revised Phased Development Scheme (2021) Phase 1, Stage 3 - Eastern Sector Soil Strip
Drawing ME1202-D1 Sheet 4/12	The Revised Phased Development Scheme (2021) Phase 1, Stage 4 - Form eastern screen bund
Drawing ME1202-D1 Sheet 5/12	The Revised Phased Development Scheme (2021) Phase 1, Stage 5 - Completion of screening works
Drawing ME1202-D1 Sheet 6/12	The Revised Phased Development Scheme (2021) Phase 1, Stage 6 - Quarry development
Drawing ME1202-D1 Sheet 7/12	The Revised Phased Development Scheme (2021) Phase 2, Stage 7 - Progressive restoration
Drawing ME1202-D1 Sheet 8/12	The Revised Phased Development Scheme (2021) Phase 2, Stage 8 - Soil stripping with progressive working and restoration
Drawing ME1202-D1 Sheet 9/12	The Revised Phased Development Scheme (2021) Phase 2, Stage 9 - Progressive quarry working and restoration
Drawing ME1202-D1 Sheet 10/12	The Revised Phased Development Scheme (2021) Phase 2, Stage 10 - Progressive quarry working and restoration
Drawing ME1202-D1 Sheet 11/12	The Revised Phased Development Scheme (2021) Phase 3, Stage 11 - Progressive quarry working and restoration
Drawing ME1202-D1 Sheet 12/12	The Revised Phased Development Scheme (2021) Phase 3, Stage 12 - Final restoration
Figures	
Figure D14 (Rev D)	Proposed Restoration Masterplan
Figure D15 (Rev A)	Illustrative Cross Sections

APPENDIX 1

Decision Notice 2017/62/91213/W0, Extraction Of Minerals And Subsequent Reclamation To Agriculture, At Land to the East of, Arborary Lane, and North Of Whitehead Road, Crosland Moor, Huddersfield, Kirklees Council, Dated 18 October 2018



**Town and Country Planning (Development Management Procedure) (England)
Order 2015**

PLANNING PERMISSION FOR DEVELOPMENT

**NOTE: This approval should be read in conjunction with an Agreement made
under Section 106 of the Town and Country Planning Act 1990**

Application Number: 2017/62/91213/W0

To: J Standen
Lichfields
3rd Floor
15 St Paul's Street
Leeds
LS1 2JG

For: Johnsons Wellfield Limited

**In pursuance of its powers under the above-mentioned Act and Order the
KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning
Authority hereby permits:-**

EXTRACTION OF MINERALS AND SUBSEQUENT RECLAMATION TO
AGRICULTURE

At: LAND TO THE EAST OF, ARBORARY LANE, AND NORTH OF WHITEHEAD
ROAD, CROSLAND MOOR, HUDDERSFIELD

**In accordance with the plan(s) and applications submitted to the Council on
05-Apr-2017, subject to the condition(s) specified hereunder:-**

Time Limits

1. The development shall be begun not later than the expiration of five years beginning
with the date on which permission is granted.

Reason: Pursuant to Section 91 of the Town and Country Planning Act 1990, as
amended by the Planning and Compulsory Purchase Order 2004.

2. The extraction of all minerals, the removal of all buildings, plant and machinery and
the restoration of the site for agriculture and nature conservation shall be completed by
31 December 2037.

Reason: To ensure the satisfactory completion of mineral extraction and the
subsequent restoration of the site within an acceptable period of time and to accord with
Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan
Policy PLP36 and Section 17 of the National Planning Policy Framework

Plans

3. A copy of this permission including all documents hereby approved and any other
documents subsequently approved in accordance with this permission, shall always be
on display on the site for inspection during normal working hours.

Reason: For the avoidance of doubt and to ensure that the site is operated in
accordance with the requirements of this planning permission.

4. The development hereby approved shall be carried out in complete accordance with
the approved plans and supporting documents except as stated otherwise in conditions
listed below which shall in all cases take precedence.

Reason: To enable the Mineral Planning Authority to adequately control the
development, minimise its impact on the amenities of the local area and ensure the
beneficial use of the site after development.

5. In the event of cessation of mineral extraction prior to the achievement of the
completion of the approved scheme, which in the opinion of the Mineral Planning
Authority constitutes a permanent cessation within the terms of paragraph 3 of Schedule
9 of the Town and Country Planning Act 1990, a revised reclamation scheme to include
details of restoration and aftercare and a timetable for implementation shall be
submitted in writing for the approval of the Mineral Planning Authority within 6 months of
the permanent cessation of mineral extraction. The scheme shall provide for:

- a) Restoration contour drawings of the whole site based on 1 metre intervals.
- b) Replacement of stored overburden, removal of screen mounds, settlement ponds and
haul road.
- c) The selective placement of all available topsoil, subsoil and soil making materials.
- d) The establishment of a grass sward.
- e) Completion of stone walled enclosures.
- f) A post-restoration drainage scheme.
- g) Location of planting species, spacing and planting methods.
- h) A time table for the implementation of the works

The approved revised reclamation scheme shall be fully implemented within the
approved timetable.

Reason: To ensure the satisfactory restoration of the site should development cease
prior to completion and to accord with Kirklees Unitary Development Plan Policy M3,
Kirklees Publication Draft Local Plan Policy PLP36 and Section 17 of the National
Planning Policy Framework

Access

6. The sole means of vehicular access to and egress from the site shall be via Arborary Lane as indicated on Plan no.D2.

Reason: In the interests of the free and safe use of the highway and to accord with Kirklees Unitary Development Plan Policy T10 and Kirklees Publication Draft Local Plan Policy PLP21.

7. Prior to any soil stripping operations and the export of any mineral from the site a scheme detailing wheel washing arrangements shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include adequate measures to deal with drainage from the wheel cleansing area. The approved scheme shall be implemented immediately and thereafter retained, maintained and kept available for use throughout for the duration of the planning permission hereby approved.

Reason: In the interests of the free and safe use of the highway and to accord with Kirklees Unitary Development Plan Policy T10 and Kirklees Publication Draft Local Plan Policy PLP 21.

8. The maximum number of heavy goods vehicle trips to and from the site shall not exceed 25 inward and 25 outward in any working day.

Reason: In the interests of highway safety and to accord with Kirklees Unitary Development Plan Policy T10 and Kirklees Publication Draft Local Plan Policy PLP21.

9. No mineral shall be exported from the site until the passing places indicated on Plan no. GIS\LE150567\01-15 on Arborary Lane and Nopper Road have been constructed and made available for use.

Reason: In the interests of highway safety and to accord with Kirklees Unitary Development Plan Policy T10 Kirklees Publication Draft Local Plan Policy PLP 21.

10. Other than to facilitate the construction of the site access, no works shall be carried out on site until the access arrangements and sight lines shown on drawing No. 364304-MM-00-XX-DR-C-0001 Rev.P4 have been implemented in full.

Reason: In the interests of highway safety and to accord with Kirklees Unitary Development Plan Policy and T10 Kirklees Publication Draft Local Plan Policy PLP21.

11. No development involving the stripping of soils or the export of minerals from the site shall commence until a vehicle management plan has been submitted to and approved in writing by the Mineral Planning Authority. The vehicle management plan shall include inter-alia the following

- A. On and off site vehicle/driver protocols
- B. Monitoring arrangements
- C. Incident/action procedures
- D. Details of the times of use of the access
- E. Construction workers parking facilities

The approved scheme shall be fully implemented prior to development commencing and shall be retained for the duration of this planning permission.

Reason: In the interests of highway safety and to accord with Kirklees Unitary Development Plan Policy T10 Kirklees Publication Draft Local Plan Policy PLP21.

12. No development involving the stripping of soils or the export of minerals from the site shall commence until a highway maintenance scheme has been submitted to and agreed in writing by the Mineral Planning Authority. The scheme shall provide for: An initial inspection of the those sections of Arborary Lane and Nopper Road between the site access and the junction of Nopper Road with Blackmoorfoot Road prior to any development commencing; the subsequent regular inspection of the said sections of highway; and the means of carrying out any repairs identified following inspection which are directly related to HGV traffic associated with this planning permission. The development shall only be carried out in accordance with the requirements of the approved scheme.

Reason: In the interests of highway safety and to accord with Kirklees Unitary Development Plan Policy T10 and Kirklees Publication Draft Local Plan Policy PLP21.

Land Stability

13. No development involving the stripping of soils or the export of minerals from the site shall commence until a geotechnical stability assessment has been submitted to and approved in writing by the Mineral Planning Authority which assesses the potential for excavations associated with this development to cause instability in adjacent land and appropriate remediation strategies. The scheme shall include consideration of the following issues:

- a) The physical properties of the geology on site and adjacent land including details of jointing, faulting, the dip of the strata, the presence of old workings in the vicinity and the level of groundwater and perched water tables.
- b) The design of the quarry faces including the proposed overall angle of slope for each part of the quarry void, the proposed face angle and benching arrangements.
- c) The potential effects associated with backfilling the resultant quarry void and the subsequent settlement of the restored site.

Operations at the site shall be carried out in accordance with the approved scheme for the duration of the planning permission.

Reason: To ensure that the stability of land adjacent to this development is not adversely affected as a result of excavations and that adequate measures are taken to mitigate any potential impact and to accord with Sections 15 and 17 of the National Planning Policy Framework.

Working Programme

14. No development involving the stripping of soils or the export of minerals from the site shall commence until a scheme has been submitted to and approved in writing by the Mineral Planning Authority detailing the method of constructing the screen mounds indicated on approved plan D5. The scheme shall provide for:

- a) The design, construction, and seeding and any subsequent maintenance of the screen/noise baffle mounds
- b) The inside slope of the mounds to be designed to minimise the broadcast of sound
- c) Representative Cross Sections through the proposed mounds
- d) A maintenance strategy for the prevention of weed and rank growth
- e) A detailed programme for the implementation of the works involved in the submitted scheme.

All screening mounds shall be constructed prior to the extraction of mineral from any phase of the development and shall be maintained in accordance with the approved scheme.

Reason: In the interests of visual amenity and to safeguard the amenities of nearby residents and to accord with Kirklees Unitary Development Plan Policies EP4 and M3 and Kirklees Publication Draft Local Plan Policies PLP 36 and PLP52 and Sections 15 and 17 of the National Planning Policy Framework

15. The site shall be worked in 3 phases in accordance with approved plan series D6, D7, D8, D9, D10, D11, D12, D13 and D14.

Reason: To ensure the progressive restoration of the site, to minimise the disturbed area of the site and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Sections 15 and 17 of the National Planning Policy Framework.

16. No mineral extraction shall take place below 200 metres A.O.D

Reason: To ensure the progressive restoration of the site can be completed within a reasonable timeframe in order to minimise the disturbed area of the site and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP37 and Sections 15 and 17 of the National Planning Policy Framework

17. A detailed scheme of mineral working and backfill operations shall be submitted to the Mineral Planning Authority 12 months after the date of commencement referred to in Condition 1 above and every 12 months thereafter until completion of mineral working and backfill. The scheme shall provide for:

- (a) a plan indicating the lateral extent, location and direction of mineral extraction to be undertaken over the following 12 months;
- (b) typical cross-sections of the extraction to be undertaken during the following 12 months including an indication of the maximum depth of excavation;
- (c) a plan indicating the lateral extent, location and direction of backfilling to be undertaken over the following 12 months to achieve proposed backfill contours;
- (d) a survey plan indicating the location and extent of mineral extraction and location, lateral extent and finished levels of backfill achieved during the previous 12 months;
- (e) details of any ancillary operations, e.g. stone splitting, hand dressing, location, duration and equipment.

Reason: To enable the Mineral Planning Authority to adequately control the development, minimise its impact on the amenity of the local area, ensure the beneficial after use of the site after development and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Section 17 of the National Planning Policy Framework

18. Every year the developer shall arrange a site meeting to be held within 1 month of the date of submission of the annual working programme to discuss the programme and to review progress to which the Mineral Planning Authority shall be invited.

Reason: To enable the Mineral Planning Authority to adequately control the development, minimise its impact on the amenity of the local area, ensure the beneficial after use of the site after development and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP 36 and Section 17 of the National Planning Policy Framework

19. From the date of this permission the operator shall maintain records of monthly production and mineral extraction, and shall make available to the Mineral Planning Authority on a 6 monthly basis the total tonnage of mineral product extracted from the permitted site within the previous 6 month period. All records shall be kept for inspection for at least 24 months.

Reason: to allow the Mineral Planning Authority to accurately assess the quantity of mineral extracted from the site.

20. There shall be no discharge of foul or contaminated water from the site into either groundwater or any surface waters.

Reason: To prevent the pollution of surface and ground water regimes and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Policy PLP36 and Sections 15 and 17 of the National Planning Policy Framework

21. In the event that it is proposed to treat drainage from the development, a scheme, detailing the measures to be employed shall be submitted to and approved in writing by the Mineral Planning Authority prior to the implementation of such measures. The scheme should examine the 1 in 10 critical rainfall event in this analysis. The treatment scheme shall be fully implemented and thereafter be retained and maintained to ensure efficient working and used throughout the lifetime of the development.

Reason: To prevent the pollution of surface and ground water regimes and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP 36 and Sections 15 and 17 of the National Planning Policy Framework

Soil stripping and storage

22. No development involving the stripping of soils or the export of minerals from the site shall commence until a method statement for the avoidance of impacts to ground nesting birds and brown hare has been submitted to and approved in writing by the Mineral Planning Authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed working method(s) necessary to achieve stated objectives;
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, making reference to the agreed phasing of works;
- e) persons responsible for implementing and/or overseeing the works.

The works shall be carried out strictly in accordance with the approved details.

Reason: To ensure that the impact on existing local ecological systems is adequately considered and mitigated against and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policies PLP30 and PLP36 and Section 15 of the National Planning Policy Framework

23. The full depth of topsoil and subsoil on existing agricultural land within the application site shall be stripped separately prior to the removal of overburden or mineral from each phase of working and stored separately in areas to be approved in writing with the Mineral Planning Authority.

Reason: To protect a scarce resource and in the interests of ensuring the satisfactory restoration of the site and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP37 and Section 17 of the National Planning Policy Framework

24. The stripping, movement and replacement of topsoil and subsoil shall only be carried out under sufficiently dry and friable conditions to avoid smearing and compaction and to ensure all available soil resources are recovered.

Reason: To protect a scarce resource and in the interests of ensuring the satisfactory restoration of the site and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP36 and Section 17 of the National Planning Policy Framework

25. The Mineral Planning Authority shall be supplied with a plan indicating the areas stripped of soils, the location of each soil storage mound and an estimate of the quantity of soil stored which shall be provided in writing to the Mineral Planning Authority within one month of the date soil stripping commenced.

Reason: To ensure the satisfactory restoration of the site and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP37 and Section 17 of the National Planning Policy Framework

26. All mounds in which soil is to be stored for more than 6 months, or over the winter period, shall be grass seeded in accordance with a specification approved beforehand in writing by the Mineral Planning Authority.

Reason: To protect a scarce resource and in the interests of ensuring the satisfactory restoration of the site and to accord with Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP37 and Section 17 of the National Planning Policy Framework

Restoration

27. After completion of mineral extraction in each phase the site shall be progressively restored to agriculture/nature conservation in accordance with the restoration concept indicated on Plan no. D14 and a detailed scheme to be submitted to and approved in writing by the Mineral Planning Authority prior to any development involving the stripping of soils or the export of minerals from the site. The submitted scheme shall provide for:

- (a) the phasing and direction of backfilling of the site
- (b) the removal of plant, machinery, haul roads and fences;
- (c) spreading a minimum depth of 350mm subsoil and 250mm topsoil over the backfilled overburden in agricultural grassland areas;
- (d) spreading a minimum depth of 500mm subsoil or sandy overburden over the backfilled material on areas to be restored to nature conservation
- (e) ripping of any compacted layers of subsoil to ensure adequate drainage and aeration prior to spreading topsoil;
- (f) details of cultivation techniques and equipment to be used;
- (g) final levels and contours of the restored land graded to blend in with those of the surrounding land to prevent ponding and promote good surface water drainage;
- (h) provision of any temporary surface water drainage ditches where restored levels may cause a risk of ponding;
- (i) grass seeding of any areas to be returned to agriculture including details of proposed seed mixture;
- (j) details of the restoration to nature conservation including seeding and planting details,
- (k) removal of all storage/screen mounds;
- (l) reconstruction of drystone walls and provision of gates in the local style;
- (m) comprehensive details of post restoration drainage arrangements for the site;
- (n) programme of works and timescales;

The approved scheme shall be fully implemented following its approval.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP37 and Section 17 of the National Planning Policy Framework

28. No development involving the stripping of soils or the export of minerals from the site shall commence until a scheme, detailing the means of achieving the permitted scheme of ecological enhancement during operation and following restoration, has been submitted to and approved in writing by the Mineral Planning Authority. The scheme include:

- a) Purpose and conservation objectives for the permitted scheme;
- b) Review of site potential and constraints;
- c) Detailed design(s) and/or working method(s) to achieve stated objectives;
- d) Extent and location/area of the permitted scheme on appropriate scale maps and plans;
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f) Timetable for implementation demonstrating that works to deliver the scheme are aligned with the agreed phasing of works;
- g) Clear indication of which features/management practices are temporary or permanent and, where relevant, the duration of retention/implementation;
- h) Persons responsible for implementing and/or overseeing the works;
- i) Details of initial aftercare and long-term maintenance;
- j) Details for monitoring and remedial measures; and
- k) Details for disposal of any wastes arising from delivery works;

The scheme shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To enhance local biodiversity and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP37 and Section 17 of the National Planning Policy Framework

Soil replacement

29. The final surface of backfilled quarry overburden in each phase shall be graded to provide an even surface 500mm lower than the agreed final contours.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP37 and Section 17 of the National Planning Policy Framework

30. The spreading of subsoil and topsoil shall only be carried out when the material is in a dry and friable condition and in sufficient time for subsoil ripping, cultivation and seeding to take place under suitable weather conditions before the end of September.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP37 and Section 17 of the National Planning Policy Framework

31. In each phase subsoil shall be spread to the depths specified in Condition 27 using a backacter so as to avoid running over the spread soil. If running over the spread soil with wheeled plant and vehicles is unavoidable all areas which have been trafficked with wheeled machines shall be subsoil ripped to a depth of 450mm at spacings of not more than 750mm to relieve any compaction. In areas that are to receive topsoil, subsoil ripping shall be carried out prior to the spreading of topsoil. All stones and any other object larger than would pass through a wire screen mesh with a spacing of 75mm shall be removed from the surface of the soil. The Mineral Planning Authority shall be notified in writing when the works required in this condition have been completed.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP37 and Section 17 of the National Planning Policy Framework

32. On receipt of the written approval of the Mineral Planning Authority for the works required by Condition 31 above, topsoil shall be spread over the surface of the areas to be restored to agriculture to the depth specified in Condition 27. The Mineral Planning Authority shall be notified in writing when the works required in this condition have been completed.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP37 and Section 17 of the National Planning Policy Framework.

33. In each phase a grass sward shall be developed in those areas of the site to be restored to grassland, and a grass sward on those areas of the site to be restored to nature conservation suitable for hare habitat in the first available growing season.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP37 Section 17 of the National Planning Policy Framework

34. If in any part of the restored area satisfactory grass growth is not obtained as a result of the initial sowing, such part shall be cultivated and reseeded, after the correction of any nutrient deficiencies in the soil, during the next growing season and such work shall be repeated until a satisfactory sward is established.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP37 and Section 17 of the National Planning Policy Framework

Aftercare

35. An outline aftercare scheme detailing the steps which may be necessary over the aftercare period of 5 years to bring each restoration phase to the required standard for use for agriculture or for nature conservation shall be submitted to the Mineral Planning Authority at least 3 months prior to the completion of replacement of all restoration soils on any phase of the permitted development.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP37 and Section 17 of the National Planning Policy Framework

36. The aftercare scheme submitted in accordance with Condition 35 above shall be fully implemented and shall provide details of:

- a) the person responsible for implementing the aftercare scheme;
- b) a plan showing each area subject to aftercare, with demarcation of any areas having different aftercare steps or management proposals;
- c) the steps to be carried out in each area during the aftercare period and their timing within the overall programme in accordance the requirements identified in para. 056 to 058 of the National Planning Practice Guidance on minerals;
- d) detailed programme for the first year of aftercare in accordance with the requirements identified in para. 056 to 058 of the National Planning Practice Guidance on minerals.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP37 and Section 17 of the National Planning Policy Framework

37. Following compliance with Condition 35 above, a detailed annual aftercare programme shall be submitted to the Mineral Planning Authority before 31 August in each year of aftercare of any phase. The programme submitted shall amplify the outline aftercare scheme for works to be carried out in the following 12 months, including any modifications to the original proposals. The approved scheme shall accord with the requirements identified in para. 056 to 058 of the National Planning Practice Guidance on minerals and shall be fully implemented for the duration of the aftercare period

Reason: To ensure that the restoration of the site results in a beneficial afteruse and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP37 and Section 17 of the National Planning Policy Framework

38. Every year during the aftercare period the developer shall arrange a site meeting to be held every year before 30 November to discuss the report prepared in accordance with Conditions 35 and 37 above to which the following parties shall be invited:

- a) the Minerals Planning Authority;
- b) all owners of the land within the site;
- c) DEFRA.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP37 and Section 17 of the National Planning Policy Framework

Protection of Amenity

39. Except in emergencies to maintain safe quarry working, which shall be notified to the Mineral Planning Authority as soon as practicable:

- a) no operations, other than water pumping, servicing and environmental monitoring shall be carried out on the site except between the following times:
0730-1800 Mondays to Fridays

08:00-1300 Saturdays

- b) no operations other than water pumping and environmental monitoring shall take place on Sundays and Bank/Public Holidays.

Reason: To protect the amenities of local residents and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policies PLP36 and PLP52 and Section 17 of the National Planning Policy Framework.

40. The site attributable free field equivalent continuous A weighted sound pressure level (LAeq,T) when measured at a height of 1.3-1.5m above ground and at least 3.5m from any reflecting structure other than the ground, measured at 'Noise Monitoring Locations' as detailed on drawing number 1 rev B.0 SK-NQ-002 Project Number 1544171 in the Environmental Impact Statement dated February 2017, or at equivalent positions agreed with the Mineral Planning Authority, shall not exceed:

- a) 70dB(A) in any one hour period at any noise sensitive property during exceptionally noisy operations such as the construction and removal of screen mounds, soil stripping and replacement and the initial part of the quarry phasing, as agreed in advance with the Mineral Planning Authority (this noise limit is only permitted for a maximum of 8 weeks in any 12 month period);

- b) 10 dB(A) above the measured background noise level (L90T) in any one hour period at the Noise Monitoring Locations as detailed on drawing "project number "1544171 SK-NQ002 Rev B.0 Dwg 1 dated 17 February 2017 (Golder Associates).

Reason: To protect the amenities of local residents and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policies PLP36 and PLP52 and Section 17 of the National Planning Policy Framework.

41. Except with the prior written approval of the Mineral Planning Authority, exceptionally noisy operations (as defined in Condition 40) shall only be carried out between the hours of:

0900-1730 Mondays to Fridays

0900-1230 Saturdays

and at no time on Sundays or Bank Holidays.

Reason: To protect the amenities of local residents and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policies PLP36 and PLP52 and Section 17 of the National Planning Policy Framework.

42. No crushing plant or screening plant and or crushing or screening equipment shall be operated at the site.

Reason: To protect the amenities of local residents and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policies PLP36 and PLP52 and Section 17 of the National Planning Policy Framework.

43. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specifications at all times, and shall be fitted with and use effective silencers.

Reason: To protect the amenities of local residents and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policies PLP36 and PLP52 and Section 17 of the National Planning Policy Framework.

44. All vehicle reversing warning systems and/or alarms shall be operated in accordance with specifications to be submitted to and approved in writing by the Mineral Planning Authority prior to soil stripping or mineral extraction commencing on site.

Reason: To protect the amenities of local residents and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policies PLP36 and PLP52 and Section 17 of the National Planning Policy Framework.

45. There shall be no explosive blasting on the site.

Reason: To protect the amenities of local residents and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policies PLP36 and PLP52 and Section 17 of the National Planning Policy Framework.

46. The development shall be operated at all times in accordance with the noise mitigation measures stipulated in "Chapter H: Noise" of the supporting Environmental Statement dated 9 February 2017.

Reason: To protect the amenities of local residents and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policies PLP36 and PLP52 and Section 17 of the National Planning Policy Framework.

47. No soil stripping or mineral extraction shall commence until a noise monitoring scheme has been submitted to and approved in writing by the Mineral Planning Authority. The submitted scheme shall provide details of

- a) equipment to be used;
- b) noise monitoring station locations;
- c) frequency of monitoring;
- d) methodology to be employed.

The approved scheme shall be implemented for the duration of the planning permission hereby approved and the operator shall retain the results of noise monitoring surveys for a minimum of 12 months for inspection by the Mineral Planning Authority.

Reason: To protect the amenities of local residents and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policies PLP36 and PLP52 and Section 17 of the National Planning Policy Framework.

48. No soil stripping or mineral extraction shall commence until a clean supply of water has been provided which can be used to serve wheel washing and dust suppression measures at the site.

Reason: To protect the amenities of local residents and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policies PLP36 and PLP52 and Section 17 of the National Planning Policy Framework.

49. No soil stripping or mineral extraction shall commence until a scheme for the suppression of dust has been submitted to and approved in writing by the Mineral Planning Authority. The submitted scheme shall provide for:

- a) the suppression of dust caused by the movement, transport and storage of stone, soils and overburden;
- b) seeding of all screening mounds and soil stockpiles which will be in place for more than 6 months;
- c) speed restriction of 15 miles per hour for all vehicles using the haul road;
- d) use of water bowsters and water spray units for the suppression of dust;
- e) all plant used on site to have upward facing exhausts;
- f) heavy plant to be fitted with radiator deflector units;
- g) suspension of the movement of mineral, soils and overburden on site when local wind speed exceeds 20 metres per second;
- h) provision and use of effective means to prevent the deposition of mud and other materials on the highway.

Reason: To protect the amenities of local residents and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policies PLP36 and PLP52 and Section 17 of the National Planning Policy Framework.

50. Prior to soil stripping commencing on the permitted site a dust monitoring scheme shall be submitted to and approved in writing by the Mineral Planning Authority. The submitted scheme shall provide details of

- a) equipment to be used;
- b) dust monitoring station locations;
- c) frequency of monitoring;
- d) methodology to be employed;
- e) procedures for dealing with complaints.

The approved scheme shall be implemented for the duration of the planning permission hereby approved and the operator shall retain the results of dust monitoring surveys for a minimum of 12 months for inspection by the Mineral Planning Authority.

Reason: To protect the amenities of local residents and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policies PLP36 and PLP52 and Section 17 of the National Planning Policy Framework.

51. Overburden shall only be stored above ground level within the Phase 3 area indicated on plan D5 and shall not to exceed 2m in height from surrounding ground level.

Reason: In the interest of visual amenity and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policies PLP36 and PLP52 and Section 17 of the National Planning Policy Framework.

52. The screen hedge indicated on plan No. D5 which surrounds the proposed overburden storage area shall be planted during the first available planting season following the date of the planning permission hereby approved.

Reason: In the interest of visual amenity and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policies PLP36 and PLP52 and Section 17 of the National Planning Policy Framework.

53. The site shall not be used for the storage of waste skips or containers or other plant and equipment not directly associated with the operation of the quarry.

Reason: In the interest of visual amenity and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policies PLP36 and PLP52 and Section 17 of the National Planning Policy Framework.

54. Notwithstanding the provisions of Part 17 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 2015 (or any Order amending, replacing or re-enacting that Order with or without modification) no fixed plant or machinery, buildings, structures and erections, or private ways which would project above natural ground levels shall be erected, extended, installed or replaced at the site without the prior approval in writing of the Mineral Planning Authority.

Reason: In the interest of visual amenity and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policies PLP36 and PLP52 and Section 17 of the National Planning Policy Framework.

Cultural Heritage

55. No soil stripping or mineral extraction shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological recording. This recording must be carried out by an appropriately qualified and experienced archaeological consultant or organisation in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Mineral Planning Authority.

Reason: to ensure that any unrecorded archaeology is sufficiently protected and to accord with Section 16 of the National Planning Policy Framework

56. The Mineral Planning Authority shall be notified in writing of any artefact or feature of archaeological or geological interest encountered on the site and given reasonable opportunity to inspect and record it.

Reason: to ensure that any unrecorded archaeology or important geological feature is sufficiently protected and to accord with Section 16 of the National Planning Policy Framework

Note: Public footpath byway Huddersfield 229 is adjacent to the development site and must not be interfered with or obstructed, prior to, during or after development works. No construction traffic in connection with the operations should use Huddersfield 229 (Turbid Lane). Although this is a byway, not all byways are suitable for vehicular traffic and the use of this one is predominantly non-vehicular.

The Council's public rights of way unit may be contact by telephone 01484 221000 and ask for Sharon Huddleston. Public rights of way is now based at Flint Street, Fartown, Huddersfield HD1 6LG and the e-mail address is publicrightsofway@kirklees.gov.uk

Note: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	D2		05/04/2017
Topographic survey	D4	6	05/04/2017
Existing surface water features	D23	A01	05/04/2017
Proposed site sections	D15	5	05/04/2017
Proposed site and existing operational areas	D21		05/04/2017
Ownership boundary	D3		05/04/2017
Proposed permissive footpath	D20	4	05/04/2017
Phasing plan	D5	6	05/04/2017
Phase 1 stage 1	D6	7	05/04/2017
Phase 1 stage 2	D7	7	05/04/2017
Phase 1 stage 3	D8	7	05/04/2017
Phase 1 stage 4	D9	7	05/04/2017
Phase 2 stage 5	D10	7	05/04/2017
Phase 2 stage 6	D11	7	05/04/2017
Phase 3 stage 7	D12	7	05/04/2017
Phase 3 stage 8	D 13	7	05/04/2017
Phase 3 stage 9 –restoration concept	D14	7	
Preliminary drainage strategy – phase 1	D16	A01	05/04/2017
Preliminary drainage strategy – phase 2	D17	A01	05/04/2017
Preliminary drainage strategy – restoration scheme	D18	A01	05/04/2017
Supporting planning statement			05/07/2017
Passing place details	50567/JG/JS14 420149v1		05/07/2017
Supporting Environmental statement - chapters A to N and associated appendices			05/04/2017
Environmental Impact Assessment non-technical summary			05/04/2017
Amended access arrangements	364304-MM-00-XX-DR-C-0001	P4	10/07/2017
Brown hare mitigation proposals	SRG/HD/170126		10/07/2017
Golden Plover Survey			10/07/2017
Supplementary drainage information	WIE10674-100-C001		24/07/2017

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. During the consideration of this application negotiations with the applicant have secured the following:

- o Highway improvements
- o Access design improvements
- o Further bird survey work
- o Additional work on drainage regimes and whether effects on ground water would impact on Blackmoorfoot Reservoir
- o Additional information regarding the potential impact this development would have on Castle Hill
- o Changes to the design of the scheme which require the completion of the restoration of an agreed area of the existing quarry (Airfield Extension) working before mineral extraction can take place at the application site.
- o Dedication of the proposed footpath link once the site is fully restored.

Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Telephone: (01484) 221550 for more information.

It is the applicant's responsibility to find out whether any works approved by this planning permission, which involve excavating or working near public highway and any highway structures including retaining walls, will require written approval from the Council's Highways Structures Section. Please contact the Highways Structures Section on Tel No. 01484-221000 Ext 74199 for further advice on this matter.

Details Reserved by Condition

- This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording "submitted to and approved in writing by the Local Planning Authority".
- You can apply online for approval of these details at the Planning Portals website at www.planningportal.gov.uk. Alternatively the forms and supporting guidance for submitting an application can be found online at www.kirklees.gov.uk/planning.
- This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.
- You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.
- It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.
- If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.

Development within a Coal Mining Area

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

The application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within:
 - i) 28 days of the date of service of the enforcement notice, or
 - ii) within the specified period, starting on the date of this notice,whichever period expires earlier.
- If you want to appeal against your Local Planning Authority's decision then you must do so within the specified period, starting on the date of this notice.
- The "specified period" is 12 weeks where the development relates to a "minor commercial application" as defined within the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), or 6 months in any other case.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>.
- You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Please note, only the applicant possesses the right of appeal.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 18-Oct-2018

Signed:



Karl Battersby
Strategic Director Economy and Infrastructure

Application Plans

The decision notice indicates which plan/s relate to the decision.

Plans can be viewed on the Planning and Building Control web site:

<http://www.kirklees.gov.uk/business/planning/planning.asp>

If a paper copy of the decided plan is required please email:

planning.contactcentre@kirklees.gov.uk

or telephone 01484 414746 with the application number.

There may be a charge for this service.

Address to which all communications should be sent:

Planning, Strategic Investment Service,
PO Box B93, Civic Centre 3, Off Market Street, Huddersfield, HD1 2JR

APPENDIX 2

Screening Opinion, Land to the east of, Arborary Lane, and North of Whitehead Road, Crosland Moor, Huddersfield, Kirklees Council, Dated 5 May 2021

KIRKLEES COUNCIL INVESTMENT AND REGENERATION SERVICE

THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

SCREENING OPINION

CASE DETAILS
Applicant Reference: 2021/20175 Johnson Wellfield Quarries Ltd.
Planning Applications 2017/91213 Extraction of minerals and subsequent reclamation to agriculture – granted 18/10/2018
Site Address: Land to the east of, Arborary Lane, and North of Whitehead Road, Crosland Moor, Huddersfield
Proposed Development: Revisions to the previously approved scheme under application 2017/91213 which would include: • a reduction in working mineral extraction area • a reduction in overall mineral extraction approximately 900,000 (previously 1million tonnes) and • a revised mitigation strategy
Area of Development / Works / New Floor space (as appropriate): The site area is 23.50 hectares. The proposals seek to reduce the mineral extraction area

EIA DETAILS
Schedule 1 <i>Is the proposed development Schedule 1 development as described in Schedule 1 of the EIA Regulations?</i> No <i>If yes, under which description of development, i.e. No's 1-21</i>
Schedule 2 <i>Is the proposed development Schedule 2 development as described in Column 1 of Schedule 2 of the EIA regulations?</i> Yes

<i>If yes, under which description of development in Column 1,</i> <i>Extractive Industry 2 (a)</i>
Is the development within, partly within, or near a 'sensitive area' as defined by Regulation 2 of the EIA Regulations? No
<i>If yes, which area</i> N/A
Are the applicable thresholds / criteria in Column 2 exceeded /met? Yes
<i>If yes, which applicable threshold / criteria?</i> All development except the construction of buildings or other ancillary structures where the new floorspace does not exceed 1,000 square metres.

SCREENING OPINION

Characteristics of Development
• Size The site subject to this screening opinion comprises an area of land measuring approximately 23.50 ha. and is situated approximately 800m south of existing operational mineral workings • Cumulative The site is relatively remote although there are significant mineral workings to the north of the site at Crosland Moor Quarry which already has a disturbed footprint of approximately 23 ha. • Use of Natural Resources This proposal would involve the extraction of approximately 900,000 tonnes of sandstone. The applicant has indicated that there is no change proposed to the timing which was previously stated on the 2017/91213 to take approximately 20 years to extract and could involve an extraction rate of up to 60,000 tonnes of mineral per annum. • The Production of Waste

Extractive operations would produce significant quantities of quarry waste. However, this material would be used in site restoration and would not therefore be exported from the site.

- **Pollution and Nuisances**

It is considered that there are four potential sources of pollution or nuisances associated with this proposal:

Noise

The extraction of mineral would involve the use heavy machinery including mechanical excavators and dump trucks. Noise would therefore be generated by the vehicles themselves and during extractive operations and when heavy vehicles are loaded and unloaded. However, the site is relatively remote and following initial development work such operations would primarily take place below ground level. There are residential properties in the area concentrated to the south east at South Crosland. However, the closest residential properties are to the north of Intake Lane and around School lane to the east, the closest of which are approximately 100m from the boundary of the site.

Dust

The main sources of dust generation are likely to result from the movement of mineral during dry conditions and vehicle movements within the site. Any future approval of planning permission would require the site operator to take appropriate dust suppression measures and it is therefore considered that dust emissions are unlikely to cause significant nuisance to nearby properties in this instance.

Water pollution

Due to the local geological conditions, it is not expected that flooding of the quarry void is likely to be an issue. However, any site drainage would need to be managed to ensure that existing ground water and surface water regimes are not detrimentally affected. This matter would therefore require detailed investigation and the potential implementation of measures to mitigate any detrimental impact.

HGV movements

The site would be served by a purpose built access directly onto Arborary Lane and the applicant has indicated that vehicle movements associated with this proposal would be up to 25 return loads per day as per the 2017/91213 permission. These vehicles would transport mineral to the existing stone processing works at Thewlis Lane via Nopper Road and Blackmoorfoot Road.

- **The Risk of Accidents**

Any accidents associated with this proposal are likely to occur on site during the extraction of mineral or during loading operations. As the site is relatively remote and would be secured it is unlikely that members of the general public would be directly affected by the proposal. It is therefore considered that no additional risk of accidents would result.

Location of the Development

- **Existing Land Use**

The proposal relates to a site which is currently used for agriculture, which appears to have been used as for grazing and lies within a wider area of Green Belt. Although this proposal would result in the loss of agricultural land, this only represents a small percentage of that found in the immediate vicinity of the site and would be for a temporary period until site restoration.

- **Impact on Natural Resources**

The site contains a significant reserve of mineral and whilst this development would have an impact on natural resources, this mineral cannot be easily substituted with recycled materials.

- **Impact on Natural Environment**

The site is not located within any designated areas of ecological or environmental sensitivity. However, records held by the Council indicate that the site may be being used by protected bird species for foraging/loafing. Consequently, further investigation would be required to assess whether any adverse impact on those species would result from this proposal. Furthermore, there is the potential for this proposal to have a significant visual impact on the surrounding area. The site can be seen from certain points in the surrounding countryside and will therefore have an impact on landscape character.

Characteristics of the Potential Impact

- **Extent of Impact**

The whole site represents an area of over 23.50ha. and the development therefore has the potential to have a significant effect on the character of the local landscape. The site and its immediate surroundings are allocated as Green Belt in the Council's Local Plan and it is therefore important that the character and openness of the landscape is not permanently damaged by this proposal. The site is on land which generally rises towards the north from Whitehead Road to Intake Lane to and can be overlooked from higher ground in the vicinity of the site and the wider landscape.

- **Magnitude and Complexity of the Impact**

This issue must be considered in the context of the existing circumstances both at, and surrounding, the site and the effect those circumstances already have on the local environment. The proposal would involve a significant industrial operation in an open rural setting and it is therefore likely that the impact on the character of the local landscape associated with this proposal would be appreciable. This impact would be heightened to some extent by the cumulative impact associated with this proposal and existing mineral workings in this locality. However, whilst it is considered that this proposal would constitute a major development it would not amount to more than local significance.

- **The probability of Impact**

Due to the open character of the site and its location within the surrounding landscape, it is likely that the impact associated with this proposal would be significant, however the restoration scheme assists in minimising this impact to a level that is not of more than local significance.

- **Duration, Frequency and Reversibility of Impact**

This proposal would represent a temporary development leading to the restoration of a site back to a use which is compatible with the Green Belt. Whilst there is no doubt that the proposed development would have an adverse impact during extractive operations, this would be for a limited period and suitable restoration of the site would result in it being returned to an agricultural/rural character. It is therefore considered that subject to satisfactory restoration the reversibility of any impact associated with this development can be achieved.

Conclusion:

SCREENING DECISION

Schedule 2 Development –Threshold exceeded / criterion met / sensitive area and likely to have significant effects on the environment. EIA Required

Current Planning Practice Guidance relating to the extractive industry indicates that the 2 thresholds of 15ha and involve extraction of more than 30,000 of mineral per annum may lead to significant environmental impacts but this would depend on the scale and duration of the works. However, bearing in mind the existing character of the site and the amendments proposed that reduce impacts upon the environment and residential amenity from the 2017 scheme, it is therefore the opinion of the Council that the environmental affects which are likely to result from this proposal are not more than local significance and therefore a new EIA is not required.

Recommendation and Authorisation Box

Officer Signature	Farzana Tabasum	Date:	27/04/21
Team Leader Signature:	David Wordsworth	Date:	05/05/21

APPENDIX 3

Revised Soils Balance Table (dated August 2021)

Phase/Stage & Item number	Item description	Strip area (m ²)	Volume (m ³) cut/dig	Volume (m ³) fill/place	Mineral volume (m ³)	Other works	Notes
Phase 1 Stage 1 Access road							
1.1.1	Strip top soil from footprint of access road	13400	3350				Form outer slopes of screen bunds
1.1.2	Strip sub soil from footprint of access road	11100	2775				Form inner slopes of bunds
1.1.3	Top soil for Northern bund (adjacent to public road) B1			2475			Top and use sub for internal slopes
1.1.4	Sub soil for Northern bund (adjacent to public road) B1			2775			
1.1.5	Top soil for Southern bund (adjacent to public highway) B2			480			Top
1.1.6	Top soil for Eastern access road bund B3			395 (OB =1780)			Top and deficit to come from overburden extracted from access road
1.1.7	Extraction of material to form access/haul road				24,500		Removal and process off site. Includes rock head and benching on eastern side prior to commencement of quarry operations.
1.1.8	Stone wall remove					50 lin m	Remove c.50 lin metre rebuild 30 lin metre at entrance Place into store
1.1.9	Stone wall build					c.30 lin m	Access road and frontage
1.1.10	Fencing works					290 lin m	Stock fencing
1.1.11	Site infrastructure					Item	Electric and water connection to be undertaken
Phase 1 Stage 2 Northern field area							
1.2.1	Stone wall removal						140 lin metre (retain wall alongside overhead power cables). Place into temporary store then see 1.3.1
1.2.2	Strip soils from field area	21800	5850				Over-dig soils average depth 0.27
1.2.3	Northern field soil bund B4			5850			Top soil placement
1.2.4	Separation layer over stripped area						Prepare for overburden placement by formation of separation layer.
Phase 1 Stage 3 Eastern sector soil stripping							
1.3.1	Stone wall removal					657 lin m	Place into store plus 1.2.1
1.3.2	Strip top soils	78550	19630				For part use on southern and south-western roadside bunds
1.3.3	Strip sub soils	47150	11800				
1.3.4	Eastern bund footprint	24730					Prepare for overburden placement by formation of granular (site derived) or geotextile separation layer
1.3.5	Top soil for southern and south-western roadside bunds B5 & B6			11730			Use top soils. Store 'sub on sub and top on top'
1.3.6	Form temporary top soil store TB1			7900			Top soil
1.3.7	Sub soil into store B7			11800			Sub soil placed 2.5 metres high
1.3.8	Fencing works					600 lin m	Stock fencing
1.3.9	Seeding preparation and application						

Phase/Stage & Item number	Item description	Strip area (m ²)	Volume (m ³) cut/dig	Volume (m3) fill/place	Mineral volume (m ³)	Other works	Notes
Phase 1 Stage 4 Form eastern screen bund							
1.4.1	Stone wall removal					291lin metres	Place into store
1.4.2	Strip top soil	26700	6675				
1.4.3	Top soil into temporary store TB1			6675			Placed into temporary store within strip area , total includes insitu soils under temporary bund
1.4.4	Strip sub soil	26700	6675				
1.4.5	Sub soil into store B8			6675			Put into store on western stockpile, includes insitu soils under temporary bund
1.4.6	Commence formation of eastern screen bund B9		108500				Formed from top rock removed from northern sector of Phase 1 excavation
Phase 1 Stage 5 Completion of screening works							
1.5.1	Top soil over eastern screen bund B9	21600		7340			1.3.6 plus 1.4.3 Spread 0.34 average
1.5.2	Form northern field top rock placement	51440					Top rock excavated from Phase 1
1.5.3	Place top soil onto overburden in Northern field B10	20800		7235			1.3.6 plus 1.4.3 Spread 0.34 average
1.5.4	Form eastern drainage and SuDS feature					Item not quantified	
1.5.5	Shrub plant external slope					2500m2 =1000 plants	To be completed in first available planting season
Phase 1 Stage 6 Quarry development							
1.6.1	Stock fencing eastern screen bund					525 lin m	
1.6.2	Ongoing progressive working of quarry excavation and removal of mineral						NB Contours are maximum overall extraction. Quarry will be developed in a sequential manner
Phase 2 Stage 7 Progressive restoration							
2.7.1	Stone wall removal						406 lin m
2.7.2	Fencing removal					65 lin m	
2.7.3	Strip top soil	25470	6360				
2.7.4	Strip sub soil	25470	6360				

2.7.5	Top soil into banded store B11			6360			Stored on south eastern side of site 2.5m high stock
2.7.6	Sub soil into banded store B12			6360			Stored in eastern area of site adjacent to earlier stocked sub soil 2.5m high
Phase 2 Stage 8 Soil stripping with progressive working and restoration							
2.8.1	Strip top soil	21500	5375				Stripped progressively to enable direct placement for restoration
2.8.2	Strip sub soil	21500	5375				Stripped progressively to enable direct placement for restoration
2.8.3	Restoration area sub soil placement	14550		3640			Direct placement from soil strip area
2.8.4	Restoration top soil placement	14550		3640			Direct placement from soil strip area
2.8.5	Top soil into store B13			1735			
2.8.6	Sub soil into store B14			1735			
Phase 2 Stage 9 Progressive quarry working and restoration							
2.9.1	Prepare access road to enable Phase 3 development						
	Mineral extraction						
Phase 3 Stage 10 Progressive quarry working and restoration							
2.10.1	Strip top soil from northern field and place into temporary bund	6700	1675				
2.10.2	Temporary bund TB2			1675			
2.10.3	Partial removal of overburden from northern field		16750				Partial volume to only facilitate excavation, material used as backfill to facilitate restoration
		Area (m²) for restoration		Volume (m³) for restoration			
2.10.4	Restoration area sub soil replacement B14 and part B12	12000		3000			From storage areas in south-western sector
2.10.5	Restoration top soil replacement B11	12000		3000			From storage areas in south-western sector
Phase 3 Stage 11 Progressive quarry working and restoration							

Moor End Farm South (Revised 2021) Soils balance and related walling and construction works (refer to Phasing Plans ME1202-D1 Stage 1 to 12) Note figures are rounded totals not exact mathematical results

3.11.1	Sub soil from south-western stockpiles			B12 5095 B8 6675 B7 11800			
3.11.2	Top soil from south-western stockpile			B11 3360			
3.11.3	Top soil from eastern screen bund			B9 7340			
3.11.4	Top soil from north east stocks by access			B13 1735			
3.11.5	Top soil from northern field			B10 7235			
3.11.6	Top soil from southern and south-eastern roadside bund			B5 & B6 11730			
3.11.7	Top soil from northern field bund			B4 5850			
3.11.8	Infill access road			c.24500 less 1780			
3.11.9	Sub soils from access road formation			B1 2775			
3.11.10	Top soils from access road formation			B1 2475 B2 480 BT3 395			
Phase 3 Stage 12 Final restoration							
3.12.1	Replacement of dry stone walls						

	Phase 3 Stage 8					
	3.8.1	Mineral extraction				
3.8.2		Progressive restoration in north-eastern sector of Phase 2				
3.8.3		Stone wall replacement				
	Phase 3 Stage 9 and restoration					
3.9.1		Progressive restoration using remainder of eastern bund for sub soils				
3.9.2		Area for top soil placement				
3.9.3		Top soil from eastern Phase 2 bund				
3.9.4		Top soil placement from access road bund				
3.9.5		Top soil from northern field				
3.9.6		Remove final screen features				
3.9.7		Stone wall replacement				

APPENDIX 4

Planning Policy Review

Table 4A: Planning Policy Review Per Condition (Planning Consent 2017/62/91213/W0)

PLANNING POLICY CITED UNDER EACH CONDITION			RELEVANT TO SECTION 73 APPLICATION		
KIRKLEES UNITARY DEVELOPMENT PLAN POLICIES (2006)	KIRKLEES PUBLICATION DRAFT LOCAL PLAN POLICIES	NATIONAL PLANNING POLICY FRAMEWORK (2018)*	KIRKLEES UNITARY DEVELOPMENT PLAN POLICIES (2006)	KIRKLEES LOCAL PLAN POLICIES (ADOPTED FEBRUARY 2019)	NATIONAL PLANNING POLICY FRAMEWORK (2021)
Condition 15 Working Programme (the Permitted Phased Development Scheme)					
Policy M3 Mineral extraction	Draft Local Plan Policy PLP36 Proposals for mineral extraction	Section 15 Conserving and Enhancing the Natural Environment	Replaced by Policy LP36 Proposals for mineral extraction in Kirklees Local Plan Policies (Adopted February 2019)	Policy LP36 Proposals for mineral extraction	Section 15 Conserving and Enhancing the Natural Environment
		Section 17 Facilitating the sustainable use of minerals			Section 17 Facilitating the sustainable use of minerals
Condition 27 Restoration (Site restoration)					
Policy M3 Mineral extraction	Draft Local Plan Policy PLP37 Site restoration and aftercare	Section 17 Facilitating the sustainable use of minerals	Replaced by Policy LP36 Proposals for mineral extraction in Kirklees Local Plan Policies (Adopted February 2019)	Policy LP37 Site restoration and aftercare	Section 17 Facilitating the sustainable use of minerals
TABLE NOTES: * Current at the time planning consent 2017/62/91213/W0 was given by Kirklees Council.					

Table 4B: Planning Policy Review For Chapter F, H and K of the 2017 Environmental Statement

2017 ENVIRONMENTAL STATEMENT				RELEVANT TO SECTION 73 APPLICATION			
KIRKLEES UNITARY DEVELOPMENT PLAN POLICIES (2006)	KIRKLEES PUBLICATION DRAFT LOCAL PLAN POLICIES	NATIONAL PLANNING POLICY FRAMEWORK (2012)*	PLANNING PRACTICE GUIDANCE	KIRKLEES UNITARY DEVELOPMENT PLAN POLICIES (2006)	KIRKLEES LOCAL PLAN POLICIES (ADOPTED FEBRUARY 2019)	NATIONAL PLANNING POLICY FRAMEWORK (JULY 2021)	PLANNING PRACTICE GUIDANCE
Chapter F: Landscape and Visual Impact Assessment/Addendum							
Policy G4 New Development	N/A	Section 7 Requiring Good Design	Minerals (2014)	Replaced by Policy LP24 Design in Kirklees Local Plan Policies (Adopted February 2019)	Policy LP2 Place Shaping Policy LP24 Design Policy LP32 Landscape Policy LP36 Proposals for mineral extraction Policy LP37 Site restoration and aftercare Policy LP52 Protection and improvement of environmental quality	Section 12 Achieving well-designed places	Minerals (2014) and Green Belt (2019)
Policy D1 Loss Of Open Land				Replaced by Policy LP61 Urban Green Space in Kirklees Local Plan Policies (Adopted February 2019)			
Policy NE8A The Peak District National Park				Replaced by Policy LP32 Landscape in Kirklees Local Plan Policies (Adopted February 2019)			
Chapter H: Noise and Vibration/Addendum							
Policy M3 Mineral extraction	Draft Policy PLP 36	Section 11 Conserving and enhancing the natural environment	Minerals (2014)	Replaced by Policy LP36 Proposals for mineral extraction in Kirklees Local Plan Policies (Adopted February 2019)	Policy LP36 Proposals for mineral extraction	Section 15 Conserving and Enhancing the Natural Environment	Minerals (2014)
Policy BE1 Quality of design				Replaced by Policy LP24 Design in Kirklees Local Plan Policies (Adopted February 2019)			
Policy EP4 Noise sensitive locations	Draft Policy PLP 52	Section 11 Conserving and enhancing the natural environment		Replaced by Policy LP52 Protection and improvement of environmental quality in Kirklees Local Plan Policies (Adopted February 2019)	Policy LP52 Protection and improvement of environmental quality		
Policy EP6 Development and noise				Replaced by Policy LP52 Protection and improvement of environmental quality in Kirklees Local Plan Policies (Adopted February 2019)			
Chapter K: Terrestrial Ecology and Nature Conservation/Addendum							
Policy NE4 Sites Of Wildlife Significance	N/A	Section 11 Conserving and enhancing the natural environment	N/A	Replaced by LP30 Biodiversity and geodiversity in Kirklees Local Plan Policies (Adopted February 2019)	Policy LP30 Biodiversity & Geodiversity Policy LP31 Strategic Green Infrastructure Network Policy LP36 Proposals for mineral extraction Policy LP37 Site restoration and aftercare Policy LP52 Protection and improvement of environmental quality	Section 15 Conserving and Enhancing the Natural Environment	Natural Environment (2019)
TABLE NOTES:* Current at the time the 2017 Environmental Statement was submitted.							

APPENDIX 5

Biodiversity Background Information (Kirklees Council)

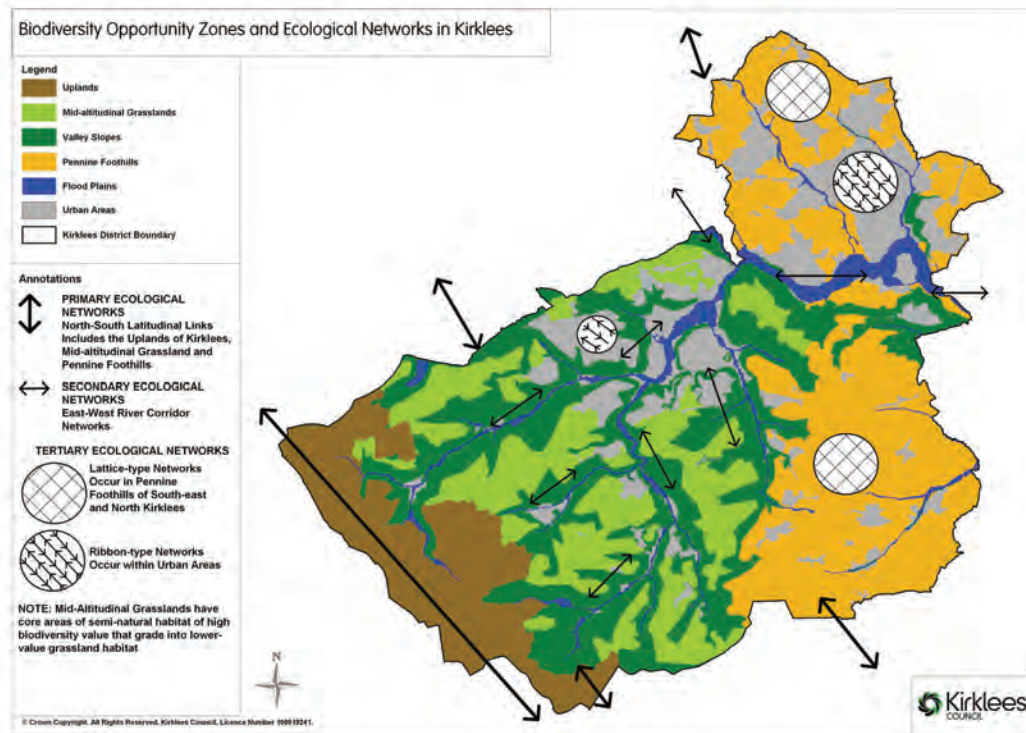


Table 2.

Habitats and Species of Principal Importance occurring within the Mid-Altitudinal Grasslands Biodiversity Opportunity Zone			
Habitats	Hay Meadows	Scrub	Other Semi- natural Grasslands
Species			
Birds			
Skylark			
Common Linnet			
Yellow Wagtail			
Corn Crake	No longer present		
Common Cuckoo			
Yellowhammer			
Reed Bunting	Wet or marshy areas		Wet or marshy areas
Eurasian Curlew			
House Sparrow	Occurs around buildings		
Eurasian Tree Sparrow			
Grey Partridge			
Common Starling			
Northern Lapwing			
Twite	See Twite Species Action Plan (Kirklees BAP)		
Invertebrates			
Wall Brown Butterfly			
Terrestrial Mammals			
Bats			

West European Hedgehog			
Brown Hare			
Water Vole	See Water Vole Species Action Plan (Kirklees BAP)		

Kirklees Biodiversity Opportunity Zones: Background

Protecting and enhancing biodiversity in Kirklees through Opportunities Mapping, the distribution of Habitats of Principal Importance and their relevance to multi-functional land use.

1 Introduction

- 1.1 The Council has established priorities and opportunities for biodiversity in specific geographical areas of Kirklees as shown on the Kirklees Biodiversity Opportunity Zones Map (available at www.kirklees.gov.uk/biodiversity). These distinct biodiversity zones have been identified through the overall habitat types which characterise these areas to ensure that any conservation efforts are effectively targeted..

2 Establishing Biodiversity Priorities

Species and habitat priorities:

- 2.1 For each of the biodiversity opportunity zones, a species/habitat table has been produced. This identifies the species associated with those habitats within any particular zone. These species and habitats should be the focus of all conservation work within each zone unless there is sufficient justification to do otherwise.

Ecological connectivity priorities:

- 2.2 The relevance of ecological connectivity within and between these zones - and beyond the district - is critical to species survival, especially in adapting to climate change. Three distinct connectivity gradients have been identified:
- North-south or latitudinal gradient;
 - East-west or altitudinal gradient;
 - Gradient of high to low biodiversity value areas.

The relevance of these gradients within the each zone differs and this is used to determine the nature of the ecological networks found there.

Efficiency of resource use:

- 2.3 In line with the increasing need to consider multi-functional land use, the potential for integrating biodiversity along with other land uses is also highlighted for the different zones.

3 Biodiversity Opportunities Zones

- 3.1 The characteristic zones identified on the Biodiversity Opportunities Map are:
- The Uplands
 - The Mid-Altitudinal Grasslands
 - Valley Slopes
 - Floodplain and Riverine Corridors
 - Pennine Foothills
 - Urban Areas

The characteristics used to define these areas are described below.

The Uplands

- 3.2 This area takes in the European designated and protected sites of the South Pennines and Dark Peak. They are dominated by Upland Heath and Blanket Bog, both UK Habitats of Principal Importance. The sites have been designated for their breeding bird communities and are sensitive to the many pressures exerted upon them. Much of the area is classified as being in unfavourable condition although planned management should change this status to favourable and recovering in the coming years.

Land use relevant to: carbon storage, water resource/flood risk management, stock rearing and recreation/tourism.

Connectivity Issues

- The designation of the uplands along much of the Pennine chain illustrates their importance to nature conservation and the need for a coherent approach to their protection as a unit along a linear north-south axis.
- There is an important interface with the grassland habitats adjacent to the uplands with upland breeding bird communities being dependent upon these areas at some stage during their breeding cycle (see grasslands below).
- Wetlands in the floodplain are of some relevance to the migration of birds breeding in the uplands and wintering elsewhere. There are, however, currently no wetlands of significance in Kirklees, most occurring further east (see floodplain below).

Overarching objectives/opportunities

1. Protect and bring designated areas into favourable condition.
2. Maintain ecological connectivity with other upland areas along the Pennines.
3. Enhance migration routes for upland breeding birds.
4. Bring the adjacent and complementary grasslands into favourable condition.

The Mid-Altitudinal Grasslands

- 3.3 These areas occur primarily in the Valley wards with some representation in the western portion of the Denby Dale ward. The grasslands occur at elevations from around 200 metres upwards. They are characterised by relatively flat land. In the past this would have been managed as pasture and hay meadow (Habitats of Principal Importance) but much now, is agriculturally improved for intensive grazing and silage production. The primary importance of the area is for the remaining semi-natural grasslands and their breeding bird communities. Also, the grasslands within 3km of the upland protected sites are important for the integrity of those sites and the species found there (eg. feeding areas for Golden Plover and Twite which breed in the Uplands).

Land use relevant to: water resource/flood risk management, stock rearing, recreation/tourism, wind-sourced renewables, development of the urban fringe.

Connectivity Issues

- Ecological connectivity in a linear sense is less important in this area as bird species are highly mobile. Notably, the more ecologically valuable grasslands also tend to coincide with the areas of greatest ornithological interest forming core areas of biodiversity value. The focus of connectivity should, therefore, be to build on these existing 'core areas', to ensure greater resilience of species' populations (eg. against predation).

- There is a linear, north-south ecological connectivity along the Pennine fringe.
- There is some relevance in terms of the interface with other zones. Of primary importance are the upland protected sites (see upland section above relating to breeding birds) and that with the woodlands of the valley slopes are also significant – see valley slopes below.

Overarching objectives/opportunities

1. Protect and enhance those areas which are an important component of the habitats upon which upland breeding bird communities are dependent.
2. Restore grasslands and populations of grassland breeding bird communities focusing around the core areas of greatest interest and diversity.
3. Protect and enhance habitats along the interface with adjacent areas (see Valley Slopes below).
4. Ensure that new development does not impinge upon areas of ecological value in these areas.

Valley Slopes

- 3.4 These slopes – because of their steepness – tend not to have been improved for agriculture or developed. Hence, woodland (including some ancient woodland sites) is a dominant habitat. Even within the urban areas this is the case (hence, the identity of the valley slopes through the urban areas has been retained on the Opportunities Map). Woodland type is that found on acidic soils and varies from Upland Oak Woodland at higher elevations to Lowland Mixed Deciduous Woodland, both UK Habitats of Principal Importance. Whilst the primary habitat can be considered as woodland, it needs to be recognised that this is interspersed with Scrub (local Habitat of Principal Importance), Lowland Acid Grassland and Lowland Heath (both UK Habitats of Principal Importance). As such, a more accurate description of the overarching habitat type is a 'Forest Habitat Network'. This mosaic is very distinctive of the district (giving a sense of place) and serves to support a range of Species of Principal Importance.

Land use relevant to: timber and wood fuel production, sense of place and recreation.

Connectivity Issues

- Linear ecological connectivity is significant for this woodland based mosaic of habitats. This is especially so in the face of climate change where there is likely to be a shift in species distribution from low altitude (east of the district) habitats to higher altitude (west of the district). A number of species associated with such habitats exhibit poor powers of dispersal across habitats unsuited to their needs.
- The interface between this area and the Floodplain and Mid-altitudinal Grasslands is important for a range of species which utilise different habitats (ie. bats, birds and invertebrates for which the woodland edge is a critical habitat – whether the interface is grassland or wetland).

Overarching objectives/opportunities

1. Maintain and enhance the integrity of the ecological network of woodland associated habitats by maintaining a balanced mosaic to retain species diversity and aid species migration.
2. Maintain and enhance the habitats along the interface of this area with the floodplain, grassland and other zones.

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