

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2023/91418 - Woodhouse Quarry, Woodhouse Lane, Holmbridge, Holmfirth, HD9 2QR
Importation of infill materials to restore a former quarry
Date Responded:
15th September 2023
Responding Officer:
NH
Responding Ref:
WK/202320766

The application is for the proposed restoration of the former quarry at Woodhouse Lane. The proposed restoration of the quarry is over four phases:

1. Phase 1 will focus on the central area and involve the removal of vegetation and soil. The excavated soil will be placed in temporary storage bunds, reaching a height of approximately 2 meters. Stones will be stored separately, away from other work areas, while the landform will be adjusted to achieve the final contour level. The infilling of the existing void will commence.
2. Phase 2, planned for the north-western area, will include the stripping of heathland to a depth of around 0.1 meters. The stripped soil will be stored temporarily in bunds, and stones suitable for resale will also be stored separately. This phase will also encompass slope stabilisation and ongoing infilling activities.
3. In Phase 3, the focus shifts to the western section of the site and the filling of the existing quarry void. Additionally, the importation of soils for the remaining areas is anticipated in this stage and will be stored for use in Phase 4.
4. Phase 4 represents the final stage of the restoration and will involve the completion of importation and soil replacement activities. It will also include the repair of stone walls around the site and the identification of potential leisure use areas for camping or caravanning.

According to the supporting documents, Phases 1, 2, and 3 of the restoration are projected to each take 4 to 5 months, resulting in an overall estimated duration of up to 18 months to fully restore the site 3.

We have reviewed the provided supporting information within the scope of Environmental Health and offer the following comments.

Contaminated Land

No contaminated land reports have been included in the supporting documents. Our records relating to the historical land use of the proposed development site reveal there is a potential for contamination due to the past activities including a historic landfill and a former quarry (site reference: 120/21).

The application documents fail to provide comprehensive details about the proposed importation of c. 40,500m³ of infill material for the restoration. There is brief reference made to construction materials and recycled aggregate been used for infill but there is an absence of detailed information. In particular, the document documents do not provide detailed information about the source, material type, measures to prevent cross-contamination and the

methods to confirm the imported materials suitability for re-use. In the absence of detailed information, we have concerns in relation to the potential interactions between existing soils, the importation of unsuitable material and the placement of materials over historic landfill.

Therefore, we consider it to be essential that a preliminary risk assessment and ground investigation is undertaken. The results of which should be submitted in writing to the Local Planning Authority **before the application is determined**. All other comments regarding contaminated land matters are withheld pending the submission of a Phase 1 and Phase 2 document. This approach is necessary to protect nearby sensitive receptors in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework.

Air Quality

No air quality assessment has been included in the supporting documents. The supporting documents indicate that the importation of an estimated 40,500 cubic meters of infill is proposed over an operational period of approximately 12 to 18 months and will attract 12.5 daily loaded HGV arrivals and 12.5 empty departures, i.e. 26 two-way daily HGV movements.

In terms of the phases of infilling, the supporting document detail methods to control dust in Section 2.10 of the planning statement. These include soil stripping in dry conditions and sweeping of haul roads. Stockpiles will be enclosed or sheeted and aggregate will be stored in bunded areas. Steep side stockpiles will be avoided where practicable and the height of stockpiles will be managed and kept as low as reasonably practicable.

Having assessed the information, we consider a condition necessary to secure a stand-alone site-specific dust management plan to safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the NPPF and LP52 of the Local Plan.

Noise

No noise assessment has been included in the supporting documents. The supporting information suggests that the infilling would be completed within 12 to 18 months, and a worst case of 12 months would effectively represent 297 operational days in the year attract 25 two-way daily HGV movements. The rate of HGV arrivals and departures at the site would be reasonably constant during the anticipated 10 hour period the site is operational lorry movements from 08:00 to 18:00 hours with the last haul to the site would normally be no later than 17:00 hour. Furthermore, the application suggests the use of a mobile crusher. It is unclear what other equipment will be used on-site.

Considering the above, **given the nature of the application and the proximity to noise-sensitive receptors, before the application is determined** we require the submission of a noise assessment.

Before the application can be determined, details of a noise assessment by a suitably competent person must be submitted in writing to the Local Planning Authority. The report shall include:

- a) an assessment of all noise emissions from the proposed development
- b) details of existing background and predicted future noise levels at the boundary of noise sensitive premises

- c) a written scheme of how the occupants of the above-mentioned noise sensitive premises will be protected from noise from the proposed development with noise attenuation measures as appropriate
- d) a written scheme of any necessary noise attenuation measures and demonstrate how nearby residents will be protected from noise from the proposed development

The assessment shall be appropriate for all times of day and night when the development will operate. The report should include any supporting calculations.

If the levels predicted in the report are unacceptable, it may be necessary to refuse the application. Otherwise, it may be necessary to specify attenuation measures as conditions of consent.

We require this information to ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

Pollution Prevention Control - Footnote

The proposals include changes to the vapour recovery systems. These may require a permit under the Environmental Permitting (England and Wales) Regulations 2010. The applicant should seek advice from Environmental Health at Flint Street, Fartown, Huddersfield HD1 6LG, telephone 01484 221000, or email pollution@kirklees.gov.uk

Recommendations

NB: Paragraph 2.3.3. of the Planning Statement seems to imply the possible on-site resale of stone. We do not believe this is clear throughout the supporting information provided. In the event that the retail component becomes formalised by the Local Planning Authority (LPA), we would then expect this to be comprehensively addressed in all supporting documentation. This is particularly crucial due to its potential significant impact on the volume of vehicular traffic to and from the site which may have detrimental impacts on residential amenity.

We propose that the recommendations outlined below be implemented subsequent to the **submission and approval** of the contaminated land reports and the noise assessment report, as mentioned in our prior comments above:

Dust Management Plan – Condition

Prior to development commencing a Dust Management Plan (DMP) shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall describe in detail the actions that will be taken to minimise adverse impacts on air quality and occupiers of nearby properties by effectively controlling dust arising from all quarry related activities. A communications plan detailing the responsible person, their contact details and how this will be communicated to local residents and the Local Authority must be included.

The agreed plan shall be adhered to throughout the lifetime of the development.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the NPPF and LP52 of the Local Plan.

Dust Management Plan - Footnote

Kirklees Council has powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an

abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

HUC1 Working Hours - Condition

Any operations granted under the consent of this permission must not take place, outside the hours of:

0800 to 1800 Monday to Friday and

0800 to 1200 Saturdays.

No activities shall take place on Sundays or Bank Holidays.

Reason: To ensure that the proposed use(s) does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

Footnote

Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

PPF1 Pollution Prevention Control - Footnote

The plant may require a permit under the Environmental Permitting (England and Wales) Regulations 2010. The applicant should seek advice from Environmental Health at Flint Street, Fartown, Huddersfield HD1 6LG, telephone 01484 221000, or email

pollution@kirklees.gov.uk