

Farzana Tabasum
Planning Officer
Kirklees Council
Planning Services
PO Box 1720
Huddersfield
HD1 9EL

10th October 2025

Revised 20th January 2026

Dear Farzana,

MARSHALLS MONO LTD: SOVEREIGN QUARRY, CARR LANE, SHEPLEY, HUDDERSFIELD, HD8 8BP

PLANNING APPLICATION SUBMITTED UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TO VARY CONDITIONS 2, 8, 35, AND 36 ATTACHED TO PLANNING PERMISSION REF. 2018/70/91605/E0

1. INTRODUCTION

On behalf of our client, Marshalls Mono Ltd. ('Marshalls'), please find enclosed a planning application submitted to Kirklees Council (KC) under Section 73 of the Town and Country Planning Act 1990 (as amended), at variance to a number of conditions attached to the extant planning permission ref. 2018/70/91605/E0 dated 29th October 2018). The proposed changes relate to the approved Phase 1 restoration scheme '60540878-SOV-007 Phase 1 Restoration'. The planning permission is included at Appendix A.

The planning application comprises:

- this Covering Letter as Supporting Statement;
- completed application form and certificates; and
- the plans/drawings shown in Table 1-1.

Table 1-1 Plans/Drawings

Plan / Drawing Ref.	Title	Scale	Status
60540878-SOV-01	Site Location	1:50,000 @ A4	Approved
60540878-SOV-02	Land Ownership Boundary	1:2,000 @ A3	Approved
0868.SOV.01	Detailed Restoration Plan	1:1,000 @ A3	New

2. THE APPLICANT

The application is being submitted by Marshalls Mono Ltd, the UK's leading hard landscaping manufacturer, which has been supplying superior natural stone and innovative concrete products to the construction, home improvement and landscape markets since the 1890s. The group

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operates a number of quarries and manufacturing sites throughout the UK and employs over 2,000 people.

Marshall's has continued to develop and expand its products and services to the domestic and commercial markets. These include superior natural stone, innovative concrete hard landscaping products, roofing systems, water management solutions, anti-terrorist products, rail products, street furniture, design services and logistics.

The Company is committed to achieving the highest standards of environmental performance and works to minimise the environmental impacts of its operations on site, ensuring that all of its operations meet, or exceed, the requirements of legislation and applicable best practice.

Marshall's continues to be widely regarded as a leader in its field regarding Corporate Responsibility and Sustainable business practices. Many sites have secured Integrated Management Systems to Publicly Available Specification 99 (PAS99), incorporating ISO 9001 for Quality Management, ISO 14001 for Environmental Management and OHSAS 18001 for Health and Safety.

Marshall's own two quarries in the locality, Appleton and Sovereign. Appleton Quarry and its associated saw mills (based near Halifax) are a major producer of cut sandstone that is distributed across the UK. Nearby Sovereign Quarry is a satellite site periodically worked for blockstone to meet orders for the specific buff / light brown coloured Greenmoor Rock found there. Blockstone produced from Sovereign is also transported by road to Halifax for processing (sawing and shaping) and onward sale.

3. SITE AND SURROUNDINGS

3.1 The Site

Sovereign Quarry is located off Carr Lane at Lane Head, approximately 570 m south of Shepley, Huddersfield, within the administrative boundaries of Kirkburton Parish and Kirklees Council. The location of the site is shown in drawing ref. '60540878-SOV-01 Site Location'. The red line planning application boundary of the site is hereafter referred to as 'the Site' and is shown in drawing ref. '60540878-SOV-02 Land Ownership Boundary'.

The Site is a relatively small quarry working occupying an area of approximately 9 ha in total, of which approximately 2 hectares comprises the open mineral working, the rest being mostly land in agricultural use or unmanaged.

The Site is bounded to the north by Carr Lane, the west by Lane Head Road and to the south by A635 Barnsley Road. Some land bordering Lane Head Road and Barnsley Road, occupied by a service station and residential properties, lies within the historical boundary of the Quarry Permission but falls outside Marshall's land ownership. The development proposals do not propose any changes within these areas.

The blockstone extracted at Sovereign Quarry is worked primarily to supply the Company's saw sheds at Halifax, where it is dressed to produce high-quality masonry and paving products for sale both regionally and nationally. Occasionally, some walling stone and construction aggregate material may also be produced.

The land occupies a north-facing hillside slope; local topography falls across the Site from south to north such that Barnsley Road to the south lies at around 275 m Above Ordnance Datum (AOD), while Carr Lane, adjacent to the northern boundary, lies around 260 m AOD.

3.2 Surroundings

Trees and bushes are limited to the boundaries of the Site, including some landscaping screening previously planted around the edges of Phase 1.

The nearest residential properties are located to the north of the Site; bungalows no. 1 and 3 Carr Lane, and to the south-western corner of the Site nos. 171, 173, and 175 Lane Head Road; see drawing ref. '60540878-SOV-02'.

Other residential properties lie on the west side of Lane Head Road (west of Phase 1). There are no residential properties close to the eastern boundary. A service station, two commercial units and a small industrial / recycling operation occupy land between the southern boundary of the Quarry and the A635 Barnsley Road.

Marshalls' Appleton Quarry is located approximately 100 m to the southwest, Carr Hill Quarry (in separate ownership) is located directly to the south of the Site, beyond the A635 Barnsley Road. There are also two further quarries at Bromley Farm located approximately 1 km to the east.

Nearby settlements in the vicinity of the Site include:

- the village of Shepley, located approximately 570 m to the north;
- the village of Birds Edge, located approximately 780 m to the south;
- the village of Denby Dale, located approximately 2.3 km to the east; and
- the village of New Mill, located approximately 2.9 km to the west.

3.3 Access

Access and egress from the Site are gained from Carr Lane. This access has long been used by vehicles associated with the Quarry, and is suitably wide to cater for HGVs. It is, therefore, considered to be a safe and established means of access.

3.4 Designations

The presence/absence of designations in the vicinity of the Site is summarised below. Designations have been identified using MAGIC (Defra, 2025) unless otherwise stated.

Landscape

The Site does not fall within an area designated nationally or locally for its landscape value.

Ecology and Biodiversity

There are two distinct internationally designated statutory ecological sites within 10 km of the Site:

- Peak District Moors Special Protection Area (SPA) and Special Area of Conservation (SAC), located approximately 6.8 km to the southwest; and
- Denby Grange Colliery Ponds SAC, located approximately 8.8 km to the northeast.

There are no Ramsar sites located within 10 km of the Site.

There are no nationally designated statutory ecological sites (Sites of Special Scientific Interest (SSSI), National Nature Reserves (NNR) or Local Nature Reserves (LNR)) located within 2 km of the Site.

There are six distinct Ancient Woodlands located within 2 km of the Site, the nearest being Yew Tree Wood, an Ancient Replanted Woodland, located approximately 390 m to the northeast.

There are two Local Wildlife Sites (LWS) located within 1 km of the Site:

- Lower Jane Well, located approximately 340 m to the east; and
- Yew Tree Wood, located approximately 460 m to the northeast.

Historic Environment

There is one Scheduled Monument located within 2 km of the Site, '*Late prehistoric enclosed settlement on Castle Hill, 550m north of Broadstone Lodge*', located approximately 1.8 km to the southeast.

There are approximately 38 Listed Buildings located within 2 km of the Site, all Grade II, the nearest being Lane Head House, located approximately 120 m to the north.

There are four Conservation Areas located within 2 km of the Site:

- Shepley, located approximately 520 m to the north;
- Upper Cumberworth, located approximately 800 m to the east;
- Fulstone, located approximately 1.7 km to the northwest; and
- High Flatts, located approximately 1.7 km to the southeast.

There are no World Heritage Sites, Registered Parks and Gardens, or Registered Battlefields located within 2 km of the Site.

Other Matters

The Site lies within the Environment Agency-designated Flood Zone 1, being land at very low risk of flooding from fluvial sources (land having a less than 1 in 1,000 annual probability of flooding from rivers or the sea).

The Site lies within the KC Green Belt.

No Public Right of Way (PRoW) crosses the area of the Site affected by the Proposed Development; however, one PRoW crosses the wider site, footpath ref. KIR/155/10. National Cycle Network (NCN) Route 627 runs north-south approximately 550 m to the west of the Site. There are no National Trails within 2 km of the Site.

3.5 Planning History

Quarrying has taken place in and around Sovereign Quarry since the early part of the 20th Century. The introduction of planning controls in the 1940s resulted in the grant of Interim Development Order (IDO) no. 426 for continued mineral extraction at the Site.

Planning permission ref. 2006/70/92787/E0 was granted on 17th May 2007 for a variation of condition 2 relating to IDO permission 426A in order to allow changes to the approved phasing scheme.

A subsequent permission (ref. 2007/62/92953/E0) was granted on 26th September 2007 for the formation of replacement vehicular access, installation of a weighbridge, wheel wash and erection of a site office.

Planning permission ref. 2018/70/91605/E0 was granted on 29th October 2018 for changes to the approved phasing scheme. This is the operative permission governing the Site.

A full planning history of the site is provided in Appendix C.

4. THE PROPOSED DEVELOPMENT

Marshalls is submitting a planning application to KC in accordance with Section 73 of the Town and Country Planning Act (as amended) to vary Conditions 2, 8, 35, and 36 attached to planning permission ref. 2018/70/91605/E0, in order to amend the approved plan for Phase 1 (drawing ref. '60540878-SOV-007 Phase 1 Restoration Detail'). It is proposed that '60540878-SOV-007' be substituted for drawing ref. '0868.SOV.01 Detailed Restoration Plan', which incorporates the following changes to the Phase 1 restoration:

- relocation of the approved access track/footpath from north of the football pitch to the south of the football pitch;
- adding a temporary landscaped soil bund to the east of the car parking area beyond the boundary security fence; and
- substituting the proposed block paving of the car park for an aggregate base.

The proposal does not seek to change any other significant aspects of the wider Site's development or operation, including:

- change the operational hours;
- extend the mineral extraction limits;
- change the approved output;
- increase vehicle limits;
- relax other limits imposed on the operation of the development, or
- change the fundamental principles of the restoration scheme and profiles.

No demolition of buildings or structures forms part of the Proposed Development.

The relocation of the access track/footpath will result in more area being available as a playing surface and will be more practical given the landform.

The landscaped soil bund will provide additional visual mitigation and screening of the recreational field from the operational quarry. It will be removed upon cessation of operations at the Quarry.

The substitution of the block paving of the car park for an aggregate base will provide modest improvements to drainage.

4.1 Traffic and Transport/Access

The recreational field and the operational quarry will continue to be accessed from the established access from Carr Lane. The entrance to the Quarry is gated to prevent members of the public from entering the operational area. No changes are proposed to the access as shown in the approved Phase 1 restoration scheme '60540878-SOV-007 Phase 1 Restoration'. The number of HGVs associated with quarry operations or the route they take.

4.2 Operating Hours

There will be no change to the wider Site's operating hours as a result of the Proposed Development. Hours of operation for the Quarry will remain as approved, which are as follows:

- 07:30 – 18:00 hours Monday to Friday;
- 07:30 – 13:00 Saturday; and
- 07:30 – 22:00 any day for the servicing, maintenance and testing of quarry plant and machinery.

There will be no working on Sundays, and no working or servicing, maintenance or testing of quarry plant or equipment on Bank or National Holidays without the prior written agreement of the MPA.

4.3 Restoration

The Proposed Development will not result in any changes to the fundamental principles of the Site's restoration scheme and profiles. The area of the Site under consideration will continue to be restored to a recreational field (9v9 football pitch) with both car and pedestrian access, woodland planting, and parking.

5. PLANNING POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states: *"if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise"*.

The 'material considerations' referred to include national planning policies (mainly published in the form of the National Planning Policy Framework (NPPF), the relevant Planning Practice Guidance (PPG)) and emerging local planning policies and evidential material, including neighbourhood planning.

5.1 Development Plan

The relevant development plan documents are:

- Kirklees Development Plan:
 - Kirklees Local Plan Strategy and Policies (KLPSPP) (2019); and
 - Kirklees Local Plan Allocations and Designations (KLPAD) (2019).

Kirklees Local Plan Strategy and Policies (2019)

The KLPSPP sets out the vision and development strategy for the development of Kirklees up to 2031, and the policies by which development should be considered.

The following policies contained within the KLPSPP are considered relevant to the Proposed Development:

- Policy LP1 – Presumption in Favour of Sustainable Development;
- Policy LP21 – Highways and Access;
- Policy LP24 – Design;
- Policy LP32 – Landscape;
- Policy LP37 – Site Restoration and Aftercare; and
- Policy LP47 – Healthy, Active and Safe Lifestyles.

Kirklees Local Plan Allocations and Designations (2019)

The KLPAD sets out the allocations for land to be developed in Kirklees, including minerals and waste development.

The Site is allocated under Policy LP69 (Minerals Extraction Sites) as an operational quarry (Local plan ID MES22).

5.2 Material Considerations

National Planning Policy Framework

A revised NPPF was published in December 2024 (Ministry of Housing, Communities & Local Government (MHCLG), 2024). This sets out the Government's planning policies for England and is a material planning consideration in the determination of planning applications.

Paragraph 11 provides for a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay (paragraph 11(c)). That presumption is engaged in this case.

Paragraph 85 states that significant weight should be placed on the need to support economic growth and productivity, which includes taking into account local business needs and wider opportunities for development.

Paragraph 87 adds that planning decisions should address the specific locational requirements of different sectors.

Paragraph 88 states that planning policies and decisions should enable the retention and development of accessible local services and community facilities, including sports venues and open space.

Emerging Plans / Neighbourhood Plans

KC has begun to progress a new Local Plan to replace the adopted 2019 plan with one which delivers a vision for Kirklees up to 2043. The plan is still in its early stages, and it is not considered further with regard to the Proposed Development.

There are no known neighbourhood development plans in preparation that are considered relevant to the Proposed Development.

5.3 Conclusion

With reference to the policies identified above, it is considered that the Proposed Development accords with the requirements of the development plan and material considerations in that it is a minor amendment to the approved plan and it will not give rise to any significant environmental or amenity impacts, as demonstrated in the following section, due to the location of the site, the nature of its surroundings and absence of any nearby sensitive receptors.

The Proposed Development is considered to constitute sustainable development as defined by the NPPF and accords with the development plan; therefore, it benefits from the NPPF presumption in favour of sustainable development and can be approved without delay.

6. ENVIRONMENTAL & AMENITY ISSUES

Given that:

- the Proposed Development consists of minor amendments to an approved restoration scheme which will not alter traffic movements, or result in additional noise, dust etc;
- there are a limited number of sensitive receptors in close proximity to the Proposed Development;
- the proposed bund will provide modest visual benefits, helping to screen the operational quarry;
- the Proposed Development will help facilitate the restoration of a former area of mineral working to an accessible open space/sports facility to the benefit of the local community;
- Marshalls will continue to implement appropriate working methods, procedures and controls at the operational quarry to ensure that there are no notable adverse environmental or amenity impacts; and
- the operational quarry will continue to be operated by a highly experienced and responsible operator with a strong record in respect of health, safety and the environment,
- it is not considered that the proposal will result in any significant environmental or amenity issues.

7. CONCLUSION

The Proposed Development has been assessed in this letter and is considered to accord with the development plan and material considerations. It is not likely to result in any notable adverse environmental or amenity issues.

We trust that the enclosed information is satisfactory in order to determine the application. However, please do not hesitate to contact me should you require anything further.

Yours faithfully,



Sam Dickerson, MSci (Hons), (he/him)

Senior Environmental Planner

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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2018/70/91605/E0

To: Chris Nicoll
AECOM Infrastructure & Environment UK Ltd
Royal Court
Basil Close
Chesterfield
S41 7SL

For: Gary Redfern

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 CONDITIONS 2 AND 27 ON PREVIOUS PERMISSION
2012/90558 FOR VARIATION OF CONDITION 24 AND 29 (D) ON PREVIOUS
PERMISSION 2006/70/92787/EO FOR VARIATION OF CONDITION 2
RELATING TO IDO PERMISSION 426A IN ORDER TO ALLOW CHANGES TO
THE APPROVED PHASING SCHEME

At: SOVEREIGN QUARRY, CARR LANE, SHEPLEY, HUDDERSFIELD, HD8 8BP

In accordance with the plan(s) and applications submitted to the Council on 16-May-2018 [together with those plans and application(s) submitted to the Council on 27-Feb-2012 and incorporated into planning permission ref no. 2012/90558 granted on 31-Oct-2012] and subject to the condition(s) specified hereunder:-

Time Limits

1. Extraction of minerals and the deposition on mineral waste within the site shall cease not later than 21st February 2042 and the site shall be restored to agriculture, woodland, amenity, recreation and/or a nature conservation use by 30th September 2042.

Reason: To ensure the satisfactory completion of mineral extraction and subsequent restoration of the site within an acceptable period of time.

Plans

2. Notwithstanding the plans submitted with this application, the permitted development shall be carried out in complete accordance with the plans and statement and conditions below which shall in all cases take precedence.

60540878-SOV-002 Land Ownership Boundary
60540878-SOV-003 Phase 1 Restoration and Phase 2
60540878-SOV-004 Phase 3 Working
60540878-SOV-005 Phase 4 Working
60540878-SOV-006 Phase 5 Working
60540878-SOV-007 Phase 1 Restoration Detail
60540878-SOV-008 Restoration Detail Sections
60540878-SOV-009 Phase 1 Landscape Detail

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

Access and Vehicular Movement

3. There shall be no more than 30 heavy goods vehicle movements (15 in and 15 out) at the site in any one day.

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

4. Public footpath no. 155 which crosses the site shall not at any time prior to, during or after development be unofficially obstructed or closed without the prior written consent of the Minerals Planning Authority.

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

5. No commercial vehicles shall enter the public highway from the permitted site unless their wheels and chassis have been cleaned to prevent material being deposited on the highway.

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

6. No mineral extraction shall be carried out within 15 metres of Lane Head Road and Barnsley Road and within 10 metres of Carr Lane within the boundary of the area coloured red on Drawing No. MM/SOV/04-06/OWN and the operations within this area shall not remove or interfere with the support of the adjacent highway.

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

7. No loaded lorries shall leave the site unsheeted except those only carrying stone in excess of 500mm in width.

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

8. The car park shall not be used by members of the public until:

i) the works to improve highway visibility on Carr Lane and Lane Head Road shown on plan 60540878-SOV-007 Phase 1 Restoration Detail have been completed;

ii) Within the land edged blue on plan 60540878-SOV-002 (see explanatory note) all obstructions to visibility exceeding 1 metre in height shall be cleared within sight lines of 2.4m x 215m from the site entrance; and

ii) the car park has been securely fenced from the remainder of quarry.

and thereafter maintained for as long as the car park remains in use.

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

Protection of Watercourses

9. Neither surface water run-off from the permitted site nor wastes arising from the operation of the permitted site nor groundwater shall be discharged into any surrounding watercourse or drainage system without first passing through the settlement lagoon indicated on drawing No. 60540878-SOV-002.

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

10. There shall be no storage of chemicals, additives or solvents on site other than fuel oils or lubricants. Any waste materials such as oils, slurries, chemicals etc. shall be collected in sealed containers and exported from the site.

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

11. Any above ground oil or lubricant storage tanks shall be located at least 10 metres from any watercourse and within a bund having a capacity of not less than 110% of the largest tank. If tanks are connected by pipework to allow the equalisation of the level of the contents, then the bund capacity shall be 110% of the largest combined volume. The floor and walls of the bund shall be impervious to oil and water and resistant to any stored chemicals. Inlet/outlet vent pipes and gauges shall be located within the bunded area, and any tap or valve shall be so arranged as to discharge vertically downwards and shall be kept locked shut when not in use. There shall be no uncontrolled discharge from the bunded area.

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

12. All oil and lubricant drums (storage containers) shall be stored in a compound with an impervious base and the floor graded in such a manner that the contents of the largest drum (container) are retained in the event of a spillage.

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

Preparatory Works

13. Prior to the stripping of soil from any part of the site, all dry stone walls thereon shall be dismantled and stored in locations on the site having the prior written approval of the Mineral Planning Authority and retained for subsequent use in the restoration of the site.

Reason: To ensure the satisfactory restoration of the site and to accord with Policy M3 of the Kirklees Unitary Development Plan, Policy PLP36 of the Kirklees Publication Draft Local Plan and Chapter 17 of the National Planning Policy Framework.

14. All screening bunds shall be constructed using soils and overburden materials extracted from the permitted quarry and there shall be no import of waste materials onto the site from any other area to construct these bunds.

Reason: To ensure the satisfactory restoration of the site and to accord with Policy M3 of the Kirklees Unitary Development Plan, Policy PLP36 of the Kirklees Publication Draft Local Plan and Chapter 17 of the National Planning Policy Framework.

Soil Stripping

15. Prior to the removal of overburden and minerals from the successive operational phases shown on the approved plans, all available topsoil and subsoil shall be stripped separately from each phase. Topsoil and subsoil stripped from the site shall be stored in separate mounds which do not overlap and in accordance with approved plans.

Reason: To ensure the satisfactory restoration of the site and to accord with Policy M3 of the Kirklees Unitary Development Plan, Policy PLP36 of the Kirklees Publication Draft Local Plan and Chapter 17 of the National Planning Policy Framework.

16. Topsoil shall be stripped from any areas to be extracted, or used for the stationing of plant and buildings, the storage of subsoil and overburden, haul roads and other areas to be traversed by heavy machinery and stored until required for restoration purposes unless otherwise required for progressive restoration. The Mineral Planning Authority shall be given the opportunity (with at least 24 hour notice, excluding Sundays and Bank Holidays) to verify that all available topsoil has been satisfactorily stripped, prior to the commencement of subsoil stripping.

Reason: To ensure the satisfactory restoration of the site and to accord with Policy M3 of the Kirklees Unitary Development Plan, Policy PLP36 of the Kirklees Publication Draft Local Plan and Chapter 17 of the National Planning Policy Framework.

17. An equivalent depth of subsoil to that which currently exists on the site, to a maximum depth of 550 millimetres, shall be stripped from any areas to be extracted or to be used for the stationing of plant, buildings, settlement lagoons, the storage of overburden, and other areas to be traversed by heavy plant in advance of extraction operations, unless otherwise agreed in writing with the Mineral Planning Authority.

Reason: To ensure the satisfactory restoration of the site and to accord with Policy M3 of the Kirklees Unitary Development Plan, Policy PLP36 of the Kirklees Publication Draft Local Plan and Chapter 17 of the National Planning Policy Framework.

18. No plant or vehicles shall cross any areas of unstripped soil except for the purpose of stripping operations authorised by condition 14 above. The soils shall not be stripped or moved except when the material to be moved is dry and it would not be damaged by heavy vehicles and machinery passing over it. They shall be stored in the areas identified on the approved plans, kept free from contamination and retained for use in the restoration of the site.

Reason: To ensure the satisfactory restoration of the site and to accord with Policy M3 of the Kirklees Unitary Development Plan, Policy PLP36 of the Kirklees Publication Draft Local Plan and Chapter 17 of the National Planning Policy Framework.

19. Within three months of the formation of soil heaps in accordance with condition 14 above the Mineral Planning Authority shall be advised in writing of the dimensions of the soil storage mounds and the quantities of the soil in each. Any soil subsequently lost shall be made good from an external source.

Reason: To ensure the satisfactory restoration of the site and to accord with Policy M3 of the Kirklees Unitary Development Plan, Policy PLP36 of the Kirklees Publication Draft Local Plan and Chapter 17 of the National Planning Policy Framework.

20. At least seven days notice, but not more than 21 days, shall be given in writing to the Mineral Planning Authority before any soil stripping operations commence. No overburden or mineral extraction shall take place on these stripped areas until they have been inspected by the Mineral Planning Authority and agreement has been reached between the applicant and the Mineral Planning Authority that all soil has been removed from the areas concerned.

Reason: To ensure the satisfactory restoration of the site and to accord with Policy M3 of the Kirklees Unitary Development Plan, Policy PLP36 of the Kirklees Publication Draft Local Plan and Chapter 17 of the National Planning Policy Framework.

21. Once formed the surface of all mounds in which soils are to be stored for more than 6 months or over the winter period shall be evenly graded and grass seeded in accordance with a specification agreed beforehand with the mineral planning authority to minimise erosion and weed infestation and all such mounds shall be kept free of weeds in accordance with a scheme of weed control submitted to and approved by the Mineral Planning Authority.

Reason: To ensure the satisfactory restoration of the site and to accord with Policy M3 of the Kirklees Unitary Development Plan, Policy PLP36 of the Kirklees Publication Draft Local Plan and Chapter 17 of the National Planning Policy Framework.

Working programme, phasing and direction of working

22. Working within the quarry shall be carried out in 5 phases in accordance with the Drawings referred to in Condition 2 above and unless otherwise agreed in writing with the Mineral Planning Authority, there shall be no further mineral extraction or mineral processing within Phase 1 from the date of this permission.

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

23. The land within the site affected by soil stripping, extraction, backfilling and regrading operations shall at no time exceed the extent of 3 adjacent phases.

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

24. The developer shall notify the Mineral Planning Authority in writing within 14 days of the date of commencement/completion of the following:

- (i) commencement of site preparation works.
- (ii) entering a new phase of mineral extraction as identified on the approved drawings.
- (iii) completion of backfill of each phase
- (iv) completion of restoration of each phase.
- (vii) completion of final restoration.

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

25. No mineral working shall take place below the base of the Greenmoor Rock.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and to accord with Policy M3 of the Kirklees Unitary Development Plan, Policy PLP36 of the Kirklees Publication Draft Local Plan and Chapter 17 of the National Planning Policy Framework.

26. No mineral extraction shall take place within 5 metres of the drystone wall which forms the northern boundary of the area of woodland indicated on approved drawing no. MM/SOV/04-06/OWN and located between the southern boundary of the approved site and Barnsley Road.

Reason: To safeguard the health of existing trees which present an important feature adjacent to the site and to accord with Chapter 15 of the National Planning Policy Framework.

27. No stockpile of mineral or other materials shall exceed a height of 2 metres above adjacent unexcavated land.

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

Restoration

28. After completion of mineral extraction in phase 2, 3, 4 and 5 the phase area shall be progressively restored to agriculture, woodland, amenity, recreation and/or a nature conservation use in accordance with a scheme to be submitted for the approval of the Mineral Planning Authority within 6 months of the date of completion of mineral extraction as notified under condition 24(iii). Unless otherwise agreed in writing the submitted scheme shall provide for:

- a) final landform and afteruse;
- b) contour plans and representative cross sections and longitudinal sections showing post restoration levels;
- c) the phasing and direction of backfilling of the site with overburden and quarry waste arising from within the Site;
- d) the depth of subsoil and topsoil to be replaced;
- e) soil placement methods;
- f) details of cultivation techniques and equipment to be used;
- g) seed mixes;
- h) tree / shrub and bush details, species, density of planting, protection from pests, weed control, drainage and fencing;
- i) design and location of fencing, dry stone walls, gates and stiles, in the local style;
- j) site drainage and water management; and
- k) programme of works and timescales.

The scheme shall be implemented following its approval by the Mineral Planning Authority.

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

Soil Replacement during Restoration

29. The placement of overburden and restoration materials required for the restoration of Phase 1 to recreation, amenity and nature conservation shall be carried out in accordance with the scheme approved pursuant to condition 2 within 12 months of the date of this permission and all landscape planting shall be completed by the 31st March 2020 unless otherwise agreed in writing by the Mineral Planning Authority.

Reason: To ensure restoration of the phase 1 area is completed within a satisfactory timeframe and to accord with Policy M3 of the Kirklees Unitary Development Plan, Policy PLP37 of the Kirklees Publication Draft Local Plan and Chapter 17 of the National Planning Policy Framework.

30. No overburden shall be removed from the site or stored above the general ground level of any of the site, but shall be backfilled into the voids of the workings, up to the original ground level.

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

31. Any tree or shrub planting which becomes damaged, diseased or fails within 5 years of planting shall be replaced in the next available planting season until established.

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

32. If on any part of the area which is grass seeded, satisfactory plant growth is not obtained the affected area shall be fertilised, re-seeded and cultivated during the next available sowing season.

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

33. Upon completion of restoration in the final phase, when all subsoil has been returned to site, all buildings and structures shall be removed and all haul roads and concrete hardstandings shall be broken out and construction materials removed. The route of the haul roads shall then be subsoil ripped to relieve compaction prior to being spread with subsoil and topsoil and seeded to grass in accordance with Conditions 28 to 32 above.

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

Amenity

34. Excluding the pumping of water, operations on the site and associated vehicular movement in and out of the site shall only take place between the following times:

Monday to Friday 07.30 - 18.00 hours

Saturday 07.30 - 13.00

and the servicing, maintenance and testing of quarry plant and machinery shall be limited to between 07.30 - 22.00 hours on any day and there shall be no working on Sundays and no working or servicing, maintenance or testing of quarry plant or machinery on Bank Holidays or National Holidays except with the prior agreement in writing of the Mineral Planning Authority.

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

35. No HGV will enter or leave the quarry via the access identified on plan 60540878-SOV-007 Phase 1 Restoration Detail on Saturdays while the car park is in use by members of the public.

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

36. The site access gates identified on plan 60540878-SOV-007 shall be secured shut at all times when the quarry and car park are not in use.

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

37. Efficient silencers for engines shall be fitted to, used and maintained on all vehicles, plant and machinery used on the site. Equipment which develops any fault resulting in a noisy operation, shall be removed from use until the fault is remedied.

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

38. All vehicle reversing warning systems and/or alarms shall be operated following the commencement of all site operations. At all times measures shall be employed to prevent and counteract the effects to nearby residents of audible warning alarms.

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

39. The limit of noise produced by the operation of the quarry shall not exceed a limit of 55.dB(A) LAeq 1h (free field) during the hours of 0700-1900, except during the construction of the peripheral baffle mounds, soil stripping and overburden removal and that a limit of 42dB LAeq, 1h shall apply during any other times that activities are permitted. These limits are to apply to the closest dwellings at 1 and 3 Carr Lane and 171,173 and 175 Lane Head Road.

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

40. The measures detailed within the Dust Management Scheme dated May 2018 submitted as Appendix E of the supporting statement shall be employed/maintained at the site at all times.

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

41. Vehicles and plant travelling on internal haul roads shall at no time exceed a maximum speed of 15 mph.

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

42. All vehicles and mobile plant within the site shall operate with upturned exhausts.

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

Blasting

43. There shall be no blasting on the site.

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

Aftercare

44. 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 nos. 1 and 28 to the required standard for use for agriculture, woodland, amenity, recreation and/or nature conservation shall be submitted for the approval of 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 site and thereafter implemented.

Reason: To ensure that beneficial afteruse of the site is established and to accord with Policy M3 of the Kirklees Unitary Development Plan, Policy PLP37 of the Kirklees Publication Draft Local Plan and Chapter 17 of the National Planning Policy Framework.

45. The aftercare scheme submitted in accordance with Condition 44 above shall comprise 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 comply with the requirements identified in para. 056 to 058 in National Planning Practice Guidance, and the approved scheme shall be fully implemented.

Reason: To ensure that beneficial afteruse of the site is established and to accord with Policy M3 of the Kirklees Unitary Development Plan, Policy PLP37 of the Kirklees Publication Draft Local Plan and Chapter 17 of the National Planning Policy Framework.

46. Following compliance with Condition 44 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 shall comply with the requirements identified in para. 056 to 058 in National Planning Practice Guidance, and the approved scheme shall be fully implemented.

Reason: To ensure that beneficial afteruse of the site is established and to accord with Policy M3 of the Kirklees Unitary Development Plan, Policy PLP37 of the Kirklees Publication Draft Local Plan and Chapter 17 of the National Planning Policy Framework.

47. Before the 31 August of every year during the 5 year aftercare period a review meeting shall be held on site to:

- (i) review progress to date;
- (ii) agree any remedial measures or improvements necessary;
- (iii) consider the detailed after care programme for the coming year;

At least four weeks prior to the date of each annual review, the applicant shall provide the Mineral Planning Authority with a detailed record of restoration and aftercare operations and management carried out in compliance with Conditions 28 and 44 above and proposed on the restored land during the period covered by the review. The applicant shall invite the following parties to the annual review meeting:

- (a) The Local Planning Authority;
- (b) The applicant and operator.
- (c) all owners/tenants of land within the site;
- (d) any restoration/after care sub-contractor retained by the applicant/operator;
- (e) The Forestry Commission if restoration tree planting has the benefit of a grant from the Committee

Reason: To ensure that beneficial afteruse of the site is established and to accord with Policy M3 of the Kirklees Unitary Development Plan, Policy PLP37 of the Kirklees Publication Draft Local Plan and Chapter 17 of the National Planning Policy Framework.

48. In the event of mineral extraction on the site ceasing for any reason for a period in excess of 18 months any part of the site where soil has been stripped or minerals extracted shall be restored for after use for amenity woodland in accordance with a scheme submitted for the prior written approval of the Mineral Planning Authority within 30 months of extraction works ceasing on site, and shall be implemented in accordance with the programme of works contained in the approved scheme. The submitted scheme shall provide for items (a) to (k) inclusive as listed in Condition 28 above.

Reason: To ensure that beneficial afteruse of the site is established and to accord with Policy M3 of the Kirklees Unitary Development Plan, Policy PLP37 of the Kirklees Publication Draft Local Plan and Chapter 17 of the National Planning Policy Framework.

49. There shall be no further mineral working in the area of the site which is indicated by blue hatching on approved Drawing No. MM/SOV/04-06/OWN as having been previously worked and to be excluded from any future mineral working.

Reason: To protect the amenities of local residents and in the interests of highway safety and to accord with Policies M3 and T10 of the Kirklees Unitary Development Plan, Policies PLP36 and PLP21 of the Kirklees Publication Draft Local Plan and Chapter 17 of the National Planning Policy Framework.

50. From the commencement of development to the cessation of the use hereby permitted, a copy of the terms of this planning permission including all documents hereby permitted and any documents subsequently approved or agreed in accordance with this permission or amendments approved or agreed pursuant to this permission shall be on the site during working hours and shall be made known to any person(s) given responsibility for the management or control of activities/operations on site.

Reason: To enable easy reference and to encourage compliance with the requirements of this permission so as to ensure the orderly operation and restoration of the site.

NOTE: The requirements of condition 8(ii) shall not apply to any road signage or other structure erected by the Highways Authority.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Site location	60540878-SOV-001		16 May 2018
Land ownership	60540878-SOV- 002		16 May 2018
Phase 2 and 3 extraction and phase 1 backfill	60540878-SOV- 003		16 May 2018
Phase 3	60540878-SOV- 004		16 May 2018
Phase 4	60540878-SOV- 005		16 May 2018
Phase 5	60540878-SOV- 006		16 May 2018
Phase 1 restoration – detail plan	60540878-SOV- 007		16 May 2018
Phase 1 restoration – detail sections	60540878-SOV- 008		16 May 2018
Phase 1 restoration – planting detail	60540878-SOV- 009		16 May 2018
Supporting planning statement		May 2018	16 May 2018

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.

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.

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 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/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: 29-Oct-2018

Signed:



Karl Battersby
Strategic Director Economy and Infrastructure

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 2018/70/91605/E0.

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

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

E-mail: planning.contactcentre@kirklees.gov.uk

Write to: Planning Services
Investment and Regeneration
PO Box B93
Civic Centre III
Off Market Street
Huddersfield
HD1 2JR

APPENDIX B PLANNING HISTORY

Table B-1 Planning History

Application Reference	Description	Date of Decision
IDO Minerals Permission 426a	N/A	N/A
98/70/93111/E0	<i>Variation of conditions 2, 3, 18, 35 & 38 and removal of conditions 8 + 44 attached to the schedule of conditions approved by the Secretary of State for i.d.o. minerals permission number 426a (planning and compensations act 1991)</i>	1 st December 2001 Refused
2005/62/94628/E0	<i>Formation of settling lagoon</i>	5 th January 2006 Granted
2006/62/95022/E3	<i>Erection of electricity sub station building</i>	24 th January 2007 Granted
2006/70/92787/E0	<i>Variation of condition 2 relating to IDO permission 426a in order to allow changes to the approved phasing scheme.</i>	17 th May 2007 Granted
2007/62/92953/E0	<i>Formation of replacement vehicular access, installation of weighbridge, wheelwash and erection of site office</i>	20 th September 2007 Granted
2012/70/90558/E	<i>Variation of condition 24 & 29 (D) on previous permission 2006/70/92787EO for variation of condition 2 relating to IDO permission 426A in order to allow changes to the approved phasing scheme</i>	31 st October 2012 Granted
2018/70/91605/E0	<i>Variation of conditions 2 and 27 on previous permission 2012/90558 for variation of conditions 24 and 29 (D) on previous permission 2006/70/92787/C0 for variation of condition 2 relating to IDO permission 426A in order to allow changes to the approved phasing scheme.</i>	29 th October 2018 Granted