

**Consultation Response from KC,
Highways Development Management**

2024/90357 Land Adj, Thewlis Lane, Crosland Hill, Huddersfield, HD4 7AB

Removal of conditions 10, 12, 13, 14, 20, 33, 38, 39 & 40 and Variation of conditions 1, 19, 24, 29, 34, 36 & 37 on previous permission no. 2019/90949 for variation of condition 18. (crushing and screening operations) on previous permission 2013/90793 for mineral extraction

Date Responded: 26/09/2024

Responding Officer: CNB

Responding Ref: K6-2SW/3

This application is for the variation of conditions 1,19,24,29,34,36 and 37 and the removal of conditions 10,12,13,14,20,33,38,39 and 40 of previous permission 19/90949 for a variation of condition 18 of previous permission 13/90793 for mineral extraction.

Variations

1. 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 2025.

Suggested wording: The extraction of all minerals, the removal of all buildings, plant and machinery and the restoration of the site shall be completed by 31 December 2026.

HDM Response: This variation of condition will extend the operations of the quarry by 12 months, and this will increase the length of time that HGVs will be operating in this area. There are no records of injury accidents on Thewlis Lane over the last 5 years and so we must assume that the workings are operating safely where they cross Thewlis Lane. The delays will set back the delivery of Local Plan site HS22 and the residential site's expected contributions to the highway improvements as part of the Langroyd Bridge scheme, it is noted that within the "List of Assumptions" document provided with this variation/removal of conditions application includes the payment of the off-site highways works contribution and Travel Plan Monitoring contribution. We have no objection to the variation of condition 1.

19) The quarry void shall be backfilled in accordance with either the details approved under Discharge of Conditions applications 2019/91053 or 2014/90920.

Suggested wording: Void to be restored in line with new restoration Landform Plan shown on TL 1181-D7 Sheet 2.

HDM Response: No highway implications

24) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by S M Foster Associates Ltd, dated June 2012, Ref 033/027/01/fra included as Appendix 8 in the Environmental Impact Assessment and the following mitigation measures detailed within the FRA:

Managing the surface water runoff such that surface water will be attenuated within the site.

The mitigation measures shall be fully implemented in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Mineral Planning Authority.

Suggested wording: The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment and Surface Water Drainage Strategy as submitted.

HDM Response: No Highway Implications

29) After the completion of mineral extraction in each phase the site shall be progressively restored to agriculture/nature conservation in accordance with the detailed scheme approved under Discharge of Conditions application 2014/90920.

Suggested wording: Following completion of works at the site the site shall be restored in line with The Restoration Landform Plan ref TL1181-D7 Sheet 2.

HDM Response: No Highway Implications

34) In each phase a grass sward shall be developed in those areas of the site to be restored to grassland, and a grass, heather and wildflower sward on those areas of the site to be restored to nature conservation in the first available growing season.

Suggested wording: The site shall be restored to grassland in the first available growing season, in line with The Restoration Landform Plan ref TL1181-D7 Sheet 2.

HDM Response: No Highway Implications

36) Within 2 months of the restoration and seeding of each phase the operator shall submit to the Mineral Planning Authority a plan with contours at sufficient intervals to indicate the final restored form of the site together with a record of the depth and composition of the reinstated soil profiles.

Suggested wording: The site shall be restored to grassland in the first available growing season, in line with contouring as detailed on the revised restoration plan ref: TL1181-D7 Rev B Sheet 2.

HDM Response: No Highway Implications

37) 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.

This condition to be amended to incorporate conditions 38, 39 and 40. A revised restoration plan to be agreed in condition 29.

Suggested wording: An outline aftercare scheme detailing the steps which may be necessary over the aftercare period of 5 years to bring the to the required standard for use as grassland shall be submitted to the Local Planning Authority at least 3 months prior to the completion of the site restoration.

The aftercare scheme submitted in accordance with the above shall be fully implemented and shall provide details of:

- a) the person responsible for implementing the aftercare scheme;
- b) a plan showing the 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 to ensure grassland is maintained.

Following compliance with above, a detailed annual aftercare programme shall be submitted to the Local Planning Authority before 31 August in each year of aftercare of the site. The programme submitted shall amplify the aftercare scheme for works to be carried out in the following 12 months, including any modifications to the original proposals.

HDM Response: No Highway Implications

Removals

10. The development shall be carried out in accordance with details approved under Discharge of Conditions application 2014/90920 with regard to all associated temporary and permanent highway retaining structures.

Reason: There are no temporary highway retaining structures therefore we are seeking to remove this condition.

HDM Response: As there are no temporary highway retaining structures then we would have no objection to the removal of condition 10.

12) The temporary screen mounds approved under Discharge of Conditions application 2014/90396 shall be retained and maintained fit for purpose for the lifetime of the development in accordance with the details approved.

Reason: We are seeking to remove this condition as it is no longer relevant. A new restoration plan is to be agreed under other conditions

HDM Response: No Highway Implications

13) The screen mounds constructed in accordance with approved plan 10093/456 'Method of Working Phase 2' and to the specification approved under Discharge of conditions application 2014/90396 shall be seeded to grass and maintained in a tidy and weed-free condition for the life of the site. They shall be removed upon completion of backfilling of Phase 7 and the soils used in the restoration of the site.

Reason: We are seeking to remove this condition as it is no longer relevant. A new restoration plan is to be agreed under other conditions

HDM Response: No Highway Implications

14) The site shall be worked in 8 phases in accordance with approved plan series 10093/455, 10093/456, 10093/457 Rev. C, 10093/458, 10093/459 Rev. C, 10093/460, 10093/4461 and 10093/462.

Reason: We are seeking to remove this condition given the majority of the site has now

already been worked. Notwithstanding this, the phasing of the site has changed over recent years as a result of various unforeseeable circumstances, including a significant mineral fault found at the site during the mineral works.

We are seeking to agree a revised restoration plan through other conditions, notably condition 29.

HDM Response: No Highway Implications

20) A detailed scheme of mineral working and backfill operations shall be submitted to the Mineral Planning Authority 12 months after the date of commencement 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 (Contours indicated on approved Plan no. 10093/468 less 500 mm to allow for proposed soil depth);

(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.

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: We are seeking to remove this condition given it is no longer relevant.

HDM Response: No Highway Implications

33) On receipt of the written approval of the Mineral Planning Authority for the works required by Condition 32 above, topsoil shall be spread over the surface of the areas to be restored to agriculture to the depth specified in Condition 29. The Mineral Planning Authority shall be notified in writing when the works required in this condition have been completed.

Reason: The site is no longer to be restored in line with the previous restoration plan nor is the site to be restored to agriculture.

HDM Response: No Highway Implications

38) The aftercare scheme submitted in accordance with Condition 37 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 National Planning Practice Guidance;
- d) detailed programme for the first year of aftercare in accordance the requirements identified in para. 44 to 48 of the Technical Guidance to the National Planning Policy Framework.

Reason: We are seeking to remove this condition given the details will be secured in Condition 37. The revised restoration plan is to be agreed and enforced via other planning conditions – notably condition 29.

HDM Response: No Highway Implications

39) Following compliance with Condition 37 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 National Planning Practice Guidance.

Reason: We are seeking to remove this condition given the details will be secured in Condition 37. The revised restoration plan is to be agreed and enforced via other planning conditions – notably condition 29.

HDM Response: No Highway Implications

40) 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 37 and 39 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: We are seeking to remove this condition given the details will be secured in Condition 37. The revised restoration plan is to be agreed and enforced via other planning conditions – notably condition 29.

HDM Response: No Highway Implications

Conclusion

With this we can support the variation of condition 1 and the removal of condition 10 of previous permission 19/90949 all other changes are not expected to have impacts on the operation or efficiency of the local highway network.