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**Report of the Head of Planning and Development**

**STRATEGIC PLANNING COMMITTEE**

**Date: 14-Oct-2020**

**Subject: Planning Application 2019/92075 The extension of mineral extraction and subsequent restoration by means of infill Hillhouse Edge Quarry, Cartworth Moor Road, Cartworth Moor, Holmfirth, HD9 2RL**

**APPLICANT**

Steven Graham,  
Saxonmoor Ltd

**DATE VALID**

23-Jul-2019

**TARGET DATE**

22-Oct-2019

**EXTENSION EXPIRY DATE**

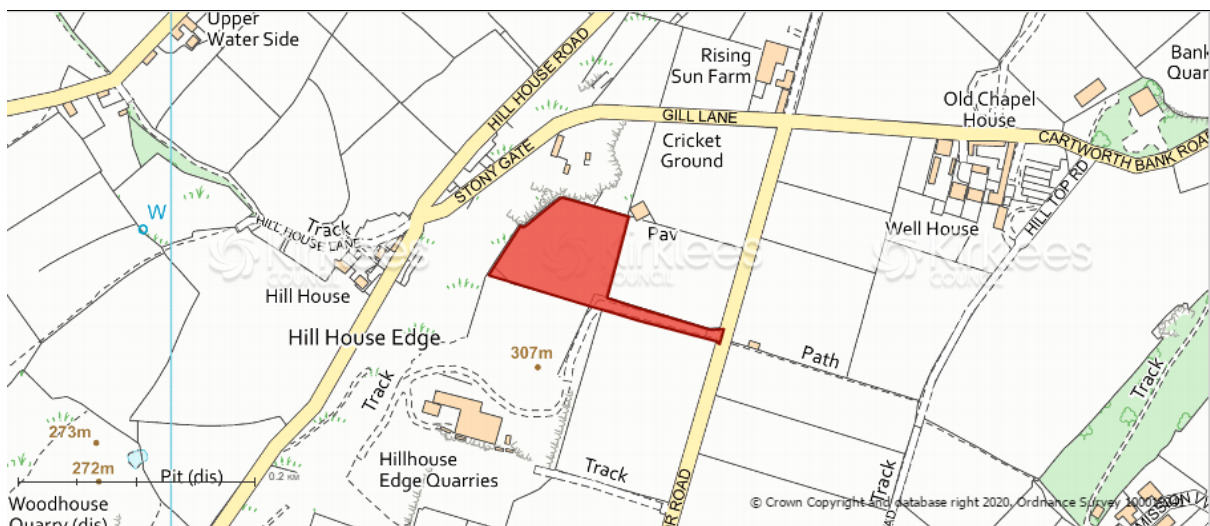
30-Jun-2020

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Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

**LOCATION PLAN**



**Map not to scale – for identification purposes only**

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**Electoral wards affected: Holme Valley South**

**Ward Councillors consulted: Yes**

**Public or private: Public**

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**RECOMMENDATION:**

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report.

**1.0 INTRODUCTION:**

- 1.1 The application is one of 3 planning applications at Hillhouse Edge Quarry on the agenda of this Strategic Committee of 14th October 2020. They consist of one application to form an extension to the north of the existing quarry (2019/920750) and two Section 73 applications (2019/92617 & 2019/92618) that seeks to vary the existing consent at the quarry. Whilst the Section 73 applications do not need to be determined at committee, under the scheme of delegation, Members of the committee will have the full details of the proposals for the quarry before them and if the committee is minded to approve the application for the extension to the quarry northwards, it would require amendments to the working programme and restoration scheme of the adjacent two quarries under application nos. 2019/92617 and 2019/92618, also on this agenda.
- 1.2 The application site is brought to the strategic planning Committee for determination as the proposal relates to the extension of an existing mineral operational quarry which exceeds 0.5ha. in area.

**2.0 SITE AND SURROUNDINGS:**

- 2.1 The application site comprises an area of improved agricultural land measuring approximately 0.71ha in area which is located immediately adjacent to the northern boundary of an active quarry (Hillhouse Edge Quarry) within which mineral extraction has taken place for many years. Hillhouse Edge Quarry extracts and processes Huddersfield White rock which is a high quality masonry stone and occasionally produces relatively small volumes of aggregate from quarry waste. Whilst a significant area of the wider site has been restored back to original ground level, a large active void and recoverable mineral still remains.
- 2.2 Hill House Edge Quarry is situated on the western edge of Cartworth Moor, approximately one kilometre to the south west of Holmfirth. The Quarry lies at the top of the eastern slope of the River Holme Valley, between 320 and 335 metres above ordnance datum (AOD). The quarry is currently accessed via a surfaced track which adjoins Cartworth Moor Road, 180 metres to the south of its junction with Gill Lane/Cartworth Bank Road. Hillhouse Edge Quarry is located on the edge of the escarpment feature formed by the Huddersfield

White Rock and is relatively remote from residential properties, although there is a group of properties at the bottom of the escarpment 80m to the west off Whitegate road and a single residential property (Hill House Edge) which is situated approximately 90m from the quarry's northern boundary.

### **3.0 PROPOSAL:**

- 3.1 The applicant proposes to extend the current quarry operations into the application site, from the areas under extant permission 2015/90531, where mineral extraction is close to exhaustion, with remains along the western edge. This will need to follow a specific sequence to ensure that the remaining mineral reserve in the existing quarry can be worked and restored efficiently.
- 3.2 The existing quarry access road crosses the northern edge of the existing planning permission area and in this position, it blocks entry into the northern proposed extension. The intention therefore is to move the ramp down into the Quarry from the western side to a central position. This will allow the excavation to be extended northward along the western side (Phase 1 area).
- 3.3 At the same time as excavation within Phase 1, the remaining reserves on the eastern side of the current permission will be recovered. Overburden and reject rock from Phase 1 will then be used to construct a new ramp down into the quarry on the eastern side, where the access road ramp was formerly located. This will then open up access to Phase 2 and the recovery of stone from below 308/306m within the existing permission area. Finally, the excavation will be extended into the Phase 3 area to complete the workings.
- 3.4 Soils will be stripped and stored along the western and northern perimeters, and the current soil mound on the northern boundary of the existing permission will also be moved. The soil mounds are proposed to be formed to a maximum height of 2m and will be dressed and grassed as soon as possible after formation. All soils will be stripped in advance from areas which will be run over by mobile plant.
- 3.5 Any excess overburden and reject stone over and above that required to form the access ramps, will be used to fill and restore the northern section of the southern quarry). Soils stripped from the extension area will be placed on the surface of the backfill to bring the whole of the southern quarry back into agricultural use.
- 3.6 Once the southern quarry has been filled, infill will be used to progressively fill the central quarry area south to north to the 316m AOD level. It is unlikely that other than in the southern quarry, restoration will be achieved to the final levels without the import of fill materials. Soils stockpiled around the extension perimeter area are therefore likely to remain until after extraction has been complete. Any void remaining after extraction has been completed will be filled to original ground levels as shown on drawing 10172/04, with the soils re-laid from the perimeter stockpiles supplemented where necessary by imported soils and soil making materials.

#### **4.0 RELEVANT PLANNING HISTORY (including enforcement history):**

- 4.1 As this proposal specifically relates to the operation of the adjacent quarry it is considered that the following planning permissions are relevant:

HO/77/A – Continue Stone Quarrying (Approved 12 October 1950)

76/03937 – Erection of Workshop Building (Approved 10 November 1976)

79/07836 – Quarrying and Mineral Extraction (Approved 18 February 1981)

90/06668 – Renewal of Temporary Permission for Quarrying and Mineral Extraction with the Usual Ancillary Operations (Approved 22 July 1996)

95/92984 – Erection of Saw Shed (Approved 12 December 1995)

97/91802 – Erection of Saw Shed (Approved 1 December 1997)

2002/90557 – Extraction of Sandstone, Associated Ancillary Activities, Restoration by Means of Infill with Overburden and Inert Waste (Approved 10 December 2003)

2002/90705 – Variation of Conditions 1,5,13 and 14 (as per attached statement) on Previous Permission 90/06668 (Approved 10 December 2003)

2002/90706 – Variation of conditions 3,11,12,&13 (as per attached statement) on previous permission HO/77A (Approved 10 December 2013)

2013/93798 - Variation conditions 2, 3 and 31 and removal of condition 13 on previous permission 2002/90705 for variation of conditions 1, 5, 13, 14 on previous permission 90/06668 (Approved 24 June 2014)

2013/93799 - Variation conditions 2, 3 and 32 and removal of condition 14 on previous permission 2002/90706 for variation of conditions 3, 11, 12, 13 on previous permission HO/77/A (Approved 24 June 2014)

2013/93800 - Variation conditions 3, 4 and 34 and removal of condition 14 on previous permission 2002/90557 for extraction of sandstone, associated ancillary activities, restoration by means of infill with overburden and inert waste (Approved 24 June 2014)

2014/92209 - Formation of new access road (Approved 5 June 2015)

2015/90531 - Variation of condition 3 (schemes and plans) on previous permission 2013/93800 for variation conditions 3, 4 and 34 and removal of condition 14 on previous permission 2002/90557 for extraction of sandstone, associated ancillary activities, restoration by means of infill with overburden and inert waste. (Approved 5 June 2015)

2015/91994 - Discharge of condition 2. (layout and construction specification) on previous permission no. 2014/92209 for formation of new access road (Approved 20 July 2015)

- 4.2 Two further Section 73 planning applications are pending which seek to facilitate the implementation of this proposal, should it be approved, by varying current working and restoration arrangements within the existing quarry. These are listed as follows:

2019/92617 - Variation of condition 3 (working scheme and plans) on previous permission 2015/90531 for variation of condition 3 (schemes and plans) on previous permission 2013/93800 for variation conditions 3, 4 and 34 and removal of condition 14 on previous permission 2002/90557 for extraction of sandstone, associated ancillary activities, restoration by means of infill with overburden and inert waste. **(Also on this Agenda – recommended for approval and the issuing of the decision notice to the Head of Planning and Development following completion of conditions)**

2019/92618 Variation of conditions 3 (restoration) on previous permission 2013/93798 for variation of conditions 2, 3 and 32 and removal of condition 14 on previous permission 2002/90706 for variation of conditions 3, 11, 12, 13 on previous permission HO/77/A. **(Also on this Agenda – recommended for approval and the issuing of the decision notice to the Head of Planning and Development following completion of conditions)**

## **5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):**

- 5.1 Request for bird survey as advised by Biodiversity Officer/Natural England, additional plans showing direction of working and for restoration proposals to include biodiversity net gain.
- 5.2 Additional information to address groundwater flood risk matters - received 11/09/20

## **6.0 PLANNING POLICY:**

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27<sup>th</sup> February 2019).
- 6.2 The site is allocated as a Minerals Preferred Area (MPA3) in the Kirklees Local Plan and it is considered that the following local and national planning policies/documents are relevant in this instance.

### Kirklees Local Plan (2019):

LP10 – Supporting the rural economy

LP21 – Highway safety and access

LP27 – Flood Risk

LP28 - Drainage

LP36 – Proposals for mineral extraction

LP37 – Site restoration and aftercare

LP 43 – Waste management hierarchy

LP44 – New waste management facilities

LP46 – Waste disposal

LP 51 – Protection and improvement of local air quality

LP 52 - Protection and improvement of environmental quality

National Planning Guidance:

Chapter 6 - Building a Strong and Competitive Economy

Chapter 14 - Meeting the challenge of Climate Change, flooding and coastal change

Chapter 15 - Conserving and Enhancing the Natural Environment

Chapter 17 - Facilitating the Sustainable Use of Minerals

National Planning Policy for Waste

National Planning Practice guidance – Minerals

National Planning Practice guidance - Waste

**7.0 PUBLIC/LOCAL RESPONSE:**

7.1 The application was publicised by the erection of 4 site notices in the vicinity of the site and the posting of 6 neighbour notification letters. No representations from the public have been received.

7.2 Local Ward Members were consulted but no comments have been received.

HVPC comments – “Support subject to concerns raised by the Cricket Club being addressed and confirmation that there will not be a negative effect on the water supply for neighbouring properties”

**Response:** addressed in the paragraphs below.

**8.0 CONSULTATION RESPONSES:**

**8.1 Statutory:**

KC DM Highways – support subject to conditions

KC Local Lead Flood Authority (LLFA) – initially objected as insufficient details relating to

1. Impacts of hydraulic conductivity to springs from the quarry void;
2. Monitoring of changes in groundwater flood risk at receptors adjacent the site
3. No site restoration details.

Following receipt of additional information, the LLFA have withdrawn their objection subject to conditioning that a walkover survey of the western slope adjacent to the proposed extension area is undertaken on a six-monthly basis for the duration of the extractive operations.

The Environment Agency – No objection subject to including informative/ advisory note on decision notice.

Sport England (SE)- The agent provided further clarity of the works proposed to SE, who on consideration advise that the proposed development is unlikely to prejudice the use of the adjacent cricket ground and withdrew their earlier objections.

## 8.2 **Non-statutory:**

KC Ecology – support subject to mitigation measures as set out in the submitted Preliminary Ecology Appraisal (PEA) being conditioned and securing a biodiversity net gain on site beyond reinstating it to agricultural land alone. This can be in the form of agreeing to a condition requiring a management plan of the restored agricultural land to target notable species (such as golden plovers) perhaps through a specified cutting/grazing regime etc

KC Environmental Health – No objection subject to planning conditions which require that:

Noise levels do not exceed specific levels at the nearest noise sensitive property (55dB LAeq 1 hour when measured at any point on the northern boundary adjacent to Quarry House.)

Agreement of noise monitoring points before the development commences

Hours of operation are imposed (07:30 and 18:00 Monday to Friday and 07:30 to 13:00 Saturdays. No activities shall take place on Sundays or Bank Holidays)

Measures to deal with contamination discovered during development which has not already been identified

KC Strategic Waste – No objection

Heath and Safety Executive – No comments

## 9.0 **MAIN ISSUES**

- General Principle
- Local amenity issues (noise & dust)
- Environmental issues
- Drainage/flood risk & water pollution issues
- Highway issues
- Conclusion

## 10.0 **APPRAISAL**

### 10.1 **General Principle: Background/history**

Hillhouse Edge Quarry has operated for over 100 years and produces a very high quality dimension stone which is used both locally and nationally in high profile building, restoration and civil projects. The site has its own processing sheds where stone is cut and shaped using sophisticated computer technology. Soils, overburden and stone rejects from the current extractive area have historically been used to partially backfill the worked out southern quarry. It has always been envisaged that the final restoration of the quarry will require the import of inert waste

- 10.2 Section 6 of the National Planning Policy Framework (NPPF) promotes a positive and constructive approach towards economic development and indicates that local planning authorities should, through appropriate policies, seek to secure sustainable economic growth. Section 6 of the NPPF also highlights the need, through policies and decisions, to support the rural economy.
- 10.3 This proposal would serve an existing quarry which primarily produces high quality dimension stone with some limited production of aggregates and walling stone which contributes to the West Yorkshire Sub Regional Aggregates Apportionment. The continued supply of this important mineral is not only vital to the applicant's business, which provides employment for up to 7 people, but to both the local and national construction, heritage and civil engineering industries.
- 10.4 Section 17 of the NPPF indicates that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and the goods that the country needs. It also indicates that as minerals are a finite natural resource and can only be worked where they are found it is important to make the best use of them to secure their long term conservation.
- 10.5 Paragraph 205 of the NPPF recognises the need to provide specialist materials for the repair of heritage assets and makes clear that, when dealing with small scale building stone quarries, Mineral Planning Authorities should adopt a flexible approach with regard to the duration of planning permissions which recognises the intermittent or low rates of working typically characterised by such sites.
- 10.6 The site is located immediately adjacent to an operational quarry within an area which is allocated in the Kirklees Local Plan as a Minerals Preferred Area. Consequently it is considered that the development of the site for mineral extraction is acceptable in principle subject to there being no significant conflict with local or national planning policy guidance/advice.
- 10.7 Although allocated as a minerals Preferred Area the site lies within a wider area of land which is allocated as Green Belt and it is therefore considered that any development within this area should accord with Section 13 of the National Planning Policy Framework (NPPF). There is a presumption against inappropriate development in the Green Belt, unless the development falls within exceptions listed within paragraph nos. 145 and 146 of the NPPF, provided the proposals preserve the openness and do not conflict with the purposes of including land within the Green Belt. Mineral extraction and engineering operations are included within the exceptions listed within the NPPF.
- 10.8 Paragraph 133 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. In order to form a judgement about the harm caused, it is best to consider firstly whether harm is caused to any of the purposes of including land in the Green Belt as set out in paragraph 134 of NPPF. These are:
- to check the unrestricted sprawl of large built-up areas;
  - to prevent neighbouring towns merging into one another;
  - to assist in safeguarding the countryside from encroachment;



- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 10.9 Due to the nature of this proposal and the character of the area in the immediate vicinity of the site, it is considered that the development proposed would not be of harm to the purposes of including land within Green Belt.
- 10.10 With regard to the openness of the Green Belt, it is considered that this must be considered in the context of the existing surroundings. Extractive operations have taken place at the adjacent quarry under the provisions of the current extant planning permissions and earlier planning permissions for over a century. The application site, the subject of this application is adjacent to the areas currently being worked and allocated as a mineral extraction area in the Kirklees Local Plan. Furthermore, there are also another two operational quarries in the immediate vicinity (Windy Ridge Quarry to the south and Woodhouse quarry to the west). All three quarries are relatively modest in scale and the existing quarry has planning permission to continue extracting mineral and to restore the site by 31<sup>st</sup> December 2028. It is considered should planning permission be granted for the proposed extension area extractive operations to 31<sup>st</sup> December 2028, in line with the current time of the extant permissions, and final restorations proposed to be completed by 31<sup>st</sup> December 2030, that this proposal would not add significantly to the cumulative impact which already exists. Furthermore, the wider site is being progressively restored and the disturbed footprint is therefore being reduced.
- 10.11 In summary, whilst mineral extraction usually occurs over a timeframe of decades the operations are considered to be temporary in nature and the development is therefore reversible. The extension of the quarry as proposed would have an additional impact on the openness of the Green Belt in this location. This impact would be mitigated by the formation of screen mounds and the proposal would be temporary and easily reversible once mineral extraction has ceased and the whole of the site restored. It is therefore considered that this proposal would not have a significant long term impact on the openness of the Green belt in this area which is seeking to extract minerals from the allocated preferred area and to restore the whole site by 31<sup>st</sup> December 2030.
- 10.12 The final restoration of the site to a viable agricultural use will require the import of inert waste as the volumes of quarry waste will be insufficient to bring site back to original levels. This is recognised in the existing planning permissions which allow the import of inert waste to help facilitate site restoration. Appendix A of the National Planning Policy for Waste contains a waste hierarchy and although this indicates that the most effective environmental solution to the generation of waste is waste prevention, it also indicates that the re-use and recycling of materials are the next best options. Waste Planning Authorities are therefore encouraged to take a positive approach towards dealing with waste in a way which moves its treatment up the hierarchy.

10.13 In this instance the imported waste would be used in the final restoration of the site rather than simply being disposed of. It is therefore considered that this proposal would see the re-use of a significant proportion of inert waste material which is consistent with current national planning guidance and Kirklees Local Plan policy LP43.

10.14 In addition, bearing in mind the current condition of the adjacent site, the emphasis the NPPF places on promoting and sustaining economic growth, the fact that mineral extraction is a temporary operation and the application site is proposed to be restored back to an agricultural use, by using waste material by 31<sup>st</sup> December 2030, it is considered that, subject to there being no significant conflict with Kirklees Local Plan policies or national planning policy document, the principle of extending the current quarry workings as proposed would be acceptable.

### **10.15 Local amenity issues (Noise & Dust)**

10.16 This proposal would involve the use of mechanical excavators to dig the quarry void and to rip stone from the quarry face. Heavy vehicles would be required to transport waste to backfill areas and to export worked mineral from the site and to subsequently import waste to complete final restoration. Consequently activities at the site have the potential to cause disturbance due to noise and dust emissions.

10.17 The nearest residential properties are to the north and west of the site and approximately 40 and 80m respectively from the application site. The properties to the west are at a much lower level (approximately 20m) and noise and dust is therefore unlikely to pose a significant problem for the occupiers of these dwellings once the development progresses below ground level. One residential property (Hillhouse Edge) is situated to the north of the application site and again is situated at a lower level within a former quarry void which is likely to provide a degree of mitigation. The applicant has also indicated that a 2m high screen bund would be erected adjacent to the northern edge of the access road which would lie between the active extraction area and Hillhouse Edge and would also provide further mitigation. Hillhouse Edge is owned and occupied by the applicant.

10.18 The applicant has submitted a supporting noise survey which has assessed the current noise climate and predicted the noise levels associated with this proposal and how they are likely to impact on the local area. This concludes that it is likely that the proposal would not lead to noise levels exceeding background by more than 10 dBA at the nearby dwellings for most of the time, except for Quarry House and that the upper limit of 55 dB LAeq is likely to be met at all times except for initial soil stripping activities.

10.19 With regard to dust, it is considered that during the operational phase of the development potential impacts on air quality would be associated with:

- dust emissions resulting from the extraction of mineral;
- dust emissions associated with handling and transport of mineral;
- increased vehicle exhaust emissions associated with site operations and the transport of extracted mineral

- 10.20 However, this proposal would represent a continuation of an existing operation which, due to the nature of the mineral product, operates at a relatively low intensity. The extant planning permissions allowing mineral extraction for the adjacent quarries include conditions for the requirement to provide onsite dust suppression measures.
- 10.21 The Council's Pollution and Noise Team were consulted on this proposal and have indicated that subject to the inclusion of such planning conditions as previously outlined, this proposal is acceptable. It is therefore proposed to impose similar dust suppression conditions with regard to this development should planning permission be granted.
- 10.22 The site is situated on high ground and due to the existing local topography can only be seen from the surrounding countryside at a very long distance from the west and the south west. However these locations only provide partial views of the site and as a consequence it is considered that the impact on the overall vista from these locations would be negligible. The nearest residential properties are located to the west off Whitegate Road although these are at a much lower level and to the north (Hillhouse Edge). However, due to the existing topography and the proposed screening by soil mounds, the development would not be directly overlooked from these properties.
- 10.23 At present, including this site, the area is disturbed by three separate operational quarries occupying a combined area of approximately 5.7 ha., although this area has reduced substantially in recent years due to ongoing progressive restoration at this quarry and the nearby Windy Ridge Quarry. Therefore, whilst it is accepted that this proposal would have an impact on visual amenity in the area, this would be limited bearing in mind the existing condition of the adjacent quarry and of land in the immediate vicinity.
- 10.24 Consequently, it is considered that the limited impact on visual amenity associated with this proposal combined with the temporary nature of minerals development are such that the benefits associated with the continued production of a high quality target mineral at the adjacent quarry outweigh the relatively limited effects this proposal would have.
- 10.25 This proposal is therefore acceptable in terms of Kirklees Local Plan Policies LP36, LP44, LP51, LP52 and Section 15 and 17 of the NPPF with regard to its potential impact on local amenity.

#### **10.26 Environmental issues:**

- 10.27 Whilst the site is not located within a specific designated environmentally sensitive area, it is close to the South Pennine Moor Special Protection Area (SPA). The proposals include a proportion of allocation MPA3 (formerly known as allocation ME1966). This site was included in the Kirklees Local Plan Habitats Regulation Assessment (HRA) Report, which concluded a low residual risk of impacts to habitats functionally connected to the SPAs. As a result the following text was agreed with Natural England to be included within the supporting text for policy LP30.

10.28 In accordance with the findings of the Habitats Regulations Assessment (HRA) for those development allocations within 2.5km of the SPA, further surveys will be required at planning application stage to assess detailed impacts on SPA birds and, if found to be necessary, appropriate avoidance and/or mitigation measures will be required to address any identified impacts in line with policy LP30. Suitable avoidance and mitigation measures may include:

- Avoidance of areas used by significant numbers of SPA birds (to be determined by a project level Habitats Regulations Assessment).
- Provision of equivalent or greater quantity and quality of replacement habitat onsite (or as a last resort off site within 2.5km) with improved management to ensure use by SPA birds.
- Timing of works (construction, operation and decommissioning) outside the period most frequently used by SPA birds.
- Monitoring of impacts to assess bird use over time.

10.29 A HRA was progressed and provided in the form of two reports, an HRA and HRA Addendum, which used a combination of field surveys and desktop data to conclude the likely absence of foraging SPA birds from the site. HRA stage 2 'Appropriate Assessment' was undertaken based on the results of the ornithological reports which concluded the proposals to have no likely adverse effects on the South Pennine Moors SPA. Consequently, Natural England concur with the conclusions and raised no objections

10.30 Although the proposed works will be carried out over a period of several years, the HRA assessment concludes the risk of impacts to habitats functionally connected to the SPAs is likely to have no adverse effects. The applicant is also agreeable for a condition to be imposed requiring a management plan of the restored agricultural land to target notable species (such as golden plovers) through a specified cutting/grazing regime, to secure biodiversity net gain and to avoid any potential future impact on SPA birds. This is appropriate to the site, nearby South Pennine Moor Special Protection Area and would accord with Local Plan Policies LP30 and LP37 as well as guidance within the NPPF. This matter can be addressed by condition should Members be minded to approve the application.

10.31 It is therefore considered that this proposal would not pose a direct long-term threat to the ecology of the surrounding area. As a consequence it is considered that the greatest impact on the natural environment would be in terms of its effect on the visual amenity of the area during quarrying and infilling operations, which, due to the nature of the proposal would be temporary in nature.

### **10.32 Flood Risk/Drainage & Water Pollution:**

10.33 The Council's LLFA initially objected on the following grounds;

1. Impacts of hydraulic conductivity to springs from the quarry void;
2. Monitoring of changes in groundwater flood risk at receptors adjacent the Site
3. No site restoration details

- 10.34 Further information/clarity of works was received during the course of the application, to address the above matters. On assessment of this information, the LLFA Officers advise that 6 monthly walkover inspections shall be carried out or at the time of emergence issues being raised, of the hillslope west of the application site, to monitor spring flow and emergences. Furthermore, in the event where increased flows are recorded, it would be necessary for details to be submitted and accompanied by a Management Plan. Any such Management Plan must be developed and implemented. The applicant is amenable and this can be matter can be addressed by condition.
- 10:35 Subject to the LLFA suggested conditions being imposed, the proposals could be carried out with appropriate mitigation and remediation to avoid significant impact or changes in adjacent springs and is considered would not pose a significant threat to the water environment in the immediate area. To summarise, it is considered the proposals are unlikely to result in pollution of water resources or the interruption of land drainage, in accordance with guidance in the NPPF and KLP policies LP27 & LP28.
- 10.36 The Environment Agency has clarified and confirmed it's position of no objection and advised their initial comments should have been provided as informative advise for the applicant.

### **10.37 Highway safety issues:**

- 10.38 DM Highway Officers on assessment of the proposals state the following:

*"This application seeks approval for the extension of mineral extraction and subsequent restoration by means of infill at Hillhouse Edge Quarry, Cartworth Moor Road, Holmfirth. The site is adjacent to the existing working quarry, and this proposal would see extraction of minerals from an area to the north of the current excavation site.*

*Previous permissions have limited vehicles using the site with the following condition, "The total number of vehicle movements, including access to and egress from the site indicated by red hatching on approved drawing no. C6299/50 shall not exceed 8 in any one day". This application does not wish to increase the number of vehicle movements above the current limits. As such, the proposal is unlikely to intensify use of the public highway and is therefore acceptable from a highways perspective."*

- 10.39 To conclude, the proposal would not add to the present scale of HGV movements to and from the site. Subject to the imposition of appropriate conditions, which will include restricting the number of vehicles. It is not considered that the proposals would create any additional nuisance or increase risks to highway safety and the proposals would accord with Policies LP21 and LP36 of the KLP and guidance in the NPPF.

### **10.40 Conclusion**

- 10.41 Whilst it is acknowledged that this proposal would have some impact on the amenity of the area, this has to be balanced against the fact that the adjacent Hillhouse Edge Quarry supplies a very high quality product which is recognised both locally and nationally as not only being suitable for prestigious new developments but for the restoration and repair of important heritage assets. This proposal would allow the extraction of mineral which is

known to be of high quality. The adjacent quarry provides employment for up to 7 people and this proposal would help to safeguard those jobs. The site is relatively remote and not easily overlooked and it is therefore considered that its impact on the visual amenity of the area would be relatively low. The landscape in the vicinity of the site is already influenced by man made disturbance associated with quarrying activities and as a consequence, Officers consider that this proposal would not have any significant additional impact on the area's landscape character.

10.42 The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

10.43 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

## **11.0 Conditions/notes**

### **1. Time limits**

- Period of mineral extraction (to cease by 31<sup>st</sup> Dec 2028) and completion of site restoration (by 31<sup>st</sup> Dec 2030)
- Prior cessation measures to deal with restoration and aftercare in the event that mineral extraction is abandoned/ceases
- Requirement to have all approved documents on site for the duration of operations

### **2. Plans**

- Operational plans and working schemes

### **3. Access and vehicular movements**

- Restrictions on numbers of heavy vehicle movements (to not exceed 8 in any one day)
- HGV wheels and chassis to be clean before entering highway
- All HGVs leaving the site to be sheeted

### **4. Protection of water courses**

- 6 monthly walkover inspections to be carried out or at the time of emergence issues being raised, of the hillslope west of the application site, to monitor spring flow and emergences.
- In the event where increased flows are recorded, it would be necessary for details to be submitted and accompanied by a Management Plan.

### **5. Preparatory works**

- Screen bunds to be constructed using on site material only as per submitted details

### **6. Soil stripping**

- All top soils and subsoil to be stripped and stored prior to mineral excavation
- Plant of vehicles not to cross unstripped areas of the site
- Following soil stripping the MPA to be advised of volumes of topsoil and subsoil
- MPA to be given at least 7 days' notice prior to soil stripping operations
- Soils storage mound to be maintained in good condition

## **7. Working programme**

- Requirement to notify MPA involving commencement of works involving site preparation, entering a new phase, completion of backfill, completion of phased restoration, completion of final restoration
- Restriction on depth and extent of mineral workings in accordance with plan no. 10172/5 titled 'cross sections'

## **8 Restoration**

- Submission of progressive restoration scheme for the remaining site
- Submission of soft landscaping details

## **9. Soil replacement during restoration**

- No overburden to be removed from the site or stored above ground level
- Site to be progressively restored
- Subsoil and top soil to be spread at specific depths and to be worked to provide a satisfactory medium for planting
- The MPA to be given 7 days' notice prior to the spreading of sub soil or top soil
- Any area of grass seeding fails, it will be re-seeded within the next available Planting Season
- All site infrastructure to be removed and associated land reinstated following final restoration of the site

## **10. Amenity**

- Hours for operation of the quarry in accordance with those suggested by Environmental Services (to be agreed by Applicant)
- Site operations to comply with stipulated noise levels at site boundary
- Site to operate in accordance with dust management scheme to be submitted & approved
- No use of explosives on site
- Reporting of unexpected contamination

## **11. Aftercare**

- Requirement to provide an outline aftercare scheme
- Requirement to provide a detailed annual aftercare scheme
- Requirement to arrange an annual aftercare meeting
- Management plan of the restored agricultural land to target notable species (such as golden plovers) through a specified cutting/grazing regime

### **Background Papers:**

Application and history files.

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019%2f92075>

Certificate of Ownership –Certificate A signed 18 June 2019