



Waste Recovery Plan
Shelley Quarry
Naylor Industries Ltd.

Document Reference: 320/1--R1.2 - WRP



Minerals Waste Environment

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Contents

- 1.0 Introduction
- 2.0 Site Description
- 3.0 Background and Purpose of Works
- 4.0 Justification for Waste Recovery
- 5.0 Conclusion

1.0 Introduction

1.1 This Waste Recovery Plan has been produced to support the restoration of the remaining void space at a Quarry known as Shelley Quarry (sometimes referred to as Peacewood Quarry), near Huddersfield, West Yorkshire.

1.2 The Waste Recovery Plan will be submitted to the Environment Agency for approval to demonstrate that the proposed operations are recovery by establishing:

- The justification for recovery
- The purpose of the work
- The quantity of waste used
- The operation meeting quality standards

2.0 Site Description

2.1 The area proposed for recovery ('The Site') is located to the north of the B6116 (Huddersfield Road) and is currently an active quarry extracting clays for the ceramics and brick-making industry. The proposed green line boundary is shown on Drawing ref: *320/1 – WRP-1*.

2.2 The Site is surrounded by agricultural fields, with a small area of woodland on the northern boundary.

3.0 Background and Purpose of the Works

3.1 Background

3.1.1 Part of the area included in The Site's planning permission previously had an Environmental Permit for waste disposal, which was utilised to restore the eastern parts of the original quarry. However, it is understood that this Permit has now

been surrendered prior to the site being fully restored.

3.1.2 The Site has an active Planning Permission for the extraction of mineral and restoration to agricultural land, with additional tree planting.

3.1.3 Conditions 1 and 10 of Planning Permission ref: 2017/70/93602/E0 require that The Site is restored:

Condition 1: "The extraction of minerals and the removal of all buildings, plant and machinery shall have been completed by the 31 October 2032 and the site and the approved access shall be restored to agricultural land within the meaning of the Agricultural Act 1947 except where approved amended plan No.ST14014-001 indicates trees shall be planted, all by 31 October 2034."

Condition 10: "The site shall be worked, backfilled and restored progressively in accordance with the approved drawings and supporting documents."

3.2 Permitting History

3.2.1 Part of The Site previously had an Environmental Permit for waste disposal, Waste Management License Number: 1481. This Permit was for the restoration of the quarry to the east of the current proposals. Permit reference 1481 was a modification issued in 2000, the previous modification having been issued in 1997. However, it is understood that this Permit has now been surrendered. No waste was deposited within the proposed green line boundary through Permit ref: 1481.

4.0 **Justification for Waste Recovery**

4.1 The Environment Agency set out the approach to determining recovery or disposal in their guidance on 'Waste Recovery Plans and Deposit for Recovery Permits'. The guidance requires evidence to show that the outcome could and

would be achieved using a non-waste. The proposed deposit of waste must pass the substitution test to be considered a Recovery Activity.

4.2 The justification for Waste Recovery at The Site falls under the ‘Obligation to Complete the Scheme’ category within the guidance. This means that there is a legal requirement to complete the restoration of The Site.

4.3 Obligation to Complete the Scheme

4.3.1 In this case, there is a specific obligation to complete the scheme, created through The Site’s Planning Permission (2017/70/93602/E0), which includes the approved restoration scheme for The Site.

4.3.2 Conditions 1 and 10 (see above) of The Site’s Planning Permission dictate that The Site must be restored to agriculture, and that The Site must be operated (including restoration) in accordance with the approved plans and documents. The approved plan for The Site’s restoration is included as Appendix A.

4.3.3 The guidance requires:

- Evidence of the obligation
- Plans and cross-sections to demonstrate the proposals match the obligation
- Evidence that the waste is serving a useful purpose

4.3.3 An agricultural after-use could not be achieved at The Site without raising the ground levels to, at least, those that existed prior to extraction taking place, as the geology of the site (predominantly low permeability clays) would cause the base of the void to become saturated, or even to fill with surface water and become a permanent water body.

- 4.3.4 In addition to the above, the restoration contours have been approved, regardless of the after-use of The Site, and there is therefore a specific obligation to achieve these contours.
- 4.3.5 To achieve the approved contours and restoration design, materials must therefore be imported to The Site. As a result, it is demonstrable therefore, that the obligation could and would only be achieved through the importation of materials.
- 4.3.6 It can also be demonstrated that the waste would serve a useful purpose as it would facilitate restoration of The Site so that it could be used for agricultural purposes, as well as delivering habitat through tree / hedgerow planting. As described above, agricultural after-use could not be achieved without the approved restoration scheme, as The Site would otherwise become an inadvertent water body, due to the prevailing low permeability clay geology of the Site. Soils have previously been stripped and stored at The Site and would be replaced on top of the waste, creating a suitable growing medium for agricultural fields and hedgerow planting, as well as a suitable material to engineer drainage into.
- 4.3.7 The waste codes listed in Table 1 would be accepted to The Site as part of the Recovery operation and are based on those allowed under Standard Rules Permit SR2015 No.39. These wastes would be appropriate for the restoration scheme as they would be comparable (in terms of physico-chemical properties) to a non-waste primary aggregate that would otherwise be required.

Waste Code	Description
01 01 02	Wastes from non-metalliferous excavation
01 04 08	Waste gravel and crushed rocks other than those containing dangerous substances
01 04 09	Waste sand and clays
02 04 01	Soil from cleaning and washing beet

10 12 08	Waste ceramics, bricks, tiles and construction products (after thermal processing)
10 13 14	Waste Concrete
17 01 01	Concrete
17 01 02	Bricks
17 01 03	Tiles and ceramics
17 01 07	Mixtures of concrete, bricks, tiles and ceramics
17 05 04	Soils and stones (topsoil, peat, subsoil and stones)
19 12 09	Minerals (such as sand and stones) from the treatment of waste aggregates that are otherwise naturally occurring minerals
19 12 12	Crushed bricks, tiles, concrete and ceramics, including mixtures of materials
20 02 02	Soil and stones (topsoil, peat, subsoil and stones)

Table 1: List of Waste Codes

4.3.8 The site will be managed by experienced contractors with competent persons under an Environmental Management System.

4.3.9 The site's competent person would follow strict waste acceptance criteria for receiving each load of material brought into the site to check its suitability for restoration and to ensure the producer has carried out the necessary basic characterisation of the waste. Any unsuitable material would be rejected in accordance with the acceptance criteria. If any non-inert material were found within a load of material, it would be transferred to a quarantine area (located on an impermeable surface) and removed to a suitably licensed site. Based on the strict acceptance procedures, any material placed to recover the site, should not pose an unacceptable risk to human health or the environment.

5.0 Conclusion

5.1 The proposed restoration of Shelley Quarry would constitute recovery as it can

be demonstrated that there is a specific obligation to carry out the works, as demonstrated through The Site's Planning Permission.

- 5.2 The list of wastes that would be accepted is suitable for a Recovery operation and is based upon Standard Rules Permit SR2015 No.39 and would be comparable to otherwise required non-wastes.
- 5.2 The restoration of the site would be carried out by competent operators under an Environmental Management System with strict waste acceptance and rejection criteria to ensure completion to the highest standard.
- 5.3 **This Waste Recovery Plan provides evidence to show that the scheme meets the tests required by the Environment Agency to consider the restoration of Shelley Quarry as a *recovery* operation.**

Appendix A – Restoration Scheme

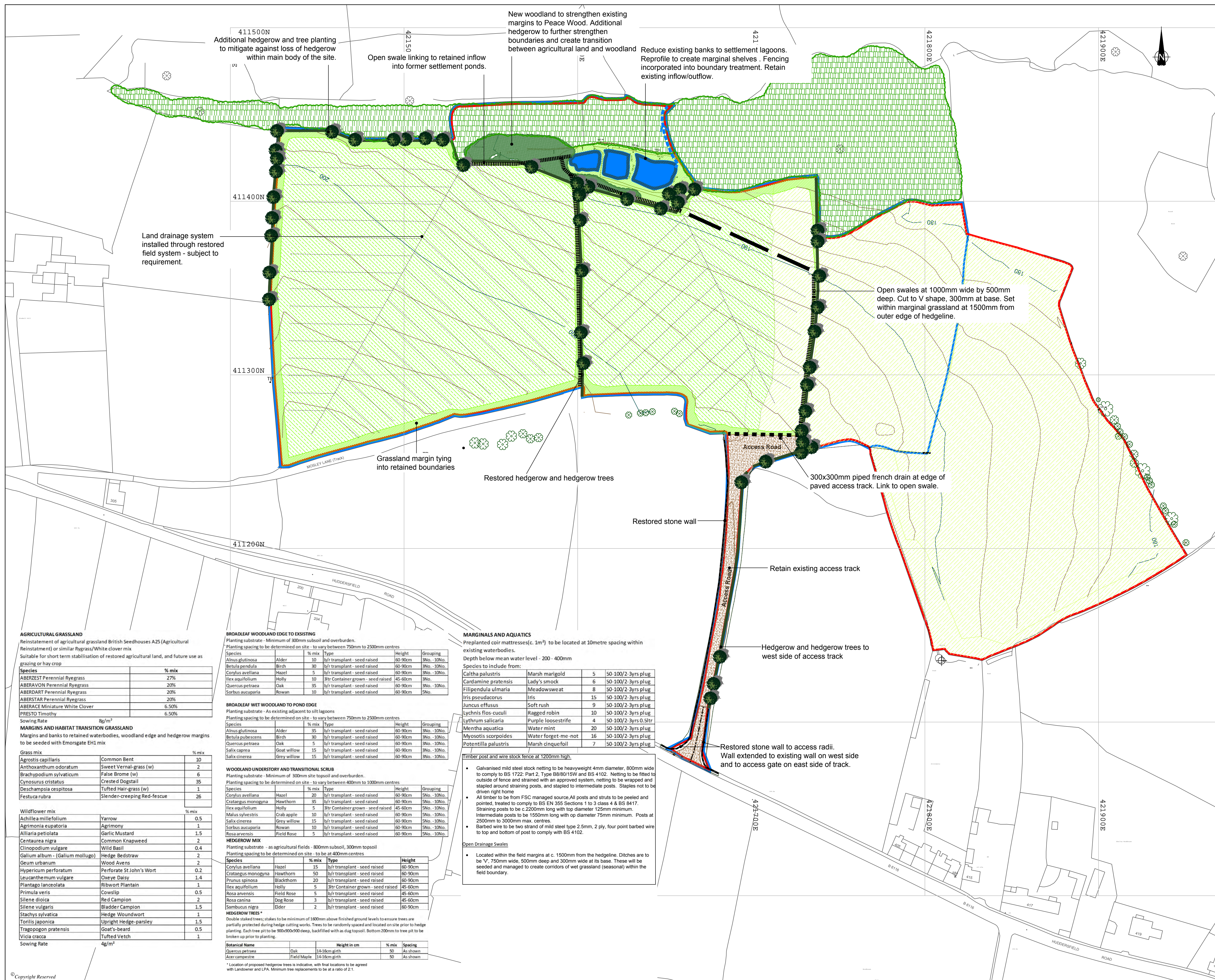
KEY

- Hedgerow (maintained to 1.5m height)
- Hedgerow trees
- Existing woodland
- Proposed woodland
- Agricultural grassland - restored
- Agricultural grassland - proposed
- Grassland margins
- Aquatic / marginal planting
- Ponds - reprofiled for marginal planting
- Restoration/re-build to drystone wall (height to match existing c.900mm)
- Open drainage swale parallel to hedgerow
- Piped french drain (300x300mm)
- Piped culvert (300mm Ø)
- Field drainage (subject to req't)

Soil Handling

1. Following formation to restoration contours remaining overburden to be evenly spread through site to avoid ponding.
2. Stored subsoil and higher grade soil making materials to be laid to even grade to even depth of 900mm depth. Material to be laid in 450mm layers. Each layer to be decompacted using winged tines to a depth of 450mm at 600mm centres.
3. Stored topsoils to be laid to minimum of 300mm. Each layer to be decompacted using winged tines to a depth of 450mm at 600mm centres.
4. Any stone or other non soil item greater than 75mm brought to surface during rip to be removed.
5. All soil handling and spreading to be undertaken in accordance with DEFRA guidance 'Good practice guide for handling soils'. Soil to be placed while in a dry and friable condition, allowing sufficient time within the restoration programme to allow for cultivation and seeding before end of September.
6. Mineral Planning Authority to inspect formation and recommend further requirements.
7. Following approval by MPA soils to be cultivated and seeded as scheduled.

Land drainage system and associated ditches to be installed following soil settlement and establishment of initial seeding works. No earlier than one year following completion of planting and seeding works.



AGRICULTURAL GRASSLAND
Reinstatement of agricultural grassland British Seedhouses AZ5 (Agricultural Reinstatement) or similar Ryegrass/White clover mix
Suitable for short term stabilisation of restored agricultural land, and future use as grazing or hay crop

Species	% mix
ABERZEST Perennial Ryegrass	27%
ABERAVON Perennial Ryegrass	20%
ABERDART Perennial Ryegrass	20%
ABERSTAR Perennial Ryegrass	20%
ABERACE Miniature White Clover	6.50%
PRESTO Timothy	6.50%

MARGINS AND HABITAT TRANSITION GRASSLAND
Margins and banks to retained waterbodies, woodland edge and hedgerow margins to be seeded with Emorsgate EH1 mix

Species	% mix	
Agrostis capillaris	Common Bent	10
Anthoxanthum odoratum	Sweet Vernal-grass (w)	2
Brachypodium sylvaticum	False Brome (w)	6
Cynosurus cristatus	Crested Dogstail	35
Deschampsia cespitosa	Tufted Hair-grass (w)	1
Festuca rubra	Slender-creeping Red-fescue	26

WILDFLOWER MIX

Species	% mix	
Achillea millefolium	Yarrow	0.5
Agrimonia eupatoria	Agrimony	1
Alliaria petiolata	Garlic Mustard	1.5
Centaura nigra	Common Knapweed	2
Clinopodium vulgare	Wild Basil	0.4
Galium album - (Galium mollugo)	Hedge Bedstraw	2
Geum urbanum	Wood Avens	2
Hypericum perforatum	Perforate St John's Wort	0.2
Leucanthemum vulgare	Oxeye Daisy	1.4
Plantago lanceolata	Ribwort Plantain	1
Primula veris	Cowslip	0.5
Silene dioica	Red Campion	2
Silene vulgaris	Bladder Campion	1.5
Stachys sylvatica	Hedge Woundwort	1
Torilis japonica	Upright Hedge-parsley	1.5
Tragopogon pratensis	Goat's-beard	0.5
Vicia cracca	Tufted Vetch	1

BROADLEAF WOODLAND EDGE TO EXISTING
Planting substrate - Minimum of 300mm subsoil and overburden.
Planting spacing to be determined on site - to vary between 750mm to 2500mm centres

Species	% mix	Type	Height	Grouping
Alnus glutinosa	Alder	10	b/r transplant - seed raised	60-90cm 3No.-10No.
Betula pendula	Birch	30	b/r transplant - seed raised	60-90cm 3No.-10No.
Corylus avellana	Hazel	5	b/r transplant - seed raised	60-90cm 3No.-10No.
Ilex aquifolium	Holly	10	3ltr Container grown - seed raised	45-60cm 3No.
Quercus petraea	Oak	35	b/r transplant - seed raised	60-90cm 3No.-10No.
Sorbus aucuparia	Rowan	10	b/r transplant - seed raised	60-90cm 5No.

BROADLEAF WET WOODLAND TO POND EDGE
Planting substrate - As existing adjacent to silt lagoons
Planting spacing to be determined on site - to vary between 750mm to 2500mm centres

Species	% mix	Type	Height	Grouping
Alnus glutinosa	Alder	35	b/r transplant - seed raised	60-90cm 3No.-10No.
Betula pubescens	Birch	30	b/r transplant - seed raised	60-90cm 3No.-10No.
Quercus petraea	Oak	5	b/r transplant - seed raised	60-90cm 3No.-10No.
Salix caprea	Goat willow	15	b/r transplant - seed raised	60-90cm 3No.-10No.
Salix cinerea	Grey willow	15	b/r transplant - seed raised	60-90cm 3No.-10No.

WOODLAND UNDERSTORY AND TRANSITIONAL SCRUB
Planting substrate - Minimum of 300mm site topsoil and overburden.
Planting spacing to be determined on site - to vary between 400mm to 1000mm centres

Species	% mix	Type	Height	Grouping
Corylus avellana	Hazel	20	b/r transplant - seed raised	60-90cm 5No.-10No.
Crataegus monogyna	Hawthorn	35	b/r transplant - seed raised	60-90cm 5No.-10No.
Ilex aquifolium	Holly	5	3ltr Container grown - seed raised	45-60cm 5No.-10No.
Malus sylvestris	Crab apple	10	b/r transplant - seed raised	60-90cm 5No.-10No.
Salix cinerea	Grey willow	15	b/r transplant - seed raised	60-90cm 5No.-10No.
Sorbus aucuparia	Rowan	10	b/r transplant - seed raised	60-90cm 5No.-10No.
Rosa arvensis	Field Rose	5	b/r transplant - seed raised	60-90cm 5No.-10No.

HEDGEROW MIX
Planting substrate - as agricultural fields - 800mm subsoil, 300mm topsoil
Planting spacing to be determined on site - to be at 400mm centres

Species	% mix	Type	Height
Corylus avellana	Hazel	15	b/r transplant - seed raised
Crataegus monogyna	Hawthorn	50	b/r transplant - seed raised
Prunus spinosa	Blackthorn	20	b/r transplant - seed raised
Ilex aquifolium	Holly	5	3ltr Container grown - seed raised
Rosa arvensis	Field Rose	5	b/r transplant - seed raised
Rosa canina	Dog Rose	3	b/r transplant - seed raised
Sambucus nigra	Elder	2	b/r transplant - seed raised

HEDGEROW TREES *
Double staked trees; stakes to be minimum of 1600mm above finished ground levels to ensure trees are partially protected during hedge cutting works. Trees to be randomly spaced and located on site prior to hedge planting. Each tree pit to be 900x900x300 deep, backfilled with as dug topsoil. Bottom 200mm to tree pit to be broken up prior to planting.

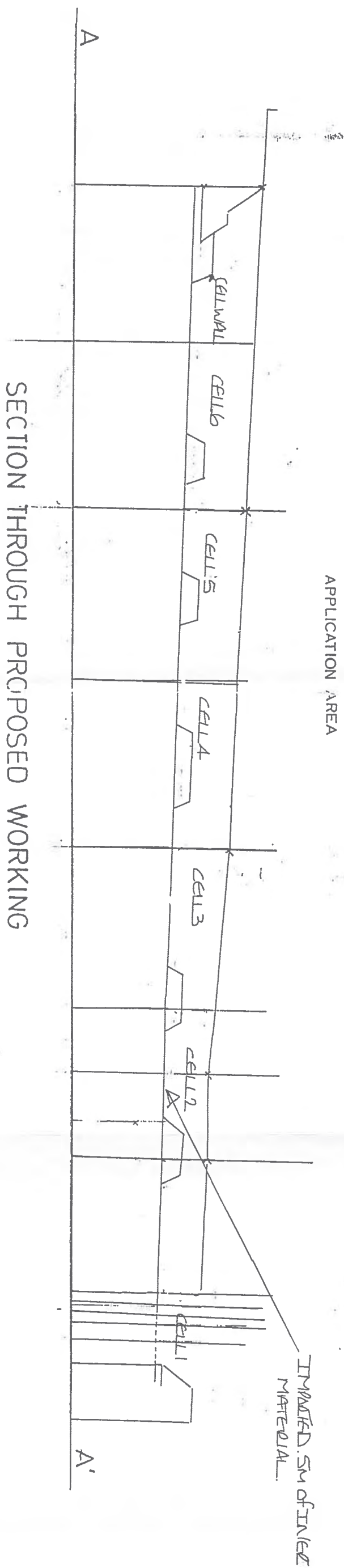
Botanical Name	Height in cm	% mix	Spacing
Quercus petraea	Oak	15-16cm girth	50 As shown
Acer campestre	Field Maple	15-16cm girth	50 As shown

MARGINALS AND AQUATICS
Preplanted coir mattresses (c. 1m²) to be located at 10metre spacing within existing waterbodies.
Depth below mean water level - 200 - 400mm
Species to include from:

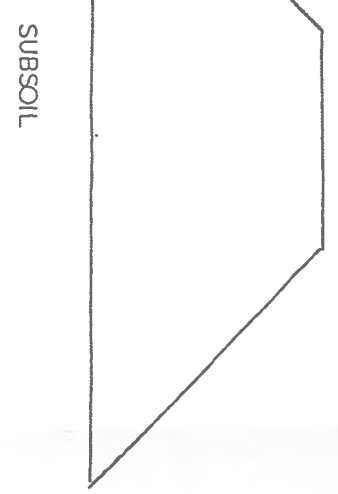
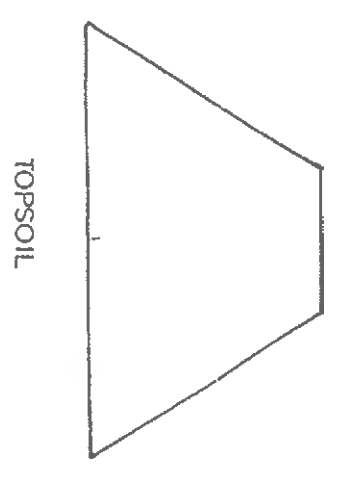
Species	Quantity	Planting
Callitha palustris	Marsh marigold	5 50 100/2-3yrs plug
Cardamine pratensis	Lady's smock	6 50 100/2-3yrs plug
Filipendula ulmaria	Meadowsweet	8 50 100/2-3yrs plug
Juncus pseudocorus	Iris	15 50 100/2-3yrs plug
Juncus effusus	Soft rush	9 50 100/2-3yrs plug
Lychnis flos-cuculi	Ragged robin	10 50 100/2-3yrs plug
Lythrum salicaria	Purple loosestrife	4 50 100/2-3yrs 0.5ltr
Mentha aquatica	Water mint	20 50 100/2-3yrs plug
Myosotis scorpioides	Water forget-me-not	16 50 100/2-3yrs plug
Potentilla palustris	Marsh cinquefoil	7 50 100/2-3yrs plug

- Open Drainage Swales**
- Located within the field margins at c. 1500mm from the hedgeline. Ditches are to be 'V' 750mm wide, 500mm deep and 300mm wide at its base. These will be seeded and managed to create corridors of wet grassland (seasonal) within the field boundary.

NAYLOR BROS SHELLEY PEACE WOOD SITE EXTENSION 1:1250



DIMENSIONS OF SOIL STACKS



SCALE 1:100

Appendix B – Decision Notice



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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2017/70/93602/E0

To: Lauren Williamson,
Wardell Armstrong LLP
76, King Street
Manchester
M2 4NH

For: Naylor Industries Plc

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

VARIATION/REMOVAL OF CONDITIONS 2 AND 60 ON PREVIOUS
PERMISSION 2007/92989 FOR VARIATION OF CONDITION 3 FOR
CONTINUED EXTRACTION OF MINERAL ON PREVIOUS PERMISSION
93/62/05383/E0 FOR EXTRACTION OF SHALES AND CLAYS BY OPENCAST
MEANS AS AN EXTENSION TO THE CURRENT SITE AND SUBSEQUENT
LANDFILL USING IMPORTED CLEAN EXCAVATION WASTE

At: PEACE WOOD QUARRY, HUDDERSFIELD ROAD, SHELLEY,
HUDDERSFIELD, HD8 8LH

**In accordance with the plan(s) and applications submitted to the Council on
19-Oct-2017 [together with those plans and application(s) submitted to the
Council on 20-Sep-2007 and incorporated into planning permission ref no.
2007/70/92989/E0 granted on 18-Jun-2009] and subject to the condition(s)
specified hereunder:-**

1. The extraction of minerals and the removal of all buildings, plant and machinery shall have been completed by the 31 October 2032 and the site and the approved access shall be restored to agricultural land within the meaning of the Agricultural Act 1947 except where approved amended plan No.ST14014-001 indicates trees shall be planted, all by 31 October 2034.

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

2. In the event of prior cessation of extraction before completion in excess of a period of 12 months, the site and access road shall be restored to use for agriculture within 18 months of the date of cessation and in accordance with a restoration scheme to be submitted for the prior written approval of the Mineral Planning Authority. The submitted scheme shall provide for:

a) Replacement of available overburden in extraction voids and the grading out of the site to final levels which as far as practicable tie in a visually acceptable manner with the levels of immediately adjacent land and the local landform and which promote good drainage and beneficial after use of the site for agriculture or amenity woodland.

b) The location and details of any tree planting

Reason: To ensure the satisfactory restoration of the site should development cease prior to completion and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Section 17 of the National Planning Policy Framework.

3. The sole means of vehicular access and egress from the site shall be via the existing access shown on approved planning permission No. 87/62/02312.

Reason: In the interests of the free and safe use of the highway and to accord with Kirklees Unitary Development Plan Policies M3, T10 and T19 and Kirklees Publication Draft Local Plan Policies PLP21, PLP22 and PLP36.

4. Only HGV's with a 20 tonne payload capacity shall be used to export minerals from the site.

Reason: In the interests of the free and safe use of the highway and to accord with Kirklees Unitary Development Plan Policies T10 and T19 and Kirklees Publication Draft Local Plan Policies PLP21 and PLP22.

5. The rate at which mineral is extracted and exported from the site shall not exceed 1200 tonnes per day Monday to Friday, 650 tonnes on Saturday.

Reason: In the interests of the free and safe use of the highway and to accord with Kirklees Unitary Development Plan Policies T10 and T19 and Kirklees Publication Draft Local Plan Policies PLP21 and PLP22.

6. The existing quarry access road shall be retained and maintained in a condition fit for purpose for the duration of this planning permission in accordance with the details indicated on plan nos. ST14014-001 and ST14014-002 as approved under discharge of conditions application 2016/44/93050/E0.

Reason: In the interests of the free and safe use of the highway and to accord with Kirklees Unitary Development Plan Policies T10 and T19 and Kirklees Publication Draft Local Plan Policies PLP21 and PLP22.

7. No commercial vehicles shall enter the public highway unless their wheels and chassis have been cleaned to prevent material being deposited onto the public highway.

Reason: In the interests of the free and safe use of the highway and to accord with Kirklees Unitary Development Plan Policies T10 and T19 and Kirklees Publication Draft Local Plan Policies PLP21 and PLP22.

8. All fencing at the site shall be completed in accordance with the design indicated on plan no. ST14014-010 as approved under discharge of conditions application 2016/44/93050/E0.

Reason: In the interest of visual amenity and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and sections 15 and 17 of the National Planning Policy Framework.

9. The site shall be drained in accordance with the drainage arrangements indicated in the Surface Water Management Scheme Ref: 0002 approved under discharge of conditions application 2016/44/93050/E0.

Reason: To ensure that this development does not have a significant adverse impact on existing drainage or water regimes and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Sections 14 and 15 of the National Planning Policy Framework.

10. The site shall be worked, backfilled and restored progressively in accordance with the approved drawings and supporting documents.

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

11. The Mineral Planning Authority shall be given at least 48 hours notice (excluding Sundays) of any intended phase of top soil or subsoil stripping; such works to proceed only subject to their approval.

Reason: To protect a scarce resource and in the interests of ensuring the satisfactory restoration of the site and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP36 and Section 17 of the National Planning Policy Framework.

12. Top soil shall be stripped from any areas to be excavated or used for the stationing of plant and buildings, the storage of sub soil and overburden, haul roads and other areas to be traversed by heavy machinery, and stored until required for restoration purposes, unless otherwise required for progressive restoration. The Mineral Planning Authority shall be given the opportunity (with at least 48 hours notice, excluding Sundays and Bank Holidays), to verify that all the available topsoil has been satisfactorily stripped, prior to the commencement of subsoil stripping.

Reason: To protect a scarce resource and in the interests of ensuring the satisfactory restoration of the site and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP36 and Section 17 of the National Planning Policy Framework.

13. No plant or vehicles shall cross any areas of unstripped topsoil except for the purpose of stripping operations.

Reason: To protect a scarce resource and in the interests of ensuring the satisfactory restoration of the site and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP36 and Section 17 of the National Planning Policy Framework.

14. Sufficient subsoil or similar material shall be stripped from any areas to be excavated or used for the stationing of plant or buildings, the storage of overburden, haul roads and other areas to be traversed by heavy machinery to ensure that a minimum of 0.9 metres depth of material is available for replacement uniformly over all stripped areas and stored until required for restoration.

Reason: To protect a scarce resource and in the interests of ensuring the satisfactory restoration of the site and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP36 and Section 17 of the National Planning Policy Framework.

15. 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 all available soil resources are recovered. Appropriate methods of soil stripping shall be separately agreed with the Mineral Planning Authority for any permanently wet or waterlogged areas of the site.

Reason: To protect a scarce resource and in the interests of ensuring the satisfactory restoration of the site and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP36 and Section 17 of the National Planning Policy Framework.

16. Topsoils, subsoils and other soil making materials which have been approved for progressive restoration shall be stored according to their quality as indicated by MAFF's "Statement of Physical Characteristics and Agricultural land Classification" approved with planning permission 93/62/05383/E0, in separate mounds which do not overlap.

Reason: To protect a scarce resource and in the interests of ensuring the satisfactory restoration of the site and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP36 and Section 17 of the National Planning Policy Framework.

17. All soil storage mounds shall be stored on site in accordance with the details approved under discharge of conditions application 2016/44/93050/E0.

Reason: To protect a scarce resource and in the interests of ensuring the satisfactory restoration of the site and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP36 and Section 17 of the National Planning Policy Framework.

18. Within 3 months of the formation of topsoil, subsoil and soil making material mounds, the Mineral Planning Authority shall be supplied with a plan indicating the areas stripped of such materials, location of each mound, and balancing the quantities of material stored with the proposed depth and texture of the soil profile to be replaced following restoration.

Reason: To protect a scarce resource and in the interests of ensuring the satisfactory restoration of the site and to accord with Kirklees Unitary Development Plan Policy M3, Kirklees Publication Draft Local Plan Policy PLP36 and Section 13 of the National Planning Policy Framework.

19. The site shall be operated in accordance with the measures detailed and approved in discharge of conditions application 2016/44/93050/E0 with regard to protecting local water regimes.

Reason: To ensure that this development does not have a significant adverse impact on existing drainage or water regimes and to accord with to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Sections 14 and 15 of the National Planning Policy Framework.

20. Within 6 months of the date of this permission a scheme shall be submitted to and approved in writing by the Minerals Planning Authority which elaborates upon the proposed method of backfilling the site as indicated in Section 7 of the "Hydrogeological Risk Assessment" produced by Fennel Green & Bates dated August 2008. The scheme shall include:

- a) Representative plans and cross sections to show the proposed vertical sequence of materials to be used to imitate the existing hydro geological conditions.
- b) The type, nature and volume of materials to be used.
- c) An assessment of the risks to the environment resulting from the use of the proposed fill materials.
- d) Information to demonstrate that the flow in the stream to the north of the site will be maintained and that the natural hydrogeological regime in the area will not be detrimentally affected.

The scheme shall thereafter be fully implemented and maintained during the course of mineral extraction/landfilling operations.

Reason: To ensure that this development does not have a significant adverse impact on existing drainage or water regimes and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Sections 14 and 15 of the National Planning Policy Framework.

21. All water from the site shall be discharged into the approved settlement ponds as set out in the Surface Water Management Scheme Ref.0002 and approved under discharge of conditions application 2016/44/93050/E0 prior to discharge into any ditch, stream, watercourse or culvert outside the site.

Reason: To ensure that this development does not have a significant adverse impact on existing drainage or water regimes and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Sections 10 and 11 of the National Planning Policy Framework.

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

Reason: To ensure that this development does not have a significant adverse impact on existing water regimes and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Sections 14 and 15 of the National Planning Policy Framework.

23. During the development and until restoration of the site the following shall be carried out:

- a) The maintenance of fencing in a stockproof condition between any areas used for development and any adjoining agricultural land.
- b) The retention of fencing around trees and hedgerows.
- c) The maintenance of all haul roads and areas within the site, over which licensed road vehicles operate, clean from mud.
- d) The clearance of mud and silt from settlement ponds to avoid reducing their capacity of intercepting sediment.
- e) The treatment of trees affected by disease, in accordance with acceptable principles of good woodland practice.
- f) All areas including stacks of soil and overburden to be kept free from weeds and rabbits and necessary steps taken to destroy weeds at an early stage of growth to prevent seeding.

Reason: To ensure that the site is operated in an organised and efficient manner and restoration of the site results in a beneficial afteruse and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Section 17 of the National Planning Policy Framework.

24. Upon the cessation of mineral extraction all settlement ponds, unless to be retained as part of the final restoration of the site shall be emptied of slurry and filled with dry inert material and restored in accordance with the scheme approved by condition 52 below.

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

25. After the cessation of mineral extraction, overburden shall be replaced to such levels so that, after replacement of subsoil and topsoil and completion of settlement the contours of the restored land shall conform with the restoration contours shown on approved plan No. NCP/PW/PA0507 07.

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

26. The final layer of overburden shall be evenly graded and levelled to minimise the risk of ponding or erosion.

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

27. The Mineral Planning Authority shall be notified when condition 26 has been complied with and shall be given the opportunity to inspect the surface before further restoration work is carried out.

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

28. The material stripped and stored in accordance with conditions 12 to 16 shall only be spread when it, and the ground onto it is to be placed, are in a dry and friable condition.

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

29. After condition 26 has been complied with, the material stripped in accordance with conditions 12 to 16 shall be respread in two layers of equal thickness to an overall minimum depth of 900mm using the better quality materials to best advantage as upper layer subsoil.

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

30. Each layer formed in accordance with condition 29 shall be ripped and cross ripped to its full depth to relieve compaction using winged tines at no greater spacing than 600mm. Any rock, boulder or stone larger than 75mm across or any other object capable of impeding subsequent cultivation of the site which is brought to the surface shall be removed.

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

31. All areas of exposed subsoil, not previously excavated shall be ripped to a depth of 450mm to relieve compaction using winged tines at no greater spacing than 600mm and the surface picked to remove any obstructions to cultivation as defined by condition 30.

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

32. The Mineral Planning Authority shall be given the opportunity to inspect each stage of the work completed in accordance with conditions 30 and 31 prior to further restoration being carried out.

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

33. Following compliance with conditions 30 and 31 the surface shall be graded to ensure that, after replacement of topsoil in accordance with condition 35, the contours of the land conform with the restoration contours on approved plan NCP/PW/PA0507 07.

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

34. The respreading of topsoil shall only be carried out when the material and the ground onto which it is to be placed are in a dry and friable condition and in sufficient time for subsoiling, cultivation and re-seeding to take place under normal weather conditions, before the end of September.

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

35. After conditions 30 and 31 have been complied with, topsoil shall be respread to a depth of 300mm over the area intended for agricultural after use and graded to the contours shown approved plan NCP/PW/PA0507 07.

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

36. The Mineral Planning Authority shall be given the opportunity to inspect the topsoil respread in accordance with condition 35 prior to further cultivation being carried out.

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

37. Within 3 months of the restoration of the final topsoil layer, the developer shall make available to the Mineral Planning Authority a plan of contours at sufficient intervals to indicate the final restored landform of the site, together with a record of the depth and composition of the reinstated soil profiles.

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

38. Following compliance with condition 35 the land shall be worked to prepare a seed bed suitable for the sowing of grass seeds. During the cultivation process any stones or obstacles to cultivation as defined by condition 30 shall be removed from the site (to ensure restoration of the site to beneficial after use).

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

39. By no later than the end of September following compliance with condition 38, the land shall be sown with a short term grass seed mixture, the basis of which shall be perennial ryegrass and white clover. Details of the mixture including species and seed rate shall be agreed with the Mineral Planning Authority before sowing takes place.

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

40. Where adverse weather conditions or other delays prevent compliance with condition 39 alternative treatment of the restored soils, to stabilise these over the winter period shall be agreed with the Mineral Planning Authority.

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

41. Hedges and trees shall be planted in accordance with the approved restoration plan during the first available planting season following compliance with condition 39.

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

42. Before the 31 August of every year during the 5 year aftercare period, a report shall be submitted by the developer to the Mineral Planning Authority recording operations carried out on the land during the previous 12 months and setting out the intended operations for the next 12 months.

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

43. Every year during the aftercare period, the developer shall arrange a site meeting to be held before 30 November, to discuss the report prepared in accordance with condition 42 to which the following parties shall be invited:

- a) The Mineral Planning Authority.
- b) The Department for the Environment Food and Rural Affairs.
- c) All owners of land within the site.
- d) All occupiers of land within the site.

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

44. Hedges and trees planted in accordance with conditions 41 and 52 shall be maintained during the aftercare period in accordance with good woodland and agricultural practice, such maintenance to include the following:

- a) Replacing plants which die or are lost.
- 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.

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

45. During the final year of the aftercare period and prior to the final aftercare inspection, the developer shall prepare a report on the characteristics of the site sufficient to demonstrate to the satisfaction of the Mineral 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.

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

46. During the aftercare period, temporary drainage works (e.g. ditches, watercourses, settlement lagoons) shall be carried out as necessary to prevent soil erosion, flooding of land within or outside the site, or the erosion or silting up of existing drainage channels within or outside the site.

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

47. Within the first two years of the aftercare period a field water supply system shall be installed to all agricultural enclosures.

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

48. A comprehensive agricultural field drainage system, conforming to the normal design criteria for restored land and in accordance with a scheme to be submitted to and approved in writing by the Mineral Planning Authority shall be installed at a time to be agreed no earlier than the first annual aftercare meeting and no later than 4 years following compliance with condition 33.

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

49. At least 48 hours notice shall be given (excluding Sundays and Bank Holidays) of the intention to carry out the approved under drainage works to the Minerals Planning Authority; such works to proceed only subject to the approval of the Mineral Planning Authority.

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

50. Within 3 months of the installation of the approved under drainage, two copies of the final drainage record plan shall be forwarded to the Mineral Planning Authority (one of which shall be passed to the Department for the Environment Food and Rural Affairs.

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

51. Following compliance with condition 48 and as soon as the ground is sufficiently dry the land shall be subsoiled and seeded in accordance with the procedures outlined in conditions 30, 38 and 39.

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

52. The site shall be progressively restored in accordance with the details indicated on plan nos. ST14014-001 and ST14014-002 approved under Discharge of Conditions Application 2016/44/93050/E0.

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

53. For a period of 4 years after planting in accordance with condition 52 any tree or shrub which fails or dies shall be replaced in the next available planting season.

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

54. Upon the satisfactory completion of restoration of the site, the permitted access shall be removed and the land shall be restored for use for agriculture by 31 October 2034 in accordance with a scheme which shall be submitted for the prior written approval of the Mineral Planning Authority. The scheme shall provide for:

- a) The removal of the hardcore carriageway and the walls and kerbs at the junction with Huddersfield Road.
- b) Reinstatement of the original drystone wall and agricultural field entrance adjacent to Huddersfield Road.
- c) Ripping the line of the access to relieve compaction.
- d) Details of the depths of subsoil. Topsoil and seed mixtures to be applied and the method of cultivation.
- e) The timetable of implementation.

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

55. Only inert excavation/demolition waste as defined by the Landfill (England and Wales) Regulations 2002 shall be imported into the site.

Reason: To ensure that this development does not contaminate/pollute land or have a significant adverse impact on existing water regimes and to accord with to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Sections 14 and 15 of the National Planning Policy Framework.

56. No more waste shall be imported to the site than is sufficient to achieve the final restoration levels approved on plan No. NCP/PW/PA0507 07 after allowance is made for depth of restoration sub and topsoiling.

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

57. No sandstone deposit below the Cumberworth Thin Fireclay layer shall be worked or extracted.

Reason: To ensure that this development does not have a significant adverse impact on existing drainage or water regimes and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Sections 14 and 15 of the National Planning Policy Framework.

58. The extraction and export of minerals shall only be carried out between the following times:

Monday to Friday – 0700 to 1730 hours

Saturday – 0800 to 1230 hours

Reason: In the interests of protecting local amenity and to accord with to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Sections 14 and 15 of the National Planning Policy Framework.

59. Notwithstanding condition 58 there shall be no export of minerals from the site between 0800 and 0900 and 1500 to 1600 hours.

Reason: In the interests of protecting local amenity and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Sections 15 and 17 of the National Planning Policy Framework.

60. Noise produced by vehicles and machinery involved in the operation of the site shall not exceed a maximum limit of 55 dB(A) Leq. (1hour) at the nearest noise sensitive properties and without prejudice to the foregoing efficient silencers shall be fitted to and used by all vehicles and machinery on site and engines of vehicles or plant shall not be left running when the vehicle or plant is not in use.

Reason: In the interests of protecting local amenity and to accord with Kirklees Unitary Development Plan Policy E4, M3 and Kirklees Publication Draft Local Plan Policy PLP36, PLP52 and Sections 15 and 17 of the National Planning Policy Framework.

61. The site shall be operated in accordance with the measures detailed and approved in the letter dated 6 September 2016 and approved under discharge of conditions application 2016/44/93050/E0 with regard to dust mitigation.

Reason: In the interests of protecting local amenity and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Sections 15 and 17 of the National Planning Policy Framework.

62. No skips, containers or vehicles shall be stored at the site.

Reason: In the interests of protecting local amenity and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Sections 15 and 17 of the National Planning Policy Framework.

63. Waste imported to the site shall not be stockpiled but shall be incorporated in the landfill forthwith.

Reason: In the interests of protecting visual amenity and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Sections 15 and 17 of the National Planning Policy Framework.

64. Details of the location, exterior design and colour of any mobile rest room/canteen/first aid facilities on the site shall be submitted for the written approval of the Mineral Planning Authority.

Reason: In the interests of protecting local amenity and to accord with to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Sections 15 and 17 of the National Planning Policy Framework.

65. Notwithstanding the provisions of Part 17 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order amending, replacing or re-enacting that Order) no fixed plant or machinery, buildings or structures and erections, or private ways which would project above natural ground levels shall be erected, extended, installed or replaced at the site, without the prior agreement in writing of the Mineral Planning Authority.

66. There shall be no use of explosives in the extraction of minerals from the site.

Reason: In the interests of protecting local amenity and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Sections 15 and 17 of the National Planning Policy Framework.

67. Notwithstanding the plans and documents submitted, no development shall take place within the areas hatched purple on the approved plan No. NCP/PW/PA0507 07(GW 1).

Reason: In the interests of protecting local ecology and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Sections 15 and 17 of the National Planning Policy Framework.

68. Notwithstanding the proceeding conditions, no stripping, movement, replacement or cultivation of topsoils or subsoils shall be carried out during the months of October, November, December, January, February or March without the agreement of the Mineral Planning Authority.

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

69. A copy of the planning permission and any agreed variations, together with all approved plans, shall be kept available at the site office at all times.

Reason: For the avoidance of doubt and to ensure the satisfactory operation of the site and to accord with Kirklees Unitary Development Plan Policy M3 and Kirklees Publication Draft Local Plan Policy PLP36 and Section 17 of the National Planning Policy Framework.

70. From the date of this permission the operator shall maintain monthly records relating to the quantities of mineral exported from and waste imported to the site. All records shall be kept for inspection for at least 24 months.

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

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	ST14014-005		20.10.2018
Restoration and planting design	ST14014-001		20.10.2018
Traffic Statement	0005		20.10.2018
Flood Risk Assessment	0005		02.02.2018
Site Layout	NCP/PW/PA0507 01		20.09.2007 (2007/92989)
Excavation design in cut 2 and progressive backfill design	NCP/PW/PA0507 02		20.09.2007 (2007/92989)
Excavation design in cut 3 and progressive backfill design	NCP/PW/PA0507 03		20.09.2007 (2007/92989)
Excavation design in cut 4 and progressive backfill design	NCP/PW/PA0507 04		20.09.2007 (2007/92989)
Excavation design in cut 5 and progressive backfill design	NCP/PW/PA0507 05		20.09.2007 (2007/92989)
Excavation design in cut 6 and progressive backfill design	NCP/PW/PA0507 06		20.09.2007 (2007/92989)
Restoration planting Overview	ST14014-01		07/09/2016 (2016/93050)
Landscape management proposals	ST14014-02		07/09/2016 (2016/93050)
Typical fencing detail	ST14014- 010		07/09/2016 (2016/93050)
Surface Water Management Plan	0002		07/09/2016 (2016/93050)

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. During the assessment of this application additional information regarding flood risk/drainage and the depth of sandstone extraction was secured through negotiations.

Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Telephone: (01484) 221550 for more information.

Development within a Coal Mining Area

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

The application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If an enforcement notice is served or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against the local planning authority's decision on your application, then you must do so within:
 - i) 28 days from the date of this notice where the enforcement notice has been served,
 - ii) 28 days of the date of service of the enforcement notice or,
 - iii) the specified period starting from the date of this notice,whichever period expires earlier.
- If you want to appeal against your Local Planning Authority's decision then you must do so within the specified period, starting on the date of this notice.
- The "specified period" is 12 weeks where the development relates to a "minor commercial application" as defined within the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), or 6 months in any other case.

- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>.
- You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Please note, only the applicant possesses the right of appeal.

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 01-Aug-2018

Signed:



**Karl Battersby
Strategic Director Economy and Infrastructure**

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2017/70/93602/E0.

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

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

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

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