



Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1995

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2001/62/92414/W0

To: HETHERINGTON ASSOCIATES

For: SIMPSON BROTHERS

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 SANDSTONE AND ASSOCIATED ANCILLARY ACTIVITIES

At: Woodhouse Quarry Woodhouse Lane, Holmfirth.

In accordance with the plan(s) and applications submitted to the Council on

15 Aug 2001, subject to the condition(s) specified hereunder:-

COMMENCEMENT

(1) The development to which this permission relates shall be begun not later than the expiration of 5 years beginning with the date of this permission. Written notification of the date of commencement shall be sent to the Minerals Planning Authority within 7 days of such commencement.

DURATION

(2) Extraction of minerals shall cease, all plant and equipment shall be removed and restoration to amenity use in accordance with Condition 36 below, shall be completed by 31 December 2017.

(3) Unless otherwise agreed in writing by the Minerals Planning Authority the working, restoration and aftercare of the site shall be carried out only in accordance with the following plans viz:

PLAN NO. TITLE DATED

WD.002a Topography 28/1./2 WD.003a Scheme of working 28/01/02 WD.004 Phase 1. Working scheme 18/04/01 WD.005 Phase 2. Working scheme 18/04/01 WD.006 Phase 3. Working scheme 18/04/01 WD.007 Restoration Scheme 18/04/01 WD.008 Cross Section A-B WD.009 Drainage & Silt settlement 08/08/02 WD.010 Settlement Lagoons 08/08/02

and supporting statement submitted with the application.

RESTRICTION OF PERMITTED DEVELOPMENT RIGHTS

(4) Notwithstanding the provisions of parts 19 and 21 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order amending, replacing or re-enacting that Order).

(a) Other than the container and portaloos shown on Plan No. WD.002 no fixed plant or machinery, buildings, structures and erections, or private ways shall be erected, extended, installed or replaced at the site/quarry complex without the prior agreement in writing of the Minerals Planning Authority . (b) No waste materials shall be deposited at the site except quarrying and stone dressing wastes within the site without the prior agreement in writing of the Minerals Planning Authority . HOURS OF WORKING

(5) Except in emergencies to maintain safe quarry working (which shall be notified to the Minerals Planning Authority as soon as practicable) or unless the minerals planning authority has agreed otherwise in writing:- (a) no operations, other than water pumping servicing, environmental monitoring, maintenance and testing of plant shall be carried out at the site except between the following times:- 08.00 hours and 18.00 hours Monday to Friday; and 08.00 hours and 12.00 hours Saturdays; (6) No servicing, maintenance and testing of plant shall be carried out at the site between 22.00 hours and 08.00 hours on any day (and at no time on Sundays, or public holidays); (a) no operations for the formation and subsequent removal of material from (eg any environmental bank(s) and soil storage area) shall be carried out at the site except between the following times:- 09.00 hours and 18.00 hours Monday to Friday; and 09.00 hours and 12.00 hours Saturdays;

no operations other than environmental monitoring and water pumping at the site shall take place on Sundays or public holidays.

DEPTH OF WORKING

(7) No extraction shall take place below the Heyden Rock measures on the site.

SAFEGUARDING ADJACENT LAND

(8) No excavation shall take place closer to the limit of the planning permission area than the line with the legend 'top of the excavation' on plan No. WD.003a. Notwithstanding plan No. WD.008 ground shall not be worked beyond whichever angle of slope is approved for the residual quarry face as a consequence of Condition 36 (j) below.

ACCESS & ROUTEING

(9) No development shall take place on the site until:

(a) the new access shown on plan No. WD.003a has been constructed and the first 20 metres of the new access from the highway has been surfaced, sealed and drained and the remainder stoned up. (b) The existing access from Woodhouse Lane shown on Plan No. WD 003a has been stopped off in accordance with Condition 27 below (10) The construction of new access shown on plan No. WD.003a shall provide for visibility splays of 2.5m by 45m, the dry stone walls shall be built on either side of the access radii in the local stall the access shall be secured with a gate the design and details of which shall be submitted for the prior approval of the Minerals Planning Authority and the and the gate shall be located on the access where shown on the plan.

(11) The sole means of vehicular access to the site during the development shall be the new access shown on plan No. WD.003a.

(12) Unless otherwise agreed in writing by the Minerals Planning Authority the number of goods vehicles entering and leaving the site during the development shall be limited to:

(a) 2 HGV (maximum 20 tonnes carrying capacity) movements per week and (b) 10 other goods vehicle (maximum 2 tonnes carrying capacity) movements per working day.

(13) Only dressed building stone, walling stone and blocks of stone for sawing elsewhere and no other mineral shall be exported from the site.

DRAINAGE OF ACCESS

(14) A drainage system shall be installed and maintained to ensure that no slurry or water from the permitted area, flows on to the public highway.

VEHICLE CLEANING

(15) No commercial vehicles shall enter the public highway unless their wheels and chassis have been cleaned to prevent material being deposited on the highway.

LORRY ROUTING

(16) Prior to the export of minerals from the site commencing, a sign advising drivers of preferred vehicle routes to and from the application site shall be erected at the quarry exit and maintained there for the duration of the development. The design of the sign and the advice thereon shall be submitted to and approved in writing by the Minerals Planning Authority before being erected.

BLASTING AND VIBRATION

(17) No blasting shall be carried out on the site unless previously agreed in writing with the mineral planning authority.

DUST

(18) Unless otherwise agreed in writing by the Minerals Planning Authority the following measures shall be implemented and complied with at all times during the development, viz: (a) all mobile plant and road vehicles entering on or used on the site will be fitted with upward pointing exhaust. (b) heavy mobile quarry plant used on the site shall be fitted with radiator fan deflector plates. (c) haul roads shall be watered to suppress dust as usage and weather conditions dictate. (d) the surface of haul roads and the site access shall be maintained and swept to suppress dust as usage and weather conditions dictate. (e) soil stripping shall be carried out in dry weather conditions but only when local windspeed would not give rise to dust emissions from the site. (19) Unless otherwise agreed in writing by the Minerals Planning Authority the only mobile plant and equipment used in the development of the site shall be one hydraulic excavator and one dump truck.

NOISE

(20) Unless otherwise agreed in writing by the Minerals Planning Authority the 'A' weighted equivalent continuous free field noise level (LAeq,T) when measured at a height of 1.2m-1.5m above the ground and at least 3.5m from any reflecting structure other than the ground, attributable to the operation of the site, measured at, or projected to, any noise sensitive property, including residential accommodations and buildings housing farm animals, or at equivalent positions agreed with the Minerals 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 the soil baffle mounds and soil stripping and replacement as agreed in advance with the Minerals Planning Authority. (This noise limit is only permitted for a maximum of 8 weeks in any 12 month period).

b) 45dB(A) in any one hour period at any noise sensitive property, including residential accommodation and buildings housing farm animals, during all other site operations.

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

WATER PROTECTION AND POLLUTION

(22) Unless otherwise agreed in writing by the Minerals Planning Authority all surface water and water issuing within the application site shall be collected and disposed of to the drainage sough referred to on additional application plan No.WD.009 and in accordance with a drainage scheme submitted for the prior approval of the Minerals Planning Authority. The submitted scheme incorporate the proposals for preventing pollution of ground or surface water contained in the

applicant's letter dated 14 August 2002 submitted with additional plan No. WD. 009 and it shall also provide details and dimensions for the construction and installation of surface catch drains, drain pipes and settlement lagoons shown on additional application plans Nos. WD.009 and WD.010. The approved scheme shall be implemented prior to soil stripping, the removal of overburden or the extraction of minerals on the site and shall be maintained including the regular removal of silt from settlement lagoons until the development is completed.

(23) No waste shall be imported to the site.

(24) There shall be no sawing of stone or comminution of minerals on the site unless otherwise agreed in writing by the Minerals Planning Authority.

(25) Any oil, fuel, lubricant and other potential pollutants shall be handled on the site in such a manner as to prevent pollution of any watercourse or aquifer. For any liquid other than water, this shall include storage in suitable tanks and containers which shall be housed in an area surrounded by bund walls of sufficient height and construction so as to contain 110% of the total contents of all containers and associated pipework. The floor and walls of the bunded areas shall be impervious to both water and oil. The pipes shall vent downwards into the bund.

(26) All sewage and waste water from the amenity container and portaloo on the site shall be collected in an on-site holding tank and removed from the site for treatment elsewhere. The tank shall be constructed prior to extraction of minerals commencing and in accordance with a scheme approved by the Minerals Planning Authority. Unless otherwise agreed in writing by the Minerals Planning Authority the scheme submitted for the approval of the Minerals Planning Authority shall provide a plan and scaled drawings and shall comply with the requirements of Building Regulations approved document H2 'Waste Water Treatment Systems and Cesspools'.

LANDSCAPING AND VISUAL AMENITY

(27) The existing access to the site shown on Plan No. WD.002a shall be infilled prior to minerals extraction commencing on the site and in accordance with a scheme submitted for the prior approval of the Minerals Planning Authority. The submitted scheme shall provide, inter alia, for:

(a) Infill of the access void with clean subsoil, rock or overburden from the site to a height no higher or lower than the existing banking fronting Woodhouse Lane on either side of the access.

(b) The gradient of the side of the infilled access void adjacent Woodhouse Lane equivalent to be left at that of the existing banking fronting Woodhouse Lane on either side of the access. (c) The final 0.5 metres of the infilled access to be clean subsoil only. (d) The long term structural stability of the infilled area. (e) The establishment of a heather vegetation ground cover on the infilled area as soon as practical for this type of cover.

(28) Existing trees, bushes and heather vegetation on the land shown outside the application site but within the applicants control on plan No. WD.002 shall not be felled, topped or removed during the development.

(29) The 5 metres high bank shown on plan No. WD.003a and then the stone dressing and storage area shown on the same plan shall be constructed prior to the extraction of minerals on the site. The height of the bank shall not exceed 5 metres nor the stone dressing and storage area 2 metres more than original ground levels. The outside flank of the bank shall not exceed a gradient of 1 vertical interval to 1.5 horizontal interval. The final 0.5 metres of the construction shall be clean subsoil obtained from within the application site, the outsides and top of the bank shall be evenly graded and a heather vegetation established as soon as practical for this type of cover in accordance with a scheme submitted for the prior approval in writing of the Minerals Planning Authority.

(30) Unless otherwise agreed in writing by the Minerals Planning Authority only the areas shown on plan No. WD.003a shall be used for the location of the proposed amenity container and portaloo and for soil storage during the development and the amenity container and portaloo shall be painted and maintained in medium dark brown (BS 4800 B29) colour.

SOIL STRIPPING, STORAGE AND REPLACEMENT

(31) All available topsoil and subsoil on existing agricultural land within the application site shall be stripped separately prior to the removal of overburden from each phase of working shown on plan No. WD.003a and stored separately on the area for soil storage shown on plan No. WD.003a.

(32) Once formed, 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 agreed beforehand with the mineral planning authority, to minimise erosion and weed infestation. Any excess weeds shall be regularly controlled. (33) No topsoil or subsoil shall be removed from the

site. The mineral planning authority shall be supplied with a plan indicating the areas stripped of such materials, the location of each mound and an estimate of the quantity of soil stored shall be provided in writing to the Minerals Planning Authority within 14 days from the date soil stripping commenced. (34) The stripping, movement and replacement of topsoil and subsoil shall only be carried out under sufficiently dry and friable conditions to avoid soil smearing and compaction and to ensure that all available soil resources are recovered. Appropriate methods of soil stripping shall be separately agreed with the Minerals Planning Authority.

(35) The Minerals Planning Authority shall be given at least 48 hours notice (excluding Sundays and Bank Holidays), of any intended phase of topsoil or subsoil striping; such works to proceed only subject to their approval.

RESTORATION

(36) The site shall be reclaimed for amenity purposes in accordance with detailed scheme submitted before 31 December 2007 for approval by the Minerals Planning Authority . Unless otherwise agreed in writing by the Minerals Planning Authority the submitted scheme shall provide for:-

(a) progressive backfill of overburden into the quarry void as set out in the supporting statement submitted with the application. (b) All mineral waste arisings to be buried under backfilled overburden in the quarrying void. (c) The removal of the amenity container, portaloos, effluent holding tank, any fuel storage, bunds and contaminated soils, minerals, stockpiles from the site and the removal of the haul road up to the access gate. (d) The removal of the 5 metres high bank and stone dressing and storage area referred to on plan No. WD. 003a (e) Details of the proposed restoration landform including spot levels, a contour plan and cross sections, and operations required to produce the restoration landform. (f) Ripping to relieve compacted soils to promote drainage. (g) Replacement of soils (h) Drainage (i) Reseeding and planting details (j) Notwithstanding application plan No. WD.008 all residual quarry faces to be left at an angle of slope which will be stable in the long term and an opinion by a geotechnical engineer shall be submitted in support of the proposed angle of slope.

AFTERCARE

(37) An outline aftercare scheme requiring such steps as may be necessary over the aftercare period of five years to bring each restoration phase of the site reclaimed under Condition No. 36 to the required standard for use for amenity shall be submitted for the approval of the Mineral Planning Authority at least 3 months prior to the completion of placement of restoration soils on any phase of the permitted development site and the approved scheme shall thereafter be implemented. (38) The aftercare scheme submitted in accordance with Condition 37 above shall comprise:- (a) The outline strategy which shall identify who is responsible for carrying out the aftercare, broadly outline the steps to be carried out in the aftercare period and their timing within the overall programme, include all areas subject to aftercare on an accompanying map with separate demarcation of any areas having different aftercare periods or management proposals and shall be submitted to the Mineral Planning Authority in the form outlined at Box 5 in DOE Mineral Planning Guidance Note 7 (MPG7). (b) A detailed annual programme for the first year of aftercare. (39) Following compliance with Condition No. 38 above a detailed annual aftercare programme shall be submitted to the Mineral Planning Authority before 31 August during the remainder of the aftercare period. The programme submitted shall amplify the outline strategy for aftercare work to be carried out in the forthcoming year, include any modifications to the original proposals and the approved scheme shall be fully implemented. (40) Every year during the aftercare period, the developer shall arrange a site meeting to be held before 30th November to discuss the report(s) (a) The Mineral Planning Authority (b) All owners of land within the site.

(41) Prior to development commencing a scheme showing the proposed route of the diverted right of way Footpath 93 shall be submitted to and approved in writing by the Minerals Planning Authority. The submitted scheme shall include details of the vertical and horizontal alignment of the diverted footpath, drainage and construction details and design of points of contact with the adopted public highway. Development shall not be brought into use until the approved alternative footpath has been provided and the applicant`s attention is brought to the need for formal diversion of Footpath 93 under the relevant sections of the Town and Country Planning Act 1990.

The reasons for the Council`s decision to grant permission for the development subject to

compliance with the conditions specified are:-

- (1) Pursuant to Section 91 of the Town and Country Planning Act 1990.
- (2) The development is of a type not considered suitable for permanent retention.
- (3) To enable the Planning Authority to adequately control the development, minimise its impact on the amenities of the local area and ensure beneficial use of the site after development.
- (4) To protect groundwater resources and the amenities of the local area.
- (5/6) To protect the amenities of local residents.
- (7) To protect groundwater resources from pollution and in the interest of ground stability.
- (8) So that the development is contained within its permitted boundaries to avoid effects on surrounding land to avoid effects on surrounding land to avoid affecting the restoration or subsequent after use of the site.
- (9/10) To ensure the access road is constructed with due regard to highway safety and the local environment.
- (11/12/13) In the interests of highway safety
- (14) In the interests of highway safety and to prevent water getting onto the highway.
- (15) In the interests of highway safety and to prevent mud and dust getting onto the highway/
- (16) In the interests of highway safety and the amenities of the area.
- (17, 18, 19, 20, 27 28, 29 & 30) In the interests of the amenities of the locality.
- (21) To minimise disturbance from operations and avoidance of nuisance to the local community.
- (22) To protect ground water resources from pollution
- (23) To protect groundwater resources from pollution and in the interests of highway safety.
- (24, 25, 26) To protect ground water resources from pollution.
- (31/ 32 To ensure the restoration of the site when development is completed to beneficial 33/34/ afteruse. 35/36)
- (37/38 To ensure beneficial after use of the restored site is established. 39/40)
- (41) To protect the amenity of users of local rights of way.

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.

Dated: 22 Jan 2003

Signed:

Redacted

Keith Faragher
Head of Planning Services

Address to which all communications should be sent:

Planning Services, PO Box B93, Civic Centre, Off Market Street, Huddersfield, HD1 2JR