



**Town and Country Planning (Development Management Procedure) (England)
Order 2010**

PLANNING PERMISSION FOR DEVELOPMENT

**NOTE: This approval should be read in conjunction with an Agreement made
under Section 106 of the Town and Country Planning Act 1990**

Application Number: 2013/62/90793/W0

To: Philip Sharland,
Silkstone Environmental Ltd
7 Hall Annex
Thorncliffe Park
Chapelton
Sheffield
S35 2PH

For: Johnsons Wellfield Quarries Ltd

**In pursuance of its powers under the above-mentioned Act and Order the
KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning
Authority hereby permits:-**

MINERAL EXTRACTION

At: LAND ADJACENT THEWLIS LANE, CROSLAND MOOR, HUDDERSFIELD, HD4
7AB

**In accordance with the plan(s) and applications submitted to the Council on
12-Mar-2013, subject to the condition(s) specified hereunder:-**

Time Limits

1) The development shall be begun not later than the expiration of three years
beginning with the date on which permission is granted.

Reason: Pursuant to Section 91 of the Town and Country Planning Act 1990, as
amended by the Planning and Compulsory Purchase Order 2004.

2) 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.

Reason: To ensure the satisfactory completion of mineral extraction and the subsequent restoration of the site within an acceptable period of time and to accord with Unitary Development Plan Policy M3 and Sections 11 and 13 of the National Planning Policy Framework.

Plans

3) A copy of this permission including all documents hereby approved and any other documents subsequently approved in accordance with this permission, shall always be on display on the site for inspection during normal working hours.

Reason: For the avoidance of doubt and to ensure that the site is operated in accordance with the requirements of this planning permission.

4) The development hereby approved shall be carried out in complete accordance with the approved plans and supporting documents except as stated otherwise in conditions listed below which shall in all cases take precedence.

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

Prior cessation

5) In the event of cessation of mineral extraction prior to the achievement of the completion of the approved scheme, which in the opinion of the Mineral Planning Authority constitutes a permanent cessation within the terms of paragraph 3 of Schedule 9 of the Town and Country Planning Act 1990, a revised reclamation scheme to include details of restoration and aftercare and a timetable for implementation shall be submitted in writing for the approval of the Mineral Planning Authority within 6 months of the cessation of mineral extraction. The scheme shall provide for:

- a) Restoration contour drawings of the whole site based on 1 metre intervals.
- b) Replacement of stored overburden, removal of screen mounds, settlement ponds and haul road.
- c) The selective placement of all available topsoil, subsoil and soil making materials.
- d) The establishment of a grass sward.
- e) Completion of stone walled enclosures.
- f) A post-restoration drainage scheme.
- g) Location of planting species, spacing and planting methods.
- h) A time table for the implementation of the works

The approved revised reclamation scheme shall be fully implemented within the approved timetable.

Reason: To ensure the satisfactory restoration of the site should development cease prior to completion and to accord with Section 13 of the National Planning Policy Framework.

Access

6) The sole means of vehicular access to and egress from the site shall be via Thewlis Lane as indicated on Plan no. 10093/467 'Thewlis Access Point Plan'.

Reason: In the interests of the free and safe use of the highway and to accord with Unitary Development Plan Policy T10.

7) 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 public highway.

Reason: In the interests of the free and safe use of the highway and to accord with Unitary Development Plan Policy T10.

8) No development shall commence until a scheme detailing the design and specification of the heavy plant crossing on Thewlis Lane (Drawing No. 199/01, dated 8/13) have been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include full sections, drainage works, signing, surface finishes and the treatment of sight lines, together with an independent Stage 2 Road Safety Audit covering all aspects of work. The crossing shall not be brought into use until the works have been carried out in complete accordance with the approved scheme and shall thereafter be retained for the lifetime of the development. Mineral extraction shall not take place at the site until the approved heavy plant crossing has been constructed.

Reason: In the interests of the free and safe use of the highway and to accord with Unitary Development Plan Policy T10.

9) The total tonnage of material exported from and imported to the application site and land edged blue on approved plan no 10093/451 'Application Boundary Plan', shall not exceed 2500 tonnes per day in total, such limit to include materials exported from the application site, The Airfield Extension, Waterholes Extension, Moorfield, Waterholes, and Wellfield Quarries.

Reason: In the interests of the free and safe use of the highway and to accord with Unitary Development Plan Policy T10.

10) No development shall commence until a scheme has been submitted to and approved in writing by the Mineral Planning Authority which provides construction, layout and routing details of the proposed temporary bridleway indicated on plan. No 10093/600. The approved scheme shall be implemented prior to any mineral extraction commencing at the site.

Reason: In the interests of the free and safe use of the highway and to accord with Unitary Development Plan Policy T10.

Land Stability

11) No development shall commence until the design and construction details of all temporary and permanent highway retaining structures within the site have been submitted to and approved in writing by the Mineral Planning Authority. The details shall include a design statement, all necessary ground investigations on which design assumptions are based on, method statements for both temporary and permanent works and removal of any bulk excavations, structural calculations and all associated safety measures for the protection of adjacent public highways, footpaths, culverts, adjoining land, and areas of public access. All highway retaining structures shall be constructed in accordance with the approved details and shall be so maintained throughout the life of the development.

Reason: In the interests of the free and safe use of the highway and to accord with Unitary Development Plan Policy T10.

12) No development shall commence until a geotechnical stability assessment has been submitted to and approved in writing by the Mineral Planning Authority which assesses the potential for excavations associated with this development to cause instability in adjacent land and appropriate remediation strategies. The scheme shall include consideration of the following issues:

- a) The physical properties of the geology on site and adjacent land including details of jointing, faulting, the dip of the strata, the presence of old workings in the vicinity and the level of groundwater and perched water tables
- b) The design of the quarry faces including the proposed overall angle of slope for each part of the quarry void, the proposed face angle and benching arrangements.
- c) The potential affects associated with backfilling the resultant quarry void and the subsequent settlement of the restored site.

Operations at the site shall be carried out in accordance with the approved scheme for the duration of the planning permission.

Reason: To ensure that the stability of land adjacent to this development is not adversely affected as a result of excavations and that adequate measures are taken to mitigate any potential impact and to accord with Sections 11 and 13 of the National Planning Policy Framework.

Working programme, phasing and direction of working

13) No development shall commence until a scheme has been submitted to and approved in writing by the Mineral Planning Authority detailing the method of constructing the screen mounds indicated on approved plan 10093/456. The scheme shall provide for:

- a) The design, construction, and seeding and any subsequent maintenance of the screen/noise baffle mounds
- b) The inside slope of the mounds to be designed to minimise the broadcast of sound
- c) Representative Cross Sections through the proposed mounds
- d) A maintenance strategy for the prevention of weed and rank growth
- e) A detailed programme for the implementation of the works involved in the submitted scheme.

All screening mounds shall be constructed according to the approved scheme prior to the extraction of any mineral from the site.

Reason: In the interests of visual amenity and to safeguard the amenities of nearby residents and to accord with Unitary Development Plan Policies EP6 and M3 and Sections 11 and 13 of the National Planning Policy Framework.

14) Prior to the commencement of mineral extraction at the site, screen mounds shall be constructed in the positions shown on approved plan 10093/456 'Method of Working – Phase 2' to the specification required in condition 12. These mounds 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: In the interests of visual amenity and to safeguard the amenities of nearby residents and to accord with Unitary Development Plan Policies EP6 and M3 and Sections 11 and 13 of the National Planning Policy Framework.

15) 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: To ensure the progressive restoration of the site, to minimise the disturbed area of the site and to accord with Unitary Development Plan Policy M3 and Sections 11 and 13 of the National Planning Policy Framework.

16) Notwithstanding the plans and details submitted with this application no mineral extraction shall take place below the topographical levels approved under existing planning permissions regulating operations within any area enclosed by the blue line on Plan no. 10093/451.

Reason: To ensure the progressive restoration of the site, to minimise the disturbed area of the site and to accord with Unitary Development Plan Policy M3 and Sections 11 and 13 of the National Planning Policy Framework.

17) No mineral extraction within the site shall take place below the topographical levels indicated on Plan no. 10093/464 'Cross Sections Through Thewlis Lane Quarry'

Reason: To ensure the progressive restoration of the site, to minimise the disturbed area of the site and to accord with Unitary Development Plan Policy M3 and Sections 11 and 13 of the National Planning Policy Framework.

18) No crushing or screening operations including the use of mobile plant shall take place on the application site.

Reason: To safeguard the amenities of nearby residents and to accord with Unitary Development Plan Policies EP6 and M3 and Sections 11 and 13 of the National Planning Policy Framework.

19) No development shall commence until a scheme has been submitted to and approved in writing by the Mineral Planning Authority which details the method by which the worked out areas of the quarry will be backfilled to a standard satisfactory for both agriculture and to allow the future built development of the restored site. This scheme shall include details of:

- The type and characteristics of the backfill materials to be used
- The methodology and design characteristics of the backfill proposals
- The proposed method of compacting the backfill material
- The measures proposed to deal with any excessive settlement following any backfilling
- The person(s) or organisation responsible for verifying that backfilling has been carried out in accordance with the approved scheme.
- The proposed verification procedure including the verification timetable
- Post restoration monitoring and remediation of the site

The approved scheme shall thereafter be fully implemented.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and to accord with Section 13 of the National Planning Policy Framework.

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 referred to in Condition 1 above 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: To enable the Mineral Planning Authority to adequately control the development, minimise its impact on the amenity of the local area, ensure the beneficial after use of the site after development and to accord with Section 13 of the National Planning Policy Framework.

21) From the date of this permission the operator shall maintain records of monthly production and mineral extraction, and shall make available to the Mineral Planning Authority on a 6 monthly basis the total tonnage of mineral product extracted from the permitted site within the previous 6 month period. All records shall be kept for inspection for at least 24 months.

Reason: To allow the Mineral Planning Authority to accurately assess the quantity of mineral extracted from the site.

Water protection and pollution prevention

22) There shall be no discharge of foul or contaminated water from the site into either groundwater or any surface waters.

Reason: To prevent the pollution of surface and ground water regimes and to accord Sections 11 and 13 of the National Planning Policy Framework.

23) Any facilities for the storage of oils, fuels, or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent the pollution of surface and ground water regimes and to accord Sections 11 and 13 of the National Planning Policy Framework.

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.

Reason: To ensure that this development does not have a significant adverse impact on existing drainage or water retention regimes and to accord with Section 10 of the National Planning Policy Framework.

Soil stripping and storage

25) The full depth of topsoil and subsoil on existing agricultural land within the application site shall be stripped separately prior to the removal of overburden or mineral from each phase of working and stored separately in areas to be approved in writing with the Mineral Planning Authority.

Reason: To protect a scarce resource and in the interests of ensuring the satisfactory restoration of the site and to accord with Unitary Development Plan Policy M3 and Section 13 of the National Planning Policy Framework.

26) The stripping, movement and replacement of topsoil and subsoil shall only be carried out under sufficiently dry and friable conditions to avoid smearing and compaction and to ensure all available soil resources are recovered.

Reason: To protect a scarce resource and in the interests of ensuring the satisfactory restoration of the site and to accord with Unitary Development Plan Policy M3 and Section 13 of the National Planning Policy Framework.

27) The Mineral Planning Authority shall be supplied with a plan indicating the areas stripped of soils, the location of each soil storage mound and an estimate of the quantity of soil stored shall be provided in writing to the Mineral Planning Authority within one month of the date soil stripping commenced.

Reason: To ensure the satisfactory restoration of the site and to accord with Unitary Development Plan M3 and Section 13 of the National Planning Policy Framework.

28) Topsoil, subsoil or other soil making materials which have been approved for use in progressive restoration shall be stored according to their quality in separate mounds that do not overlap. 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 approved beforehand in writing by the Mineral Planning Authority.

Reason: To protect a scarce resource and in the interests of ensuring the satisfactory restoration of the site and to accord with Unitary Development Plan Policy M3 and National Section 13 of the National Planning Policy Framework.

Restoration

29) After completion of mineral extraction in each phase the site shall be progressively restored to agriculture/nature conservation in accordance with the restoration concept indicated on Plan no. 10093/468 'Restoration Plan' and a detailed scheme to be submitted to and approved in writing by the Mineral Planning Authority prior to the development hereby approved commencing. The submitted scheme shall provide for:

- (a) the phasing and direction of backfilling of the site
- (b) the removal of plant, machinery, haul roads and fences;
- (c) spreading a minimum depth of 350mm subsoil and 250mm topsoil over the backfilled overburden in agricultural grassland areas;
- (d) spreading a minimum depth of 500mm subsoil or sandy overburden over the backfilled material on areas to be restored to nature conservation
- (e) ripping of any compacted layers of subsoil to ensure adequate drainage and aeration prior to spreading topsoil;
- (f) details of cultivation techniques and equipment to be used;
- (g) final levels and contours of the restored land graded to blend in with those of the surrounding land to prevent ponding and promote good surface water drainage;
- (h) provision of any temporary surface water drainage ditches where restored levels may cause a risk of ponding;
- (i) grass seeding of any areas to be returned to agriculture including details of proposed seed mixture;
- (j) details of the restoration to nature conservation including seeding and planting details,
- (k) removal of all storage/screen mounds;
- (l) reconstruction of drystone walls and provision of gates in the local style;
- (m) comprehensive details of post restoration drainage arrangements for the site;
- (n) full details, including construction specification, for the proposed Bridleway link from Thewlis Lane to Sutherland Drive
- (o) programme of works and timescales;

The approved scheme shall be fully implemented following its approval.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and Section 13 of the National Planning Policy Framework.

Soil Replacement during Restoration

30) The final surface of backfilled quarry overburden in each phase shall be graded to provide an even surface 500mm lower than the agreed final contours.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and Section 13 of the National Planning Policy Framework.

31) The spreading of subsoil and topsoil shall only be carried out when the material is in a dry and friable condition and in sufficient time for subsoil ripping, cultivation and seeding to take place under suitable weather conditions before the end of September.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and Section 13 of the National Planning Policy Framework.

32) In each phase subsoil shall be spread to the depths specified in Condition 29 using a backacter so as to avoid running over the spread soil. If running over the spread soil with wheeled plant and vehicles is unavoidable all areas which have been trafficked with wheeled machines shall be subsoil ripped to a depth of 450mm at spacings of not more than 750mm to relieve any compaction. In areas that are to receive topsoil, subsoil ripping shall be carried out prior to the spreading of topsoil. All stones and any other object larger than would pass through a wire screen mesh with a spacing of 75mm shall be removed from the surface of the soil. The Mineral Planning Authority shall be notified in writing when the works required in this condition have been completed.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and Section 13 of the National Planning Policy Framework.

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: To ensure that the restoration of the site results in a beneficial afteruse and Section 13 of the National Planning Policy Framework.

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.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and Section 13 of the National Planning Policy Framework.

35) If in any part of the restored area a satisfactory grass growth is not obtained as a result of the initial sowing, such part shall be cultivated and reseeded, after the correction of any nutrient deficiencies in the soil, during the next growing season and such work shall be repeated until a satisfactory sward is established.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and Section 13 of the National Planning Policy Framework.

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.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and Section 13 of the National Planning Policy Framework.

Aftercare

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.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and Section 13 of the National Planning Policy Framework.

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 para. 44 to 48 of the Technical Guidance to the National Planning Policy Framework;
- 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: To ensure that the restoration of the site results in a beneficial afteruse and Section 13 of the National Planning Policy Framework.

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. 44 to 48 of the Technical Guidance to the National Planning Policy Framework and shall be fully implemented for the duration of the aftercare period.

Reason: To ensure that the restoration of the site results in a beneficial afteruse and Section 13 of the National Planning Policy Framework.

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: To ensure that the restoration of the site results in a beneficial afteruse and Section 13 of the National Planning Policy Framework.

Protection of Amenity

41) Except in emergencies to maintain safe quarry working, which shall be notified to the Mineral Planning Authority as soon as practicable, or unless otherwise agreed in writing by the Mineral Planning Authority:

a) no operations, other than water pumping, servicing and environmental monitoring shall be carried out on the site except between the following times:

0730-1800 Mondays to Fridays

0730-1300 Saturdays

b) no operations other than water pumping and environmental monitoring shall take place on Sundays and Bank/Public Holidays.

Reason: To protect the amenities of local residents and to accord with Unitary Development Plan Policy M3 and Section 13 of the Unitary development Plan.

42) The site attributable free field equivalent continuous A weighted sound pressure level ($L_{Aeq,T}$) when measured at a height of 1.3-1.5m above ground and at least 3.5m from any reflecting structure other than the ground, measured at 'Noise Monitoring Locations' as detailed on drawing no. 10093/601 in the Noise Assessment (September 2012) included as Appendix 5 in the Environmental Impact Assessment, or at equivalent positions agreed with the Mineral 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 screen mounds and soil stripping and replacement and the initial part of the quarry phasing, as agreed in advance with the Mineral Planning Authority (this noise limit is only permitted for a maximum of 8 weeks in any 12 month period);
- b) 10dB(A) above measured background noise level (L_{90T}) in any one hour period at the 'Noise Monitoring Locations' as detailed on drawing no. 10093/601 in the Noise Assessment (September 2012) included as Appendix 5 of the Environmental Impact Assessment.

Reason: To protect the amenities of local residents and to accord with Unitary Development Plan Policy M3 and EP6 and Sections 11 and 13 of the National Planning Policy Framework.

43) Except with the prior written approval of the Mineral Planning Authority, exceptionally noisy operations (as defined in Condition 42) shall only be carried out between the hours of:

0900-1730 Mondays to Fridays

0900-1230 Saturdays

and at no time on Sundays or Bank/Public Holidays.

Reason: To protect the amenities of local residents and to accord with Unitary Development Plan Policy M3 and EP6 and Sections 11 and 13 of the National Planning Policy Framework.

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

Reason: To protect the amenities of local residents and to accord with Unitary Development Plan Policy M3 and Section 13 of the National Planning Policy Framework.

45) All vehicle reversing warning systems and/or alarms shall be operated in accordance with specifications to be submitted to and approved in writing with the Mineral Planning Authority prior to development commencing on site.

Reason: To protect the amenities of local residents and to accord with Unitary Development Plan Policy M3 and Section 13 of the National Planning Policy Framework.

46) There shall be no blasting on the site.

Reason: To protect the amenities of local residents and to accord with Unitary Development Plan Policy M3 and Section 13 of the National Planning Policy Framework.

47) No development shall commence until a noise monitoring scheme has been submitted to and approved in writing by the Mineral Planning Authority. The submitted scheme shall provide details of

- a) equipment to be used;
- b) noise monitoring station locations;
- c) frequency of monitoring;
- d) methodology to be employed.

The operator shall retain the results of noise monitoring for a minimum of 12 months for inspection by the Mineral Planning Authority.

Reason: To protect the amenities of local residents and to accord with Unitary Development Plan Policy M3 and Section 13 of the National Planning Policy Framework.

48) Prior to any excavations commencing on the permitted site a clean supply of water shall be provided to the site for the suppression of dust, the supply must be sufficient for use across the entire site.

Reason: To protect the amenities of local residents and to accord with Unitary Development Plan Policy M3 and Section 13 of the National Planning Policy Framework.

49) No development shall commence until a scheme for the suppression of dust has been submitted to and approved in writing by the Mineral Planning Authority. The submitted scheme shall provide for:

- a) the suppression of dust caused by the movement, transport and storage of stone, soils and overburden;
- b) seeding of all screening mounds and soil stockpiles which will be in place for more than 6 months;
- c) speed restriction of 15 miles per hour for all vehicles using the haul road;
- d) use of water bowsers and water spray units for the suppression of dust;
- e) all plant used on site to have upward facing exhausts;
- f) heavy plant to be fitted with radiator deflector units;
- g) suspension of the movement of mineral, soils and overburden on site when local wind speed exceeds 20 metres per second;
- h) provision and use of effective means to prevent the deposition of mud and other materials on the highway.

The approved scheme shall be implemented and complied with at all times.

Reason: To protect the amenities of local residents and to accord with Unitary Development Plan Policy M3 and Section 13 of the National Planning Policy Framework.

50) Prior to soil stripping commencing on the permitted site a dust monitoring scheme shall be submitted to and approved in writing by the Mineral Planning Authority. The submitted scheme shall provide details of

- a) equipment to be used;
- b) dust monitoring station locations;
- c) frequency of monitoring;
- d) methodology to be employed.

The operator shall retain the results of dust monitoring for a minimum of 12 months for inspection by the Mineral Planning Authority.

Reason: To protect the amenities of local residents and to accord with Unitary Development Plan Policy M3 and Section 13 of the National Planning Policy Framework.

51) The site shall not be used for the storage of waste skips or containers or other plant and equipment not directly associated with the operation of the quarry.

Reason: In the interest of visual amenity and to accord with sections 11 and 13 of the National Planning Policy Framework.

52) Notwithstanding the provisions of parts 19 and 20 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order amending, replacing or re-enacting that Order with or without modification) no fixed plant or machinery, buildings, structures and erections, or private ways which would project above natural ground levels shall be erected, extended, installed or replaced at the site without the prior approval in writing of the Mineral Planning Authority.

Reason: In the interest of visual amenity and to accord with sections 11 and 13 of the National Planning Policy Framework.

Cultural Heritage

53) No development shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological recording. This recording must be carried out by an appropriately qualified and experienced archaeological consultant or organisation in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Mineral Planning Authority.

Reason: to ensure that any unrecorded archaeology is sufficiently protected and to accord with Section 12 of the National Planning Policy Framework.

54) The Mineral Planning Authority shall be notified in writing of any artefact or feature of archaeological or geological interest encountered on the site and given reasonable opportunity to inspect and record it.

Reason: To ensure that any unrecorded archaeology is sufficiently protected and to accord with Section 12 of the National Planning Policy Framework.

NOTE: (Footpath) Public footpath number HUD/220/30, which abuts the site, shall not at any time prior to, during or after restoration of the proposed quarrying operations be unofficially obstructed or closed without prior written consent of the Local Planning Authority

NOTE: This development may require an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency, unless a waste exemption applies.

If any controlled waste is to be removed off site, then the site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably permitted facility.

The applicant is advised to contact the Environment Management team at our Leeds Office on 03708 506 506 or refer to guidance on our website <http://www.environment-agency.gov.uk/subjects/waste>

This decision is based on the following plans and documents:

Plan Type	Reference	Version	Date Received
Location Plan	10093/450		12/03/2013
Site Plan	10093/451		12/03/2013
Existing Site Plan	10093/452		12/03/2013
Airfield Extension Plan	10093/453		12/03/2013
Waterholes Extension Plan	10093/454		12/03/2013
Phase 1 Working Plan	10093/455		12/03/2013
Phase 2 Working Plan	10093/456		12/03/2013
Phase 3 Working Plan	10093/457	Rev C	11/10/2013
Phase 4 Working Plan	10093/458		12/03/2013
Phase 5 Working Plan	10093/459	Rev C	11/10/2013
Phase 6 Working Plan	10093/460		12/03/2013
Phase 7 Working Plan	10093/461		12/03/2013
Phase 8 Working Plan	10093/462		12/03/2013
Programme of Works	10093/463		12/03/2013
Geological Vertical Section	10093/464		12/03/2013
Section Through Airfield Extension	10093/465		12/03/2013
Section Through Waterholes Extension	10093/466		12/03/2013
Access Point Plan	10093/467		12/03/2013
Restoration Plan	10093/468		12/03/2013
Zone of Theoretical Visibility	10093/501		12/03/2013
Topographical Analysis	10093/502		12/03/2013
Line of Site From Residential Properties	10093/503		12/03/2013
Proposed Temporary Bridleway	10093/600		12/03/2013
Overburden Storage Area	10093/504		12/03/2013
Revised Environmental Impact Assessment and Associated Appendices			11/10/2013
Heavy Plant Crossing Layout	199/01		11/10/2013

Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 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 Leeds City Region Development Management Pledge 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.

It is the applicant's responsibility to find out whether the work approved by this planning permission requires written approval from the Highways Structures section for works near or abutting highway and any retaining structures. Contact Highways Structures Section on Tel No. 01484-225397 who can advise further on this matter.

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 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 relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within:
 - i) 28 days of the date of service of the enforcement notice, or
 - ii) within the specified period, starting on 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 Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.
- 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 fill in the online form www.kirklees.gov.uk/business/PlanningApplication/planning_application_feedback.asp so that we can work on continually improving our customer service. Thank you.

Dated: 29-Jan-2014

Signed: 

**Jacqui Gedman
Director of Place**

Application Plans

The decision notice indicates which plan/s relate to the decision.

Plans can be viewed on the Planning and Building Control web site:

<http://www.kirklees.gov.uk/business/planning/planning.asp>

If a paper copy of the decided plan is required please email:

planning.contactcentre@kirklees.gov.uk

or telephone 01484 414746 with the application number.

There may be a charge for this service.

Address to which all communications should be sent:

Planning, Strategic Investment Service,
PO Box B93, Civic Centre 3, Off Market Street, Huddersfield, HD1 2JR
