

**KIRKLEES COUNCIL**  
**LIST OF PLANNING APPLICATIONS DECIDED BY**  
**PLANNING SUB-COMMITTEE (HUDDERSFIELD)**  
**30 JUNE 2016**

**APPLICATION NO.**

2015/92433

**DESCRIPTION, LOCATION OF PROPOSAL AND DECISION**

Tony Barry, Casey Environ - Variation of conditions 2 (time scale) and 17 (land form/surface restoration) on previous permission 99/90597 for restoration of mineral workings with imported controlled wastes; construction of new road and site access; ancillary processing and use of minerals arising from engineering and site development works; processing, sorting, composting and re-cycling of wastes and all other associated engineering operations - Laneside Quarry, Bellstring Lane, Upper Hopton, Mirfield

Approve removal or modification of conditions identified by the applicant subject to the delegation of authority to officers to:

- (i) Impose all necessary and appropriate conditions
- (ii) Secure a deed of variation to the existing S106 agreement which requires:
  - (a) the continued payment of an annual highways maintenance contribution until the end of the extended operational period in the sum of £15000 per annum
  - (b) The upgrade of on-site wheel washing facilities and the provision of a formal road cleaning regime
- (iii) and, subject to there being no substantive changes to alter this recommendation, to issue the decision notice

**TIME LIMITS**

(1) Use of the site for the deposit of waste shall be completed within 10 years of the date of the permission hereby approved and the application site shall be restored for use for agriculture, woodland and amenity within 11 years of the date of the permission hereby approved or within 12 months of achievement of permitted final levels in accordance with condition 15 below, whichever is the earlier.

**PRIOR CESSATION**

(2) In the event of a cessation of waste deposit on the site before the achievement of the approved scheme referred to in Conditions Nos. 10, 15 and 23 which is for a period in excess of 18 consecutive months or the use of the site for waste disposal is discontinued for a like period, a revised scheme to include details of restoration and aftercare, shall be submitted in writing for the approval of the Local Planning Authority within 3 months of the cessation of waste deposit. The approved revised scheme shall be fully implemented, with the exception of aftercare, within 12 months of the Local Planning Authority's written approval

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unless otherwise agreed in writing by the Local Planning Authority.

**ACCESS**

(3) The sole means of vehicular access to and egress from the site for the purposes of waste disposal and restoration of the site shall be as indicated on approved amended drawing No. G110-004.Rev.3.

(4) The site shall be operated at all times in accordance with the following HGV controls:

- HGVs entering or leaving the site shall not exceed an average of 120 vehicles a day at the site (i.e. 60 in and 60 out) for a 5.5 day working week when measured over one calendar month.
- A maximum of 220 (i.e. 110 in and 110 out) HGV may enter or leave the site on any one working day. This figure shall be reduced to 110 (i.e. 55 in and 55 out) on a Saturday.
- A record of HGV movements entering the site for landfill purposes shall be kept on site and shall be made available to the LPA when requested.

(5) The site access road as indicated on drawing No. G110 - 004. Rev. 3 shall be maintained in a good state of repair and kept clean and free of mud and other debris. Verges and baffle mounds to the access road, shall be maintained free of weeds and rank vegetation.

6. 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.

**PREPARATORY WORKS/LANDSCAPING**

(7) The diversion of the watercourse crossing the site shall be carried out in accordance with the following plans and documents:

Stream Diversion G110 – 063

Typical Sections to Stream Diversion G110 – 064 Steam

Diversion Longitudinal Section G110 – 065 Balancing Pond  
detail G110 - 066

Revised Planting Proposals G110 – 202 Rev. 3 Amended Final  
Restoration G110 – 203 Rev. 2

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**DESCRIPTION, LOCATION OF PROPOSAL AND DECISION****OPERATION OF THE SITE PHASING**

(8) Tree and scrub and hedge planting proposed on application drawing No. G110-007 shall be implemented in accordance with the specification set out in amended application drawing No. G110-011 Rev 2 and in accordance with a revised timetable which shall be submitted to and agreed in writing by the Local Planning Authority within 3 months of the date of this approval.

(9) Waste shall not be imported to or deposited on the site until Condition Nos. 56, 57, 60 and 63 have been complied with.

(10). The site shall be progressively backfilled with waste in phases in a west to east direction in accordance with the phased programme set out in approved Drawing Nos. G110-008 and G110-009 and as described in the Environmental Assessment and planning application supporting statement.

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

- (i) commencement of site preparation works.
- (ii) commencement of the deposit of imported waste
- (iii) entering a new phase of waste landfill as identified on approved drawing Nos. G110- 008 and G110-009.
- (iv) completion of each waste landfill phase.
- (v) completion of restoration of each landfill site.
- (vi) completion of the landscaping/planting scheme required by Condition 8.
- (vii) completion of final restoration.
- (viii) estimated date for completion of aftercare.

**LIMITS OF WASTE DEPOSIT AND FINISHED LEVELS**

(12) No deposit of waste shall take place outside the land bounded with a green line on approved Drawing No. G110-007 except for;

- (a) soil and soil making materials for any purpose and or
- (b) waste and other materials required in connection with site engineering and construction works.

13. During the operation of the landfill site, no deposit of waste shall take place other than in accordance with the Condition Nos. 10 and 12 above.

14. Before the commencement of the landfill operations in any of the phases shown on approved Drawing No. G110-008 and G110 - 009 and as described in the Environmental Statement and the planning supporting statement with the

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application, the limits of the area to be backfilled shall be clearly defined on site and notified to the Local Planning Authority.

(15) Final post settlement landform and surface restoration levels shall accord with the finished restored contours shown on approved post settlement drawing No G110-203-Rev2”

(16) As the operation approaches final pre-settlement waste deposit levels and in any case before the final grading of cover and before the spreading of subsoil, the surface levels shall be checked by competent land surveyors. Thereupon markers shall be erected to indicate the approved final levels, approved restored surface levels and any appropriate approved intermediate levels.

**SOIL CONSERVATION AND SAFEGUARDING THE AGRICULTURAL INTEREST IN THE SITE****SOIL STRIPPING**

(17) The Local Planning Authority shall be given at least 48 hours’ notice (excluding Sundays and Bank Holidays) of any intended phase of topsoil or subsoil stripping, such works to proceed only subject to their agreement.

(18) All available topsoil and subsoil shall be stripped from any areas to be excavated, developed or used for the stationing of plant and buildings, storage of material, haul roads and other areas to be traversed by heavy machinery, and stored until required for restoration purposes unless otherwise approved for progressive restoration.

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

**SOIL STORAGE**

(20) Topsoils, subsoils and other soil making materials which are to be used for restoration, shall be stored according to their quality in separate mounds which do not overlap and in locations which have the prior agreement of the Local Planning Authority. No topsoil or subsoil shall be removed from the site.

(21) Once formed, all mounds in which soils are to be stored for more than 6 months, or over the winter period, shall be grass seeded in accordance with a specification agreed beforehand with the Mineral Planning Authority, to minimise erosion and weed infestation. Any excess weeds shall be regularly controlled.

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**DESCRIPTION, LOCATION OF PROPOSAL AND DECISION****SITE MAINTENANCE**

- (22) From commencement of the development until restoration of the site the following shall be carried out:
- (a) the maintenance of fences in stockproof condition between any areas used for development and any adjoining agricultural land
  - (b) the retention of fencing around trees and hedgerows
  - (c) the treatment of trees affected by disease in accordance with accepted principles of good woodland practice
  - (d) all areas including stacks of soil and overburden to be kept free of weeds and all necessary steps taken to destroy weeds at an early stage of growth to prevent seeding.

**RESTORATION**

- (23) Except as specified in condition 24 below, the site shall be progressively restored for agriculture, woodland and amenity use in accordance with the following plans and documents:

Pre-operation mitigation measures G110 - 007 Rev.1 Revised Planting Proposals G110 – 202 Rev 3 Amended Final Restoration G110 – 203 Rev. 2 Fencing Type 1 1200mm Stockproof G110 – 040 Fencing Type 4 2400mm Palisade G110 – 042  
Field Gate 4.0 Galvanised Steel G100- 044 Waymarking post and Finger post G110 -045 Signboard 1200 x 800mm G110 – 046  
Stile G110 – 047  
Signboard 600 x 400mm G110 – 048 Kissing Gate G110 – 049  
Fencing Type 6 1000mm Post and Wire G110 – 50 Cycle Gateway with Sand Trap G110 – 51

- (24) Notwithstanding the approved restoration planting details contained in plan G110 – 202 Rev. 3 the following species shall not be planted on site and shall be replaced by a mixture of other appropriate substitute species indicated in the aforementioned plan:

Grey Alder (*Alnus Incana*) Ash (*Fraxinus Excelsior*) Blackberry (*Rubus Fruticosus*) Dewbury (*Rubus Caesius*)  
Burnet Rose (*Rosa Pimpinellifolia*)

- (25) Notwithstanding the management programme described in the supporting Habitat Management Plan, all hedges planted as part of the approved restoration scheme shall only be trimmed or pruned during the month of February.

- (26) After waste landfill operations including capping have been completed on any phase shown on approved drawing No. G110-008 the Local Planning Authority shall be given the

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opportunity (with at least 48 hours' notice excluding Sundays and Bank Holidays) to inspect the surface before further restoration work is carried out.

(27) Imported soils or soil making materials and soil making materials arising from permitted engineering or minerals extraction operations on the site shall be made available for inspection by the Local Planning Authority prior to use in restoration of the site.

(28) Soils stripped and stored on site, together with any soil-making materials recovered from the incoming infill waste shall only be spread when in a dry and friable condition.

(29) Subsoil and soil making materials shall be re-spread in layers not exceeding 45cm thickness, and the final layer shall be cross-ripped to a depth of 400mm using a heavy duty subsoiling implement with winged tines set no wider than 600 mm apart and any non-subsoil type material or rock, boulder or stone larger than 150 mm in any dimension shall be removed from the surface and not buried within the respread soil.

(30) Wherever topsoil is respread it shall be cross-ripped to alleviate compaction and any stone larger than 100 mm in any dimension shall be removed and taken away.

(31) After spreading the soil all reasonable steps shall be taken to ensure that within the top 400 mm of topsoil and/or subsoil there is no:

- (a) rock, boulder, stone, wire, cable or wire rope
- (b) sterile material injurious to plant life
- (c) excessively compacted zone.

(32) The spreading of soil shall only be carried out when the material and the ground which it is to be placed on are in a dry and friable condition and in sufficient time for subsoiling, cultivation and seeding to take place under dry weather conditions unless otherwise agreed in writing by the Local Planning Authority.

(33) Within 3 months of the restoration of the final top layer the developer shall make available to the Local Planning Authority a plan with contours at sufficient intervals to indicate the final restored pre-settlement form of the site, together with a record of the depth and composition of the reinstated soil profiles.

(34) Notwithstanding the preceding conditions, no stripping, movement, replacement or cultivation of topsoils and/or subsoils shall be carried out during the period October - March without

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the prior consent of, by methods and for a period agreed with, the Local Planning Authority.

(35) Trees and shrubs shall be planted on the permitted site only during the months of November, December, January, February or March.

#### AFTERCARE

(36) The period of aftercare shall commence following compliance with Condition Nos. 29 and 30 on any part of the site and shall extend for a period of 5 years effective management from the date of final restoration of the whole site, or smaller manageable blocks within the site, as confirmed in writing by the Local Planning Authority.

(37) In order to allow time for consultations and any amendments to be made before a scheme is agreed, at least six months prior to commencement of aftercare on all or part of the site, outline proposals for the 5 year aftercare period shall be submitted to the Local Planning Authority. The proposals shall comprise:

- (a) the outline strategy which should 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. All areas subject to aftercare are to be included on a map, with separate demarcation of any areas having different periods or management proposals. It should be submitted to the Local Planning Authority at least three months prior to the commencement of aftercare.
- (b) The detailed annual programme covering requirements for the forthcoming year. The first detailed programme should be submitted with the outline strategy.

Aftercare proposals submitted for consideration shall comply with guidance contained in Section 6 of the Minerals Chapter of National Planning Practice Guidance

(38) Subsequent detailed programmes shall be submitted annually to the Local Planning Authority for consultation not later than one month prior to the annual aftercare meeting with the Local Planning Authority to which the following parties shall also be invited:

- (a) All owners of land within the site
  - (b) All occupiers of land within the site
  - (c) Representatives of other statutory bodies as appropriate
- The developer shall arrange additional aftercare meetings as required by the Local Planning Authority.

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(39) During the final year of the aftercare period and prior to the final aftercare inspection, the developer shall prepare a report on the Physical Characteristics of the site sufficient to demonstrate to the satisfaction of the Local Planning Authority that these have been restored, so far as it is practicable to do so, to what they were when the site was last used for agriculture.

**MAINTENANCE OF HEDGES AND TREES**

(40) Hedges and Trees planted in accordance with any restoration scheme shall be maintained during the aftercare period in accordance with good woodland and/or agricultural practice, such maintenance to include the following:

- (a) Replacing plants which die or are lost in the subsequent planting season.
- (b) Weeding early in each growing season and as necessary thereafter to prevent the growth of plants being retarded.
- (c) Maintaining any fences around planted areas in a stockproof condition.
- (d) Appropriate measures to combat all other pests and/or diseases which significantly reduce the viability of the planting scheme.

**DRAINAGE AND WATER PROTECTION**

(41) No development approved by this permission in respect of the land edged orange on approved application No. G110-013 shall commence until:

- (a) The application site has been subjected to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment, and agreed in writing by the Local Planning Authority.
- (b) Details proposals for the removal, containment or otherwise rendering harmless any contamination (the 'Reclamation Method Statement') have been submitted to and approved in writing by the Local Planning Authority including details of any proposed leachate storage or treatment facilities.
- (c) The works specified in the Reclamation Method Statement have been completed in accordance with the approved scheme.
- (d) If during reclamation works any contamination is identified that has not been considered in the Reclamation Method Statement, then remediation proposals for this material should be agreed with the Local Planning Authority.

(42) Within 3 months of the date of the permission hereby approved a scheme detailing existing and proposed surface water management measures shall be submitted in writing to

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and approved by the Local Planning Authority. The approved scheme shall be retained throughout the life of the development.

(43) 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 should be at least equivalent to the capacity of the largest tank, or the combined capacity of the 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 pipes outlets shall be detailed to discharge downwards into the bund.

(44) No deposit of waste or temporary storage of waste shall take place within 4.5m of any watercourse. Under no circumstances shall waste enter any watercourse or culvert.

(45) Only general, dry, commercial, industrial, household and inert waste types shall be deposited at the site.

**HOURS OF OPERATION**

(46) Except in the event of an emergency when immediate action is required to prevent a serious environmental pollution incident from occurring or escalating and the Council is notified of the emergency within the following 24 hours, no vehicles shall enter and leave the site and no work shall take place on the site except during the following hours:

07.00 - 18.00 Monday to Friday

07.30 - 13.00 Saturday

with no working at all on Sundays or Bank Holidays.

(47) HGVs carrying waste shall not enter the site any further than the site office/weighbridge on the access road shown on approved amended application drawings No. G110-004 Rev 3 except during the following hours:

07.30 - 18.00 Monday to Friday

08.00 - 13.00 Saturday

and not at all on Sundays or Bank Holidays. These hours shall be displayed at the entrance to the site off Bellstring Lane as the official opening times for the receipt of waste for disposal at the site.

(48) Operations involving the stripping, storage and replacement of soil and the construction and removal of noise baffle and screen mounds and initial works adjacent the

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residential area of Mountain Way and Stafford Hill Lane site boundary shown on Section A-A on approved drawing No. G110 - 009 and works involved in the diversion of the watercourse crossing the site shall only be carried out between the hours of 08.00 and 18.00 Mondays to Fridays and 09.00 and 14.00 on Saturdays and for no longer than 28 days total in any calendar year unless otherwise agreed in writing by the Local Planning Authority.

(49) Except in the event of an emergency when immediate action is required to prevent a serious environmental pollution incident from occurring or escalating and the Council is notified of the emergency within the following 24 hours, no servicing, maintenance and testing of plant shall be carried out at the site between 20.00 and 07.30 hours on any day and at no time on Sundays or Bank or National Holidays unless otherwise agreed in writing by the Local Planning Authority.

**NOISE**

(50) The noise attributable to site operations excluding the operations referred to in Condition 48 above but including the flaring or conversion to electricity of landfill gas or water or leachate pumping operations shall not exceed the following levels at the location specified below:

LOCATION NOISE LEVEL - dB Laeq (1 hour) Freefield  
Carr Mount Farm 45 Kirkheaton Cemetery 45 Laneside 45  
Mountain Way 45 Cockley Hill Farm 47

(51) The site shall be operated in accordance with the noise monitoring scheme Ref. AJB/JMS/P1300 and subsequent amendment approved on 6 MARCH 2002.

(52) The results of noise monitoring required by Condition No.51 above shall be kept at the site and made available to the Local Planning Authority at all reasonable times and copies of noise monitoring results shall be made available to the Local Planning Authority on request.

(53) The engines of vehicles, plant and machinery involved in the engineering, landfill and restoration operations on the site shall not be started up before 07.00 hours.

54. No plant, machinery or vehicles shall be used on the site unless fitted with silencers maintained in accordance with the manufacturer's recommendations and specification.

**DUST**

(55) The site shall be operated in accordance with the following dust suppression measures:

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- Mobile water bowsers shall be used when airborne dust is generated on site
- dust suppression chemicals shall be used when necessary
- All plant used on site shall have upward facing exhausts
- All heavy plant used on site shall be equipped with radiator deflector plates
- The movement of soils, overburden and the deposit of waste on site shall be suspended when the local wind speed exceeds 20 metres per second and is blowing in the direction of any residential premises within 1000 metres of the area of operation
- An on-site anemometer shall be provided and maintained in good order
- Dust suppression or collection equipment shall be used on any drilling rig used on site
- Effective wheel, tyre and chassis cleaning equipment shall be provided at the site exit
- Complaints about dust and nuisance incidents shall be recorded

#### LITTER

(56) Emission of windblown litter from the landfill site shall be prevented in accordance with a scheme which shall be submitted to and approved in writing prior to the deposit of any waste (other than excavation soils or demolition rubble) on the site. The submitted scheme shall, inter alia, provide for:

- daily covering of waste deposited on the site with clean soil or other suitable material
- suspension of waste disposal/treatment operations on the site when local wind speed exceeds 20 metres per second.
- the regular recovery and disposal of any fugitive litter.

#### CONTROL OF SCAVENGING BIRDS

(57) Other than the deposit of excavation soils and demolition rubble, no landfilling shall be commenced until a scheme for keeping the site free of scavenging birds has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented during the hours of

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daylight throughout the life of the site unless otherwise agreed in writing by the Local Planning Authority.

**ODOUR**

(58) No waste shall be burnt within the boundaries of the site and a fire at the site shall be regarded as an emergency and immediate action shall be taken to extinguish it.

**PREVENTING LIGHT POLLUTION**

(59) The details of all external floodlighting and other illumination proposed at the site shall be submitted to and agreed in writing by the Local Planning Authority. These details shall include: height of the floodlighting posts, intensity of the lights (specified in Lux levels), spread of light including appropriate light spillage to the rear of floodlighting posts (in metres), any measures proposed to minimise the impact of floodlighting or disturbance through glare (such as shrouding) and the times when such lights will be illuminated.

**LANDFILL GAS INSTALLATIONS AND SITE RESTORATION**

(60) Landfill gas generated by the waste deposited at the site shall be controlled and utilised only in accordance with a scheme submitted prior to the deposit of any non-inert waste on the site for the approval of the Local Planning Authority. The submitted scheme shall be designed and installed in accordance with best practice and guidance from the Department for Environment Food and Rural Affairs and its Agencies:-

- (i) to minimise the likelihood of gas collection pipework and extraction well failure and the need for replacement and maintenance of pipes and wells which would adversely affect the restoration of the site.
- (ii) to minimise interference with the afteruse of the site for agriculture, woodland and amenity.
- (iii) to prevent odour nuisance from landfill gas vents. The submitted scheme shall provide for, inter alia:
  - (i) scaled plan(s) which locate monitoring stations and wells, extraction wells, well heads/manifolds, collection pipework, flares and generating stations and access to installations and plant;
  - (ii) indication of which installations are above ground and elevations for above ground installations;
  - (iii) method statements for the installation of gas collection/extraction and control systems; and for the subsequent replacement of failed wells and collection pipes.
  - (iv) a programme of works which provides for the installation of collection pipework and extraction wells prior to the spreading of restoration soils on the site.

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(61) All landfill gas extraction, collection, control and conversion installations and structures excluding those buried below 0.5 metres of restoration soils shall be removed from the site within 6 months from the date of issue of a Completion Certificate by the Environment Agency or its successor authority.

(62) Landfill gas extraction and/or monitoring wells and underground collection pipes shall not be replaced unless the restoration soils which would be disturbed are in a dry and friable condition. The replacement works shall be undertaken in accordance with a method statement agreed by the Local Planning Authority and designed to prevent contamination and compaction of restoration soils and to ensure the satisfactory restoration of the area of land affected.

**WASTE RECYCLING/TREATMENT**

(63) Waste shall not be treated/recycled, stored or re-exported from the site except in accordance with a scheme which shall be submitted to and agreed by the Local Planning Authority prior to the commencement of such operations on the site. The submitted scheme shall:

(i) describe the categories and quantities of the waste to be stored, treated/recycled and re-exported, the plant and operations required.

(ii) the location, extent and height of stockpiles and the ultimate use of the treated/recycled waste.

(iii) indicate on a scaled plan the location and extent of land required for such operations at each phase of the development.

(iv) describe how the operations would be screened from residential properties to the west and the south and how potential dust and odour nuisance would be avoided.

(64) Any skips stored on the site shall be incidental to the landfilling of the site and shall be confined to an area which shall have been agreed in writing by the Local Planning Authority.

**MISCELLANEOUS**

(65) All plant and machinery not in current use shall be stored in a tidy manner and all the site operator's redundant plant, machinery, vehicles and scrap shall be removed from the site.

(66) A survey of levels shall be carried out and submitted to the Local Planning Authority at intervals of not less than every 12 months starting from the date on which the deposit of imported waste on land within the green line shown on approved drawing No. G110-007 operations commences.

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(67) 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 waste activities/operations on site.

NOTE: This proposal will require the formal diversion of public rights of way crossing the site. The affected rights of way must not be obstructed or interfered with at any time, prior to, during or after works without the written authority of the local highway authority. The applicant should contact the council's public rights of way unit at Civic Centre 3, Huddersfield on 01484 225575 for further advice regarding the temporary/permanent closure or diversion of those routes to facilitate this proposal. The safety and protection of members of the public using the public footpaths must be considered at all times during the proposed works.

A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;

FOR: Councillors Asif, Calvert, Homewood, Khan, Lawson, Lyons, Sawar, Sokhal, Ullah, Walker and Wilkinson (11 votes)

AGAINST: Councillors Bellamy, D Firth, McGuin and Sims (4 votes)

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S Armitage, Armitage Developments UK Ltd - Erection of 8 dwellings with parking - Land to Rear of Lindley WMC, Blackthorn Drive, Lindley, Huddersfield

Full Conditional Approval

Approval subject to the following conditions together with additional conditions to retain obscure glazing and prevent insertion of further new windows on outward facing side gables of plots 1 and 8:

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

(2) The development hereby permitted shall be carried out in complete accordance with the plans and specifications listed in this decision notice, except as may be specified in the conditions

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attached to this permission, which shall in all cases take precedence.

(3) Construction of the superstructure of the hereby approved dwellings shall not commence until details of external materials to be used have been submitted to and approved in writing by the Local Planning Authority. No materials other than those approved in accordance with this condition shall be used.

(4) The development shall not be brought into use until the car parking area and access to from Blackthorn Drive as shown on the submitted plans has been marked out, and laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking or re-enacting that Order) these areas shall be so retained, free of obstructions and available for the use specified on the submitted/listed plans for the lifetime of the development.

(5) Before the properties are occupied driveways with a gradient not exceeding 1:12 shall be provided in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority before development of the driveways commences. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) the driveways shall be retained, free of obstructions, for the life of the property.

(6) Notwithstanding the requirements of condition 10 prior to the occupation of the dwellings, a scheme detailing the boundary treatment of the all of the site shall be submitted to and approved in writing by the Local Planning Authority and the works comprising the approved scheme completed. The boundary treatment as approved shall thereafter be retained.

(7) Construction of footways shall not commence until full details of the approved footway crossings have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until all footway crossings have been completed in accordance with the approved details.

(8) Before the development commences a scheme detailing the location and cross sectional information together with the proposed design and construction for all modifications to the

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existing retaining wall on Blackthorn Drive to form the new access road shall be submitted to and approved by the Local Planning Authority in writing. The approved scheme shall be implemented prior to the commencement of the proposed development and thereafter retained during the life of the development.

(9) Development shall not commence until a scheme detailing foul, surface water and land drainage, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until such approved drainage scheme has been provided on the site to serve the development and be thereafter retained.

(10) Construction of the superstructure of the hereby approved dwellings shall not commence until a report specifying the measures to be taken to protect the development from noise from Lindley Working Men's Club (LWMC) has been submitted to and approved in writing by the Local Planning Authority. The report shall

(i) Determine the existing noise climate

(ii) Predict the noise climate in gardens (daytime), bedrooms (night-time) and other habitable rooms of the development (this is for housing think whether there would be alternative wording for other uses)

(iii) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).

The development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.

(11) Prior to occupation of the dwellings, in all residential units that have a dedicated parking area an electric vehicle recharging point shall be installed. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The electric vehicles charging points so installed shall thereafter be retained

(12) Notwithstanding the details shown on the approved plans, before the hereby approved dwellings are occupied, details of storage and access for collection of wastes from the premises including details of screening shall be submitted to and approved in writing by the Local Planning Authority. The works comprising the approved details shall be provided before the dwellings are occupied and shall be so retained thereafter free of obstructions and available for storage thereafter.

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2016/90066 cont

NOTE: Hours of Construction

To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours Mondays to Fridays  
08.00 and 13.00hours , Saturdays

With no working Sundays or Public Holidays  
In some cases, different site specific hours of operation may be appropriate.

Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;

FOR: Councillors Asif, Calvert, D Firth, Homewood, Khan, Lawson, Lyons, McGuin, Sawar, Sims, Sokhal, Ullah, Walker and Wilkinson (14 votes)

AGAINST: no votes

ABSTAINED: Councillor Bellamy

2016/90477

D Trueman - Alterations to convert outbuilding to holiday accommodation - adj 1, Wheat Close, Holmbridge, Holmfirth

A grant of full planning permission is approved subject to delegation of authority to Officers to:

- (i) Secure a section 106 obligation (Unilateral Undertaking) to limit the use and periods of occupation of the building and, notwithstanding any other restrictions agreed, shall restrict occupation of the building to no more than 10 months per year;
- (ii) Impose all necessary and reasonable conditions, which may include those set out below; and
- (iii) Subject to there being no material change in circumstances, issue the decision

(1) The development hereby permitted shall be begun within three years of the date of this permission.

(2) The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the

**APPLICATION NO.****DESCRIPTION, LOCATION OF PROPOSAL AND DECISION**

2016/90477 cont

conditions attached to this permission, which shall in all cases take precedence.

(3) Prior to the development being brought into use, the approved vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and retained as such thereafter.

(4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) no extensions or outbuildings included within Classes A to E of Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.

(5) An electric vehicle recharging point shall be installed within the dedicated parking area of the approved holiday accommodation before it is first occupied. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The electric vehicle charging point so installed shall thereafter be retained.

**A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;**

**FOR:** Councillors Asif, Calvert, Homewood, Khan, Lawson, Lyons, Sarwar, Sokhal, Ullah, Walker and Wilkinson (11 votes)

**AGAINST:** Councillors Bellamy, D Firth, McGuin and Sims (4 votes)

2015/92993

Acumen Designers & Architects Ltd - Outline application for erection of residential development - land off, Butt Lane, Hepworth, Holmfirth

**GRANT CONDITIONAL OUTLINE PLANNING PERMISSION SUBJECT TO THE DELEGATION OF AUTHORITY TO OFFICERS TO:**

- i) **IMPOSE ALL NECESSARY AND APPROPRIATE CONDITIONS, WHICH MAY INCLUDE THOSE AT THE END OF THE REPORT, AND**
- ii) **THERE BEING NO SUBSTANTIAL CHANGE THAT WOULD ALTER THIS RECOMMENDATION, ISSUE THE DECISION NOTICE.**

**APPLICATION NO.****DESCRIPTION, LOCATION OF PROPOSAL AND DECISION**

2015/92993 cont

(1) Approval of the details of the access, appearance, layout, scale and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

(2) Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the access, appearance, layout, scale and landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out in full accordance with the approved plans.

(3) Application for approval of any reserved matter shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

(4) The development hereby permitted shall be begun either before the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

(5) The development shall be carried out in complete accordance with the approved Flood Risk Assessment produced by AVIE Consulting Ltd reference no. P1793 dated November 2015 and shall incorporate all the proposed mitigation measures which include:

- No development in flood zone 3
  - Finished floor levels to be set 150mm above ground levels
  - Flood resilience measures to be installed up to 600mm above ground levels
  - No ground level changes as set out in section 8 (8.1- 8.4) of the approved Flood Risk Assessment
  - Overland flow routes throughout the site
- before the dwellings are first occupied and thereafter retained as such at all times.

(6) Development shall not commence until a scheme restricting the rate of surface water discharge from the site to a maximum of 5 litres per second has been submitted to and approved in writing by Local Planning Authority. The drainage scheme shall be designed to attenuate flows generated by the critical 1 in 30 year storm event as a minimum requirement. Flows between the critical 1 in 30 or critical 1 in 100 year storm events shall be stored on site in areas to be approved in writing by the Local Planning Authority, unless it can be demonstrated to the Local Planning Authority that discharge from site does not cause an increased risk in flooding elsewhere. The scheme shall include a detailed maintenance and management regime for the storage facility including the flow restriction. There shall be no piped discharge of surface water from the development and no part of the development shall be brought into use until the flow

**APPLICATION NO.****DESCRIPTION, LOCATION OF PROPOSAL AND DECISION**

2015/92993 cont

restriction and attenuation works comprising the approved scheme have been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

(7) Prior to occupation of the dwellings, in all residential units that have a dedicated parking area and/or a dedicated garage, an electric vehicle recharging point shall be installed. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The electric vehicles charging points so installed shall thereafter be retained

(8) Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any Order revoking or re-enacting that Order with or without modification) no development included within Class A, Part 2 of Schedule 2 to that Order shall be erected within Flood Zone 3 as delineated on the Environment Agency's flood-map and on the submitted drawing 'EA Flood Envelope Overlay' PF793 – SK1.

(9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order with or without modification) no development included within Classes A and E of Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.

A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS:

FOR: Councillors Asif, Calvert, Khan, Lawson, Lyons, Sarwar, Sokhal, Ullah, Walker and Wilkinson (10 votes)

AGAINST: Councillors Bellamy, D Firth, McGuin and Sims (4 Votes)

ABSTAINED: Councillor Homewood

2016/90373

Mr Mohammed Abaidullah - Change of use of 1st floor room to taxi office - Pink Fusion Lounge, Sheffield Road, New Mill, Holmfirth

CONDITIONAL FULL PERMISSION

(1) The development hereby permitted shall be begun within three years of the date of this permission.

APPLICATION NO.	DESCRIPTION, LOCATION OF PROPOSAL AND DECISION
2016/90373 cont	<p>(2) The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.</p> <p>(3) No more than two licensed private hire vehicles or taxis in addition to a maximum of two vehicles for office based staff connected with the booking office shall park or wait in the car park at any one time during those hours when the restaurant is open to the public or between the hours of 22:30 to 08:00.</p> <p>(4) There shall be no picking up or depositing of passengers and no waiting by passengers at the taxi office.</p> <p>This recommendation is based on the following plans and specifications schedule:-</p> <p>A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;</p> <p>FOR: Councillors Asif, Calvert, Homewood, Khan, Lawson, Lyons, Sarwar, Sokhal, Ullah, Walker and Wilkinson (11 votes)</p> <p>AGAINST: Councillors Bellamy, D Firth, McGuin and Sims (4 votes)</p>
2015/93861	<p>J Mayo, Heywood Homes - Erection of 28 dwellings and engineering operations - land off, Millmoor Road, Meltham, Holmfirth</p> <p>DEFERRED</p> <p>A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;</p> <p>FOR: Councillors Asif, Bellamy, Calvert, D Firth, Homewood, Khan, Lawson, Lyons, McGuin, Sarwar, Sims, Sokhal, Ullah, Walker and Wilkinson (15 votes)</p> <p>AGAINST: No votes</p>
2016/91193	<p>D Hair - Erection of detached dwelling with integral garage (modified Proposals) - plot 19, Honey Head Lane, Honley, Holmfirth</p> <p>CONDITIONAL FULL PERMISSION</p> <p>(1) The development hereby permitted shall be begun within three years of the date of this permission.</p>

**APPLICATION NO.****DESCRIPTION, LOCATION OF PROPOSAL AND DECISION**

2016/91193 cont

(2) The development hereby permitted shall be carried out in complete accordance with the plans and specifications listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

(3) Finished ground floor level shall be no higher than those shown on the approved sectional drawing (149.25m above Ordnance Datum Level).

(4) The walling materials shall be regularly coursed natural stone. Samples of all facing and roofing materials shall be submitted to or inspected on site by, and approved on writing by, the Local Planning Authority before the superstructure of the dwelling commences. The development shall be carried out using the approved materials.

(5) Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification) no new door or window openings other than those expressly authorised by this permission shall be constructed in the external north side wall of the dwelling at ground floor level at any time, and the door in the north side elevation shall either be solid or fitted with obscure glazing only.

(6) Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification including paragraph A.1(ea)), no extensions or outbuildings shall be erected, altered or constructed within the land edged in red on the approved location plan without full planning permission having been first obtained from the Local Planning Authority.

(7) Notwithstanding the provisions of section 55(2)(a)(i) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification) the integral garage shall be retained as such and shall not be converted to living accommodation.

(8) All areas to be used for the parking and turning of motor vehicles shown on the proposed site plan shall be laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance

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2016/91193 cont

before the dwelling is first occupied. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) these areas shall be so retained, free of obstructions thereafter.

(9) Notwithstanding the details on the approved site plan, details of fencing and other boundary treatments for the proposed dwelling shall be submitted to and approved in writing by the Local Planning Authority before the dwelling is first occupied and the approved scheme of boundary treatments shall be implemented in full before the dwelling is first occupied. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order), the boundary treatments shall thereafter be retained.

(10) Before the dwelling is first occupied, a scheme detailing landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The works comprising the approved scheme shall be implemented before first occupation of the dwelling. The approved landscaping scheme shall, from its completion, be maintained for a period of five years. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives its written consent to any variation.

(11) The external parking area shall have a minimum width of 4.8m.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer, Flint Street, Fartown, Huddersfield (Kirklees Street Care: 0800 7318765) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;

FOR: Councillors Asif, Khan, Lawson, Lyons, McGuin, Sarwar, Sokhal, Ullah and Wilkinson (9 votes)

**APPLICATION NO.                      DESCRIPTION, LOCATION OF PROPOSAL AND DECISION**

2016/91193 cont                      AGAINST: Councillors Calvert, Bellamy, D Firth, Homewood, Sims and Walker (6 votes)

2016/91144                      Mr & Mrs Lyons - Erection of single storey rear extension and raised patio - 150, Wessenden Head Road, Meltham, Holmfirth

**CONDITIONAL FULL PERMISSION**

- (1)     The development hereby permitted shall be begun within three years of the date of this permission.
  
- (2)     The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
  
- (3)     The external walls of the extension hereby approved shall in all respects match those used in the construction of the existing building.

**A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;**

**FOR: Councillors Asif, Calvert, Homewood, Khan, Lawson, Lyons, Sarwar, Sokhal, Ullah, Walker and Wilkinson (11 votes)**

**AGAINST: No votes**

**ABSTAINED: Councillors Bellamy, D Firth, McGuin and Sims**