
Report of the Head of Strategic Investment**HEAVY WOOLLEN PLANNING SUB-COMMITTEE****Date: 23-Aug-2018**

Subject: Planning Application 2018/91605 Variation of conditions 2 and 27 on previous permission 2012/90558 for Variation of Condition 24 and 29 (D) on previous permission 2006/70/92787/EO for variation of condition 2 relating to IDO permission 426A in order to allow changes to the approved phasing scheme Sovereign Quarry, Carr Lane, Shepley, Huddersfield, HD8 8BP

APPLICANT

Gary Redfern

DATE VALID

16-May-2018

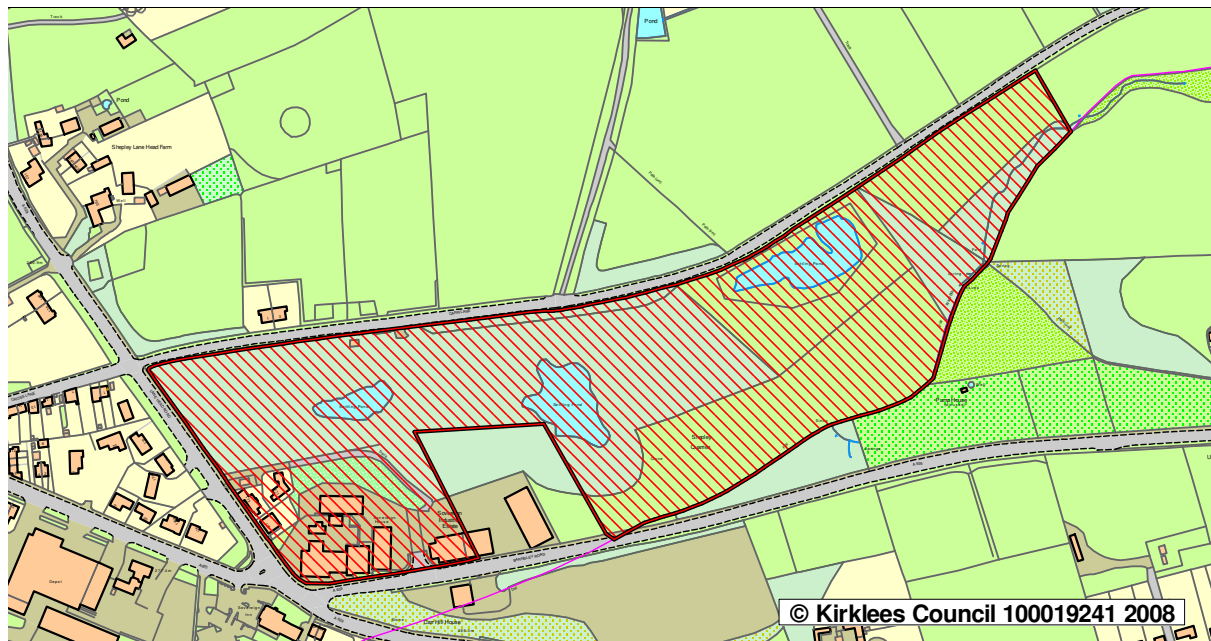
TARGET DATE

15-Aug-2018

EXTENSION EXPIRY DATE

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

Electoral Wards Affected: **Kirkburton/Denby Dale**

Yes

Ward Members consulted
(referred to in report)

RECOMMENDATION:

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

1.0 INTRODUCTION:

- 1.1 This application has been brought to the Heavy Woollen Planning Sub-Committee for determination due to the significant volume of local opinion.

2.0 SITE AND SURROUNDINGS:

- 2.1 The site is located approximately 1 kilometre south of Shepley village and is an existing operational sandstone quarry. The whole quarry site, which originally received planning approval under Interim Development Order 426A on 3 July 1947, occupies an area of 9 ha. and is bounded to the north by Carr Lane, to the west by Lane Head road and extends south towards Barnsley Road. The current operational part of the site is immediately adjacent to Carr Lane extending eastwards and occupies an area of approximately 4ha. The nearest residential properties are to the north off Carr Lane, and at the south western corner of the site off Land Head Road. The application site lies within an area where a number of other active quarries are located the closest being Appleton quarry which is 200 hundred metres to the south and is also operated by the applicant and Carr Hill quarry 250 metres to the south east which is currently being restored via the importation of backfill material. Two other quarries at Bromley Farm are located approximately 1 kilometre east of the site.

3.0 PROPOSAL:

- 3.1 The applicant has made an application under Section 73 of the Town and Country Planning Act 1990 to amend/vary planning conditions (2 & 27) which are attached to the existing operative planning permission (2012/70/90558/E0). The details of these conditions are listed below:

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

MM/SOV/04-06/LOC Location Plan (Planning Permission 2006/70/92787/E0)
MM/SOV/04-06/OWN Ownership and Permission Boundaries (Planning Permission 2006/70/92787/E0)
MM/WS/PHASE 1/00 Working Scheme Phase 1. (Planning Permission 2006/70/92787/E0)
MM/WS/PHASE 2/00 Working Scheme Phase 2. (Planning Permission 2006/70/92787/E0)
MM/WS/PHASE 3/00 Working Scheme Phase 3. (Planning Permission 2006/70/92787/E0)
MM/WS/PHASE 4/00 Working Scheme Phase 4. (Planning Permission 2006/70/92787/E0)
MM/WS/PHASE 5/00 Working Scheme Phase 5. (Planning Permission 2006/70/92787/E0)

27. After completion of mineral extraction in each phase the site shall be progressively restored to agriculture, woodland, amenity and/or a nature conservation use in accordance with a scheme to be submitted for the approval of the Mineral Planning Authority within 6 months of the date of this permission.

Unless otherwise agreed in writing the submitted scheme shall provide for:

- a) final landform;*
- b) contour plans and representative cross sections and longitudinal sections showing post restoration levels;*
- c) the phasing and direction of backfilling of the site with overburden from following phases;*
- d) the final restoration of phase 1 using all available waste materials from the site within 6 years of the date of this permission;*
- e) spreading a minimum depth of 350mm of subsoil or subsoil making material and 200mm topsoil over the backfilled overburden in the areas to be restored to agricultural grassland;*
- f) spreading a minimum depth of 500mm of subsoil or subsoil making material over the backfilled material on areas to be restored to woodland;*
- g) details of cultivation techniques and equipment to be used;*
- h) details of restoration to amenity or nature conservation afteruse;*
- i) grass seeding of any areas to be returned to agriculture including seed mixture;*
- j) details of the restoration to woodland including planting details, details of species, density of planting, protection from pests, weed control, drainage and fencing*
- k) design and location of fencing, dry stone walls, gates and stiles, in the local style;*
- l) programme of works and timescales;*
- m) estimation of volumes of waste/discards arising, details and timetables of the incorporation of wastes in the post restoration landform and the location of stockpiles of such waste.*

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

- 3.2 The applicant seeks, through the amendment of these conditions, changes to the final restoration of the phase1 area from a pasture to a junior football pitch and amendments to the phasing scheme in order that sufficient backfill materials is available to complete the restoration of the phase 1 area. The proposed amendment to the approved phasing arrangements is relatively minor and would see a quantity of quarry waste from the upper level of the phase 3 area being used as backfill in the Phase 1 area prior to quarry waste generated from the lower levels of the Phase 2 area.
- 3.3 The agreed restoration concept for this part of the site envisaged that it would be returned to a pasture.
- 3.4 Review of Existing Planning Conditions

Whilst the applicant has applied to amend/delete specific planning conditions attached to planning permission 2012/70/90558/E0, Section 73 of the Town and Country Planning Act 1990 allows a Local Planning Authority to review all the planning conditions included with an original planning permission to update, amend or delete them if required. Officers consider that a number of existing conditions will require amending or deleting should this planning application be approved.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

- 4.1 Planning permission 2006/92787 – was granted on 25 May 2007 to vary a number of planning conditions affecting this site which allowed the agreed phasing arrangements at the site to be amended.
- 4.2 The revised phasing arrangements provided a logical sequence to the extractive operations in that work now steadily progress eastwards so providing waste quarry product to use in progressive restoration to the west. It was considered that such changes would lead to more rapid mineral extraction and subsequent restoration of the western side of the site, which is the part of the site overlooked by the majority of residential properties. The above planning permission allowed the extraction of mineral from the Phase 1 area of the site until 16 May 2012.
- 4.3 Following an initial delay involving the relocation of a mains electricity supply cable and associated electricity sub-station and a lower than anticipated mineral extraction rate, a significant proportion of the target mineral remained to be worked after the above mineral extraction time limit had expired. Consequently a planning application (2012/70/90558/E0) was submitted to extend the period of mineral extraction from the phase 1 area of the site up to 30 October 2015.
- 4.4 However, as the quality of the mineral deteriorated at depth, the operator decided to cease extractive operations and is now in the process of backfilling the Phase 1 void area within the timeframe stipulated in their planning consent. The current operative planning permission requires that the backfilling and restoration of this part of the site should be completed by 30 October 2018.

4.5 Following discussions with the local community and their representatives, the applicant has agreed, subject to receiving the necessary planning approval, to create a junior football pitch within this area which can then be leased to a local football club to use.

4.6 There have been a number of planning applications directly related to operations at this site and these are indicated as follows:

IDO 426A originally approved 3 July 1947 – Revised Scheme of conditions approved 23 February 1996

98/93111 Variation of conditions 2,3,18,35 & 38 and removal of conditions 8 & 44 attached to Schedule of Conditions approved by Secretary of State for IDO minerals permission number 426A (refused 1 November 2001)

2005/94268 – Formation of settling lagoon (approved 5 January 2006)

2006/92787 – Variation of condition relating to IDO permission 426A in order to allow changes to the approved phasing scheme (approved 25 May 2007)

2006/95022 – Erection of electricity sub-station (approved 24 January 2007)

2007/92953 – Formation of replacement vehicular access, installation of weighbridge, wheel wash and erection of site office (approved 25 September 2007)

2012/90558 - Variation of Condition 24 and 29 (D) on previous permission 2006/70/92787/EO for variation of condition 2 relating to IDO permission 426A in order to allow changes to the approved phasing scheme (approved 31 October 2012)

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

5.1 N/A

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 Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 48 of the National Planning Policy Framework (2018). In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2018), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

6.2 Kirklees Unitary Development Plan (UDP) Saved Policies 2007:

- D10 – Outdoor Sport and Outdoor Recreation in the Green Belt;
- M1 – general principles relating to minerals applications;
- M5 – safeguarded mineral reserve;
- E4 – Noise generating development
- T10 – Highway Safety;
- T19 – Parking;
- R1 – new recreational facilities

63 Kirklees Publication Draft Local Plan (PDLP)

- PLP21 – Highway safety and access
- PLP22 – Parking
- PLP 36- Proposals for mineral extraction
- PLP 37 – site restoration and aftercare
- PLP52 – Protection and improvement of environmental quality
- PLP56 – facilities for outdoor sport, outdoor recreation and cemeteries
- PLP50 – Sport and Physical Activity

6.4 National Policies and Guidance

- NPPF 6 – Building a Strong, Competitive Economy
- NPPF 12 – Achieving well-designed places
- NPPF 13 – Protecting Green Belt Land
- NPPF 14 - Meeting the challenge of climate change, flooding and coastal change
- NPPF 15 – Conserving and Enhancing the Natural Environment
- NPPF 17– Facilitating the Sustainable Use of Minerals

6.5 Other documents

- Kirklees playing pitch strategy and action plan – September 2015

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 The application was publicised by the erection of site notices in the vicinity of the site, the posting of neighbour notification letters and an advertisement in the local press. As a result 21 representations from members of the public have been received, 18 in support of the proposal and 3 objections. The issues raised can be summarised as follows:

Support

- There is a lack of such facilities in the area and this proposal would help to address this problem
- This facility would act as an important community hub
- This proposal offers an opportunity to allow children to exercise and promote a healthy lifestyle
- This facility will help to address the problem of child obesity
- Playing sport as part of a club allows children to develop valuable social skills
- The proposal includes landscaped areas which will improve local biodiversity
- The relatively low numbers of vehicles visiting the site will not result in highway safety being detrimentally affected.

Against

- Concern that when not in use the site will attract anti-social behaviour
- This proposal could lead to highway safety being detrimentally affected in the vicinity of the site
- The proposal will lead to parking on Carr Hill Lane
- Shepley and the wider area already have adequate football club facilities
- The proposed car parking facilities are not adequate
- The junction of Carr Lane and Lane Head (A629) is an accident blackspot and proposal will exacerbate problems at this junction.
- The surface of Carr Lane is already in poor condition and this proposal will result in further deterioration
- The site should be restored to nature conservation including the provision of wildflower areas
- Although community meetings have been held with regard to this proposal, the 'Friends of Shepley' have not been included in negotiations about this project.

- There is a shortage of allotments in the Shepley area and this land should have been considered as potentially addressing this shortage. The Council has therefore failed in its duty to consider this site.

7.2 The site falls within the Kirkburton Parish but is immediately adjacent to Denby Dale Parish. Consequently both Parish Councils were consulted. Both indicated they did not wish to object to the proposal.

7.3 Martin Gonzalez Development Manager Kirklees Council – Sport & Physical Activity Development Team has previously been in touch with a local football club regarding this proposal and has asked to make the following comments:

“I spoke to the club about some of their pitch constraints and this potential opportunity a number of months ago. To guide me, I looked at the evidence from our Playing Pitch Strategy, which was developed by the Council in conjunction with external agencies including Sport England, the West Riding County FA and the Sheffield and Hallamshire County FA, and that demonstrated that there is current shortfall in the provision of 9 youth 9v9 match equivalent sessions per week, and of 5 7v7 match equivalent sessions per week, and these shortfalls are expected to increase over time. It is also noted that Cumberworth United’s main site at Crown Fields is currently at capacity, and additional capacity is required for the club.

In my role as Development Manager in the Sport & Physical Activity Development Team, I am of the opinion that this is an evidence based proposal, and that to develop a new junior football pitch will both assist Cumberworth United with some of their current pitch capacity issues, and support the wider agenda of promoting physical activity and healthy lifestyles. I am, therefore, in support of this particular planning proposal on those grounds.”

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

K.C Highways DM – No objection subject to the inclusion of planning conditions requiring:

- The clearing of all obstructions over 1m in height within sight lines of 2.4m x 215m.
- Gates at the site entrance to be set back from the highway
- Restrictions on when the football pitch can be used to ensure no conflict with quarry traffic
- The erection of warning signage

The Environment Agency – No objection

8.2 Non-statutory:

K.C Environmental Health – No objection

9.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Residential amenity
- Highway issues
- Drainage issues
- Representations
- Other matters

10.0 APPRAISAL

10.1 Principle of development

10.2 It is considered that the principle of developing this site for mineral extraction was established by the earlier grant of planning permissions and this assessment will therefore concentrate on the implications of varying the conditions previously outlined.

10.3 Whilst this site is an active mineral working, it falls within a wider area of Green Belt land within the Kirklees Unitary Development Plan and it is therefore important to ensure the restoration of the site is compatible with this designation.

10.4 Paragraph 145 sets out development which is not considered to be inappropriate in the Green Belt, this includes (inter alia)

- *“provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it...”*
- *limited infilling or the partial or complete redevelopment of previously developed sites (Brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than existing development...”*

10.5 In terms of protecting Green Belt land, paragraph 146 states that *“Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are: (inter alia)*

- *mineral extraction; and*
- *engineering operations”*

within which the proposed development is considered to fall.

10.6 The Site is located within an established operational minerals site, where quarry operations have been undertaken for decades. It is therefore considered that whilst this site falls within the Green Belt the site currently constitutes ‘Brownfield land’ and this proposed development involving the provision of facilities for outdoor sport and recreation would provide for an adequate restoration of this part of the site. The wider site would subsequently be restored on a phase by phase basis following further mineral extraction.

10.7 It is therefore considered, that in accordance with the policy expressed in the NPPF at paragraphs 145 and 146, the proposal is not inappropriate development in the Green Belt.

10.8 Urban Design issues

10.9 This proposal would involve backfilling the existing quarry void and creating a landform which is close to that of the original ground level prior to mineral extraction commencing. The landform would create a level area which can be then be used to form the proposed football pitch. Shrub and tree planting would be carried out around the periphery of the central pitch area. A small car park would be formed on the eastern edge of the site allowing off-street car parking for a minimum of 20 vehicles. This parking area would be formed using a 'Grassguard' Paving system which allows grass to grow in between the paving sets to help to mask the hard surface. A footpath would be created between Carr Lane and Lane Head to allow pedestrian access to the site. Existing screen bunds around the boundaries of the site and formed from soils stripped prior to mineral extraction will be removed and used in the final restoration of the site. Restoration planting and seeding will involve appropriate grass seed mixes and native tree and shrub species.

10.10 It is therefore considered that the design of this proposal would harmonise well with the local area and would not have a detrimental impact on the character of the local landscape. Consequently it is considered that this proposal would accord with UDP policy M1, Kirklees Publication Draft Local Plan policies PLP 36, PLP37 and Section 12 of the NPPF.

10.11 Residential Amenity

10.12 This site is relatively remote but there are a number of residential dwellings in close proximity, the nearest being at the south west corner of the site and on the other side of Carr Lane to the North and Lane Head Road to the west. Consequently these properties are likely to be the ones most affected by any noise associated with this proposal.

10.13 The backfilling operation will generate noise associated with the use of heavy machinery. However, this will be for a temporary period only and the current planning permission includes controls on hours of operation and noise limits. These restrictions will continue to apply and the applicant has indicated that the backfill operation will be carried out in accordance with these restrictions. Extractive operations will continue but will progress in a westerly direction away from the aforementioned residential properties.

10.14 The subsequent use of the site will generate noise associated with people being concentrated in an area playing sport. However, this will be for limited periods only, primarily on Saturday and Sunday mornings and for limited periods during the year. It is considered that activities at the site are unlikely to add significantly to the existing noise climate which includes noise from the busy A629, A nearby petrol station, the operational quarry and other commercial activities in the vicinity.

10.15 At present the site is well screened by screen bunds and associated planting. However, much of this will be removed during restoration operations. Consequently less restricted views of the site will be possible from Lane Head Road and Carr Lane. However, planting will be carried out close to these boundaries to mitigate the impact of the development. However, bearing in mind that, when not in use, the site will have the appearance of a green field, it is considered by officers that this proposal would not have a significant detrimental impact on the visual amenity of the area.

10.16 It is therefore considered that this proposal would accord with UDP policies M1, EP4 and Kirklees Publication Draft Local Plan policies PLP 36, PLP52 and Section 15 of the NPPF with regard to the effects the development would have on residential amenity.

10.17 Highway issues

10.18 This proposal would utilise the existing quarry access which adjoins Carr Lane approximately 200m east of the junction of Carr Lane and Lane Head Road. The planning permission regulating operations at the quarry allows 30 heavy vehicle movements per day. These vehicles are typically lorries with a 20 tonne load capacity. This proposal would not affect these restrictions and the use of the football pitch would occur at times when there would be no vehicle movements associated with the quarry.

10.19 The applicant has indicated that this access point would be improved by setting back the gates from their existing position to allow a vehicle to pull off the highway, removing part of an existing bund to the west of the access junction. The re-alignment of a section of stone wall and the removal of roadside vegetation. Whilst this access point would continue to be used by quarry traffic, a separate gated entrance to the quarry area would be created.

10.20 The applicant has produced an assessment of the anticipated levels of traffic associated with the use of the pitch. This has been informed by the TRICS database by considering the busiest peak hours (19:00 – 20:00). These traffic levels are summarised in the table below:

Rate Basis	Arrivals	Departures	Total
Per 5-a-side Pitch	5.745	5.422	11.167
Per 9-a-side Pitch (+40%)	10.341	9.760	20.101
Per 9-a-side Pitch (Rounded)	10	10	20

10.21 However, in a worst case scenario if all players (18) including substitutes (6), 4 coaching staff and a match referee attended in individual cars this would lead to 29 one way trips in a single hour. However, as it is likely that some players would arrive on foot and some via car share then the averages outlined above are more likely to reflect the actual vehicle movements.

10.22 The proposal includes an off-street car parking area which has the capacity to accommodate at least 20 vehicles. Officers consider, that bearing in mind the likely level of use at this site, this would provide adequate off-street parking facilities.

10.23 The applicant has provided data on collisions at the junction of Carr Lane and Lane Head road between 01.01.2012 and 30.09.17 which indicates that there have been 5 collisions involving slight injury and 1 collision involving serious injury during that period. This data suggests that the cause of these collisions appears to have resulted from limited visibility at the junction. The applicant has therefore included proposal to realign the stone wall on their site at this junction to improve junction visibility.

10.24 Subject to the inclusion of planning conditions to ensure that before the pitch is brought into use, walls and vegetation within sight lines are reduced to no more than one metre in height and a traffic management scheme is submitted for consideration and approved, it is considered that this proposal is acceptable with regard to its impact on the local highway network and therefore accords with UDP policies M1, T0 and T19 and Kirklees Publication Draft Local Plan policies PLP 21, PLP22.

10.25 Flood Risk and Drainage issues

10.26 The site is located in Flood Zone 1 and is thus considered to be at very low risk of flooding. Groundwater ingress from the Greemoor Rock is seen to take place via fissure flow in the up hydraulic gradient southern face of the quarry at about 245m AOD and this is considered by the applicant to be the resting water level of the sump in the absence of dewatering. Maintaining dewatering to facilitate mineral extraction will prevent the void flooding to this level, which lies some 20m below surrounding ground level and that of Carr Lane. The quarry currently has measures in place to deal with this water infiltration into the quarry void which involves pumping the water to a purpose built settlement lagoon at the north eastern edge of the site before it is subsequently discharged into Carr Dyke. These arrangements will continue.

10.27 The restored phase 1 area will be designed to ensure that any surface water run-off is directed towards the void via a drainage channel which connects directly to free draining backfill material. Water within the quarry void will then be dealt with as previously described.

10.28 The final restoration of the whole site will include a large water body which will collect surface water prior to it overflowing into Carr Dyke. It is therefore considered that this proposal will not pose a significant flood risk to the area and will therefore accord with and Kirklees Publication Draft Local Plan policies PLP27, PLP 36 and guidance contained in Section 14 of the NPPF.

10.29 Representations

10.30 A summary of the issues raised in representations and the associated responses is provided as follows:

Concern that, when not in use, the site will attract anti-social behaviour.

Response: The applicant has indicated that the use of the pitch would be restricted to activities organised by a local football club and the land would remain in the applicant's ownership. It is presumed that these arrangements would be formalised through the use of a lease agreement. Consequently, there would not be a general right for members of the public to access the land.

This proposal could lead to highway safety being detrimentally affected in the vicinity of the site.

Response: This matter has been considered under the section title 'Highways Issues'

The proposal will lead to parking on Carr Hill Lane.

Response: This matter has been considered under the section title 'Highways Issues'

Shepley and the wider area already have adequate football club facilities

Response: The Kirklees Playing Pitch Strategy and Action Plan which was developed using Sport England's approved methodology and in consultation with Sport England, West Yorkshire Sport and the National Governing Bodies for football, cricket, hockey rugby league and rugby union identifies that there is a shortage of junior sports facilities in the Rural East area of Kirklees.

The proposed car parking facilities are not adequate.

Response: This matter has been considered under the section title 'Highways Issues'

The junction of Carr Lane and Lane Head (A629) is an accident blackspot and proposal will exacerbate problems at this junction.

Response: This matter has been considered under the section title 'Highways Issues'

The surface of Carr Lane is already in poor condition and this proposal will result in its further deterioration.

Response: This proposal will only generate a relatively small number of vehicle movements. Officers therefore consider that the resultant level of additional traffic will not have a significant detrimental effect on the integrity of the highway surface.

The site should be restored to nature conservation including the provision of wildflower areas.

Response: Although it is acknowledged that there has been a significant decline wildflower meadows across the country as a whole, this proposal offers an opportunity to provide a recreational facility which has been identified as lacking in this part of the district. The proposed planting around the boundaries of the site would provide enhanced habitat opportunities and the proposed meadow grass areas around the periphery of the pitch would allow a degree of infiltration by native meadow flower species.

Although community meetings have been held with regard to this proposal, the 'Friends of Shepley' have not been included in negotiations about this project.

Response: There is no requirement to carry out pre-application consultation with regard to this type of planning application. Having said this, it is understood that community consultation was carried out prior to the submission of this application. However, how this was carried out by the applicant is not a material planning consideration and cannot therefore influence the assessment of this planning application.

There is a shortage of allotments in the Shepley area and this land should have been considered as potentially addressing this shortage. The Council has therefore failed in its duty to consider this site.

Response: Whilst there may be a lack of allotments in this area, this is not a material planning consideration and the fact that this matter was not considered as a restoration option cannot therefore influence the assessment of this planning application.

11.0 CONCLUSION

11.1 This proposal offers an opportunity to provide a junior football pitch within part of the district where there has been an identified lack of junior sports facilities. The restoration of this site in this way is compatible with the Green Belt policy and offers the opportunity to enhance local biodiversity through strategic planting around the site.

11.2 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.

11.3 The proposed development has been assessed against relevant policies in the development plan and other material considerations. It is considered that the proposed development would constitute sustainable development (with reference to paragraph 11 of the NPPF) and is therefore recommended for approval.

12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Strategic Investment). Whilst this proposal only relates to part of the wider quarry area, it is an application to vary the requirements of the extant planning permission for the whole site. As the approval of this application would constitute a fresh grant of planning permission, all relevant conditions on the current extant planning permission must therefore be included.

1. Time limits

- Period of mineral extraction and completion site restoration

2. Plans

- Operational plans and working schemes

3. Access and vehicular movements

- Restrictions on numbers of heavy vehicle movements
- No obstruction of PROW crossing the site
- HGV wheels and chassis to be clean before entering highway
- Requirement to provide standoff from surrounding highways
- All HGVs leaving the site to be sheeted carrying stone less than 500mm in width

- Requirement to provide a vehicle management plan associated with the use of the football pitch
- Removal of obstructions of over 1m in height within visibility splays
- Restrictions on when football pitch can operate and when quarry vehicle movements can occur on Saturdays.

4. Protection of water courses

- All water from the site to be passed through the settlement lagoon prior to discharge from the site
- Measure to deal with waste oil slurries and chemicals
- Measures to allow safe on-site storage of fuel and oil

5. Preparatory works

- Requirement to remove and store all drystone walls prior to soil stripping
- Screen bunds to be constructed using on site material only

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

- No more than 3 phases to be open at any one time
- 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

8 Restoration

- Submission of progressive restoration scheme for the remaining site

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 trees or shrubs that die during first 5 years of planting to be replaced.
- 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
- Methods to stabilise quarry faces

10. Amenity

- Hours of operation of the quarry operation
- Use of efficient silencers on all plant vehicles and equipment
- Measures to be employed to mitigate the impact of reversing warning alarms
- Site operations to comply with stipulated noise levels
- Site to operate in accordance with approved dust management scheme
- HGV speed limit of 15 mph on site
- All vehicles and plant on site to operate using upturned exhausts
- No use of explosives on site

11. Aftercare

- Requirement to provide an outline aftercare scheme
- Requirement to provide a detailed annual aftercare scheme
- Requirement to arrange an annual aftercare meeting
- Prior cessation measures to deal with restoration and aftercare in the event that mineral extraction ceases

- No further mineral working within areas identified as being previously worked
- Requirement to have all approved documents on site for the duration of operations

12. Background Papers:

Application and history files.

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2018%2f91605>

Certificate of Ownership –Certificate a signed 16.05.2018.