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

**PLANNING PERMISSION FOR DEVELOPMENT**

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**Application Number: 2022/70/90169/E0**

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**To:** Chris Ballam,
MWP Planning
10, Dobroyd
Shepley
Huddersfield
HD8 8AU

**For:** D Watson, PMW Quarries Ltd

**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:-**

**VARIATION OF CONDITION 3 (TIME LIMIT) ON PREVIOUS PERMISSION 2011/91942 USE OF LAND FOR THE RECYCLING OF CONSTRUCTION, DEMOLITION AND EXCAVATION WASTE**

**At:** CARR HILL QUARRY, BARNSLEY ROAD, UPPER CUMBERWORTH, HUDDERSFIELD, HD8 8XG

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**In accordance with the plan(s) and applications submitted to the Council on 18-Jan-2022 [together with those plans and application(s) submitted to the Council on 01/Aug/2011 and incorporated into planning permission [2011/62/91942 granted on 2-Dec-2011] and subject to the condition(s) specified hereunder:-**

1. DELETED [as permission implemented]

2. The development hereby permitted shall be carried out in complete accordance with the approved plans and specifications except as may be required by other conditions which shall in all cases take precedence.
**Reason:** In the interest of minimising impact on the amenities of the local area and to accordance with Kirklees Local Plan Policies LP21, LP32, LP37, LP43 and LP52 and guidance within the National Planning Policy Framework.

3. All recycling activities herby approved shall permanently cease at the site by 31 August 2027 or following the completion of site restoration works approved under planning application 2022/93465 whichever is the sooner.
**Reason:** To ensure the site is fully restored within the period approved in accordance with and under the terms of planning permission 2022/93465.

4. The site shall only be used for the recycling of inert construction and demolition materials and no other materials shall be imported into the site for transfer.
**Reason:** To safeguard the amenities of nearby residents and to accordance with Kirklees Local Plan Policies LP21, LP32, LP37, LP43 and LP52 and guidance within the National Planning Policy Framework.

5. From the date of this permission the site operators shall maintain monthly records of the total quantities of imported waste at the site and of the quantities of recycled waste exported and shall make them available to the Local Planning Authority at any time upon request. All records to be kept for at least 24 months.
**Reason:** To allow the Mineral Planning Authority to record the progress on site, enable monitoring and to accord with Policy LP36 of the Kirklees Local Plan and guidance within the National Planning Policy Framework.

6. The maximum number of heavy goods vehicle trips to and from the site shall not exceed 15 inward and 15 outward in any working day.
**Reason:** In the interests of highway safety and to accord with Kirklees Local Plan Policy LP21 and guidance in the National Planning Policy Framework.

7. No more than 3 heavy goods vehicle trips from the site shall be used to export recycled waste in any working day.
**Reason:** In the interests of highway safety and to accord with Kirklees Local Plan Policy LP21 and guidance in the National Planning Policy Framework.

8. No loaded vehicles carrying recycled waste shall leave the site unsheeted.
**Reason:** In the interest of highway safety and to accord with Policies LP21 and LP36 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

9. Areas used for vehicle parking and manoeuvring shall be kept clear of all obstructions to such use and shall at no time be used for the siting of crushing or screening equipment.
**Reason:** In the interests of the free and safe use of the highway and to accord with Kirklees Local Plan Policy LP21 and guidance in the National Planning Policy Framework

10. The stockpiling of recycled waste shall be carried out in complete accordance with the details and drawing no. 9496/02A approved pursuant to planning permission 2011/91942.
**Reason:** To protect the amenity of nearby residents and to accord with Policies LP36 and LP52 of the Kirklees Local Plan.

11. No activities associated with recycling operations shall be carried out at the site outside the hours of:

- Monday to Friday: 07:30 – 18:00
- Saturday: 07:30 – 1300
- No activities being carried out on Sundays or Bank/Public Holidays

**Reason:** To ensure that the proposals do not give rise to the loss of amenity to nearby residential properties by reason of noise or disturbance at unsociable hours, and to accord with Kirklees Local Plan Policies LP36 and LP52 and Section 17 of the National Planning Policy Framework.

12. The site shall not be used for the storage of skips or containers.
**Reason:** To ensure that the proposals do not give rise to the loss of amenity to nearby residential properties by reason of noise or disturbance at unsociable hours, and to accord with Kirklees Local Plan Policies LP36 and LP52 and Section 17 of the National Planning Policy Framework.

Plans and specifications schedule:

| Plan Type | Reference | Version | Date Received |
|---|---|---|---|
| **Details submitted via S73 application ref. 2022/90169** | | | |
| Supporting statement recycling time extension | 10158C/CJB/070122 | | 18/January/2022 |
| **Details submitted via application ref. 2011/91942** | | | |
| Location plan | 9496/02 | | 01/August/2011 |
| Planning statement | | | 01/August/2011 |
| Recycled waste stock pile drawing | 9496/02A | | 16/January/2012 |

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.

No negotiations were considered necessary however, formal agreement was sought from the applicant to the conditions set out above and an extension of time.

**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 Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

**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.**

**Where 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 refuse permission for the proposed development or 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 or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against the local planning authority's decision on your application, then you must do so within:**

**i) 28 days from the date of this notice where the enforcement notice has been served,**
**ii) 28 days of the date of service of the enforcement notice or,**
**iii) the specified period starting from 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/appeal-planning-decision. 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:** 04-Sep-2025

**Signed:** 

**David Shepherd**
**Executive Director for Place**

**Decision Documents**

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2022/70/90169/E0.

If a paper copy of the decision notice or decided plans are required, please email dc.admin@kirklees.gov.uk or telephone 01484 414746 with the application number. There may be a charge for this service.

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All communications should be sent to one of the following address:

**E-mail:** dc.admin@kirklees.gov.uk

**Write to:** Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL

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