

Report of the Strategic Director of Regeneration and Culture to the meeting of the Area Planning Panel (SHIPLEY) to be held on 21 February 2012

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Summary Statement - Part One

Applications recommended for Approval or Refusal

The sites concerned are:

<u>Item No.</u>	<u>Site</u>	<u>Ward</u>
1.	24 Sherwood Grove Shipley BD18 4EB - 11/04218/FUL [Approve] (page 1)	Shipley
2.	Midgeham Cliff End Quarry Ryecroft Road Harden Bingley - 11/03414/FUL [Approve] (page 10)	Bingley Rural

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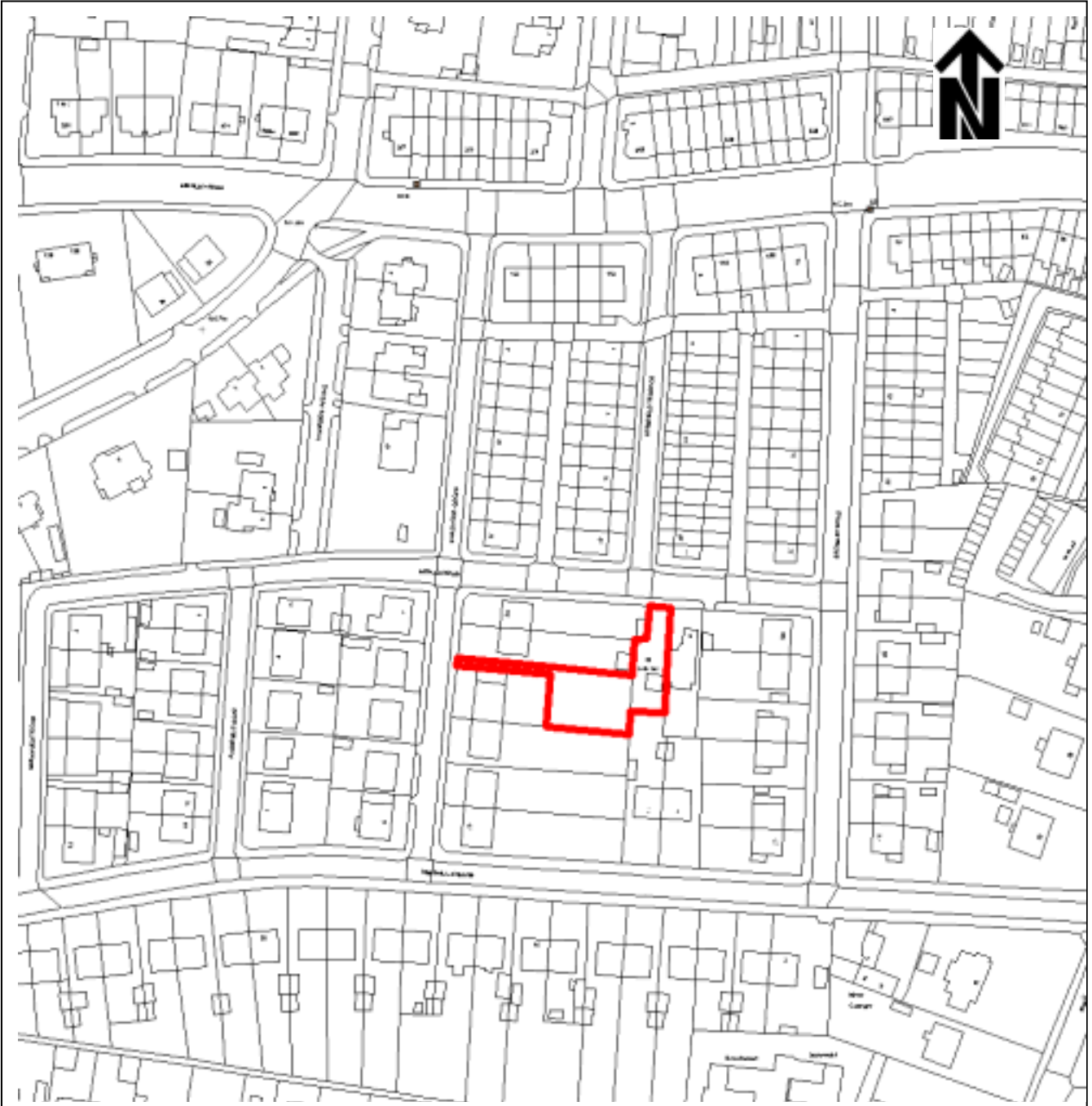
Portfolio:
Change Programme, Housing and Planning
Improvement Committee Area:
Regeneration and Economy



Area Planning Panel (Shipley)

11/04218/FUL

21 February 2012



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<p>ITEM NO. : 1</p>	<p>LOCATION: 24 Sherwood Grove Shipley</p>
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21 February 2012

Item Number: 1
Ward: SHIPLEY
Recommendation:
TO GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS

Application Number:
11/04218/FUL

Type of Application/Proposal and Address:

A full application for the construction of a four bedroom detached dormer bungalow with integral garage and access from Witham Road on land to the rear of 24 Sherwood Grove, Shipley.

Applicant:
Trustees of HEM Wood

Agent:
Barraton Design Studio Limited

Site Description:

The site currently forms the garden area of 24 Sherwood Grove. The site is bordered by hedges and gains access via a cobbled lane from Witham Road which also serves an existing sub-station. The site is located within the middle of large narrow gardens which each property has along that side of Sherwood Grove. Two protected trees are located to the north of the site adjacent to a large garage. A rendered bungalow is located to the north east of the site but the majority of the surrounding properties are two storey stone built dwellings. The main views of the development would be from Kendall Avenue which is to the south of the site and at a slightly higher ground level.

Relevant Site History:

09/05469/HOU Construction of two storey extension to side and conservatory to rear
Approved 08.01.2010
11/00950/FUL Construction of one four-bedroom detached bungalow and garage
Withdrawn 26.07.2011

Replacement Unitary Development Plan (RUDP):

Allocation

The site is unallocated for any specific land use. It is located within the Saltaire World Heritage Site Outer Buffer.

Proposals and Policies

UDP1 Promoting Sustainable Patterns of Development
UR2 Promoting Sustainable Development
UR3 The Local Impact of Development
S/BH14 Saltaire World Heritage Site
H7 Housing Density Expectations
H8 Housing Density Efficient Use of Land

TM2 Impact of Traffic and its Mitigation
TM12 Parking Standards for Residential Developments
TM19A Traffic Management and Road Safety
D1 General Design
D3 Access for People with Disabilities
D4 Community Safety
D5 Landscaping
NE4 Trees and Woodlands
NE5 Retention of Trees on Development Sites
NE6 Protection of Trees during Development

National Guidance:

Planning Policy Statement 1: Sustainable Development
Planning Policy Statement 3 (as amended): Housing
Planning Policy Guidance 13: Transport
Planning Policy Statement 25: Flood Risk

The Draft National Planning Policy Framework:

The Draft National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Draft Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Parish Council:

Not applicable

Publicity and Number of Representations:

The application was advertised twice by neighbour notification letters as the extent of the application site (included in the red line boundary) was amended. The second publicity period expired on the 21st of December 2011. There were a total of 11 letters of objection to the development from neighbouring residents with two people commenting twice due to the two rounds of publicity.

Summary of Representations Received:

1. Disturbance from the access road
2. Noise and Fumes
3. Overlooking from first floor windows
4. Impact on protected trees
5. Impact on wildlife
6. Gardens should not be development sites
7. Design not in keeping with surrounding dwellings
8. Unsuitable access
9. Overshadowing
10. Garage door opening onto access road causing accident black spot
11. Drainage Issues
12. Similar development rejected on adjoining site
13. Change in legislation to PPS3 changing gardens to Greenfield sites
14. 22 Sherwood Grove has access rights over the road

Consultations:

Trees: The development including the arboricultural method statement and proposed protective tree fencing is acceptable and meets the requirements of policies NE5 and NE6 of the RUDP.

Highways: No objection to the scheme subject to conditions.

Drainage: No objection. The use of soakaway for surface water is acceptable

Summary of Main Issues:

1. Principle of development
2. Impact on the Local Environment
3. Impact on Residential amenity
4. Impact on Highway Safety

Appraisal:

Principle

The application site forms a small parcel of garden land. Gardens are no longer classed as being 'brownfield' under the amendments to Planning Policy Statement 3 Housing. Whilst the government has removed gardens from the definition of 'Brownfield' land it has not stated that development of gardens for residential purposes is unacceptable in principle. The site is surrounded by residential properties and as such a residential use is appropriate in this area. Further the site is located close to existing infrastructure and Saltaire which has good links to the cities of Leeds and Bradford via Saltaire train station which is only a 15 minute walk away from the development site. Furthermore given the site is limited in size and the scale of the proposal is for one dwelling the development of this greenfield site is not considered to affect the overall aim of steering development onto existing brownfield sites within the district. In view of the above the development is considered to be acceptable in principle subject to other material planning considerations which shall be appraised below.

Impact on Local Environment

The street scene consists of predominantly two storey properties with the exception of a bungalow located adjacent to the site. The properties are stone built and typically terraced or semi-detached and some of the terraced properties have dormer windows.

The proposal is for a detached dormer bungalow with a gable on either side with pitched style dormer windows on the front elevation. The materials proposed include artificial slate and stone. If consent is granted samples of the materials would need to be submitted and agreed prior to development commencing. Notwithstanding that the dwelling proposed is single storey its design and appearance reflects some of the traditional characteristics of the two storey dwellings in the area. The development would not be overly visible from the street scene of Witham Road, Kendall Avenue or Sherwood Grove due to the proposed dwelling being set back significantly from these roads and being shielded by existing soft landscaping including trees and hedges. The development would be visible from the properties which surround the site and glimpses of the roofline would be possible from Kendall Avenue which would be where the development is the most visible.

The development, being only single storey, would not reflect the scale of the surrounding properties with the exception of the adjacent bungalow. Nevertheless, given the siting of the dwelling to the rear of the two storey properties it will not be viewed as part of the street scene and the difference in scale will not harm the character of the local environment or the street scene. It is acknowledged that the plot size is smaller than many of the neighbouring properties but it is considered that there is adequate space for amenity and parking and the dwelling will not appear unduly cramped.

The development does not affect views of the Saltaire World Heritage Site and as such satisfies the requirements of policy BH14.

The proposed development includes an access road which would run through a group of protected trees which are illustrated as being retained on the site plan. (The loss of these trees would not be supported as they add a clear and significant amenity value to the street scene). Details of the method of construction have been submitted with the application to clarify how the development would proceed without damaging the trees at the new site entrance.

The method statement shows that the side extension at 24 Sherwood Grove will be removed to allow access for construction vehicles/purposes to the site from Sherwood Grove. When the dwelling is completed a two storey side extension will then be built at No. 24 Sherwood Grove which has already been granted planning permission.

The development will involve extending the existing hard surfaced area to create the drive to the dwelling from Witham Road. Whilst this will be within the root protection area of the trees the arboricultural method statement proposes the use of a type of surfacing that will avoid damage to the tree roots. Furthermore, the amended plans are annotated to show services such as drains and electric will be taken from Sherwood Grove to avoid digging around the protected trees.

An application for a detached bungalow was refused within the garden area of 20 Sherwood Grove due solely to the adverse impact on a protected tree, the development being proposed within the root protection area.

It is not considered that this proposal will cause harm to the Local Environment and in this respect the development will accord with policies UR3, D1, NE4, NE5 and NE6.

Impact on Residential Amenity

The proposed dormer bungalow only includes dormer windows on the front elevation. These windows do not face onto any other windows and a sufficient distance to the garden of 2 Witham Road is achieved of around 15 metres. The rear first floor roof windows are, with the exception of one bedroom window, all to non-habitable rooms and can be obscurely glazed. The roof window to the bedroom has been raised over 1.7 metres from finished floor level to avoid overlooking. The proposed dwelling has been angled to avoid facing directly onto neighbouring private amenity space. The three windows in the front of the development are bedroom windows and these habitable rooms largely face out onto the drive of the proposed dwelling and the substation area. They would cause some overlooking to a small portion the rear end of the gardens of 22 Sherwood Grove and 3 Kendall Avenue. Nevertheless it is not considered this level of overlooking would reduce privacy levels and prejudice the enjoyment of neighbouring occupants of their private garden areas. Both 24 Sherwood Grove and the proposed dwelling would have a reasonably sized garden area for enjoyment as recommended within PPS3: Housing. Permitted development rights for windows should be removed to avoid windows being added in the future which would result in overlooking.

Whilst the development is located to the south of the rear garden of 22 Sherwood Grove given the property is a dormer bungalow rather than a full two storey property it is not considered the level of overshadowing to the neighbouring garden to the north would be significant enough to warrant refusing the application on these grounds. The level of overshadowing would be limited to a small portion of the garden for a small portion of the day and year.

In view of the above the development is considered to be acceptable in terms of its impact on the residential amenity of neighbouring occupants and accords with policies UR3 and D1 of the RUDP and guidance contained within the amended PPS3: Housing.

Impact on Highway Safety

No highway safety problems are anticipated as a result of the development of this site. Vehicles will be able to access and egress the site in a forward gear and adequate parking is provided for 3 vehicles.

The development would be served via an existing driveway which currently provides access to a sub-station, the garage of 22 Sherwood Grove and the rear garden of 24 Sherwood Grove. The access to the neighbouring properties is to be retained and no gates are shown on the plans which would limit this access. If a locked gate is added in the future which restricts the access of neighbouring land owners this matter would need to be resolved between the interested parties as it would be a private legal issue relating to rights of access rather than a planning issue.

Subject to the conditions recommended by highways the development is considered to accord with policies TM2, TM12 and TM19A of the RUDP.

Community Safety Implications:

There are no apparent community safety implications.

Reason for Granting Planning Permission:

The proposed development is considered to make an efficient use of this greenfield land in what is a relatively sustainable location. The development is considered to be acceptable in terms of visual and residential amenity and will have no detrimental impacts to highway safety. Furthermore the development can be achieved without harming the amenity created by the protected trees surrounding the site. The proposal accords with policies UR2, UR3, D1, D4, D5, H7, H8, NE4, NE5, NE6, TM2, TM12 and TM19A of the Replacement Unitary Development Plan and guidance contained within PPS1, PPS3 and PPG13.

Conditions of Approval:

1. The development hereby approved shall only be carried out in accordance with the approved plans listed below:

Drawing No 011-01-1D AMENDED PROPOSED PLANS ELEVATIONS AND SITE PLAN REV D
Drawing Title Site Location Plan

Received by the Council on the 17th of November 2011.

Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted.

2. Prior to the development hereby permitted commencing on site, details of the position of the proposed soakaway, which cannot be within 5 metres of a building or public highway, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the approved soakaway being installed details of the results of the percolation tests (conducted in accordance with Building research Establishment Digest No. 365) and subsequent design details (in accordance with the same document) of the soakaway shall also be submitted to and approved in writing with the Local Planning Authority. The development shall then be carried out in full accordance with the approved details.

Reason: To ensure proper drainage of the site and to accord with policies NR16 and UR3 of the Replacement Unitary Development Plan.

3. The development shall be drained using separate foul sewer and surface drainage systems.

Reason: In the interests of pollution prevention and to ensure a satisfactory drainage system is provided and to accord with Policies UR3 and NR16 of the Replacement Unitary Development Plan.

4. The parking areas and access drive within the site shall have permeable surfaces unless otherwise agreed in writing by the Local Planning Authority. These porous surfaces shall be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the rate of surface water run-off from the development and to protect adjoining properties from flooding and to accord with Policies NR16 and UR3 of the Unitary Development Plan.

5. Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plan numbered 011-01-1D and completed to a constructional specification approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

6. Before any part of the development is brought into use, the vehicle turning area shall be laid out, hard surfaced, sealed and drained within the site, in accordance with details shown on the approved plan numbered 011-01-1D and retained whilst ever the development is in use.

Reason: To avoid the need for vehicles to reverse on to or from the highway, in the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

7. Before the development is brought into use, the off street car parking facility shall be laid out, hard surfaced, sealed and drained within the curtilage of the site in accordance with the approved drawings. The gradient shall be no steeper than 1 in 15 except where otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to accord with Policy TM12 of the Replacement Unitary Development Plan.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any subsequent equivalent legislation) no further windows, including dormer windows, or other openings shall be formed in the dwelling hereby approved without prior written permission of the Local Planning Authority.

Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties and to accord with Policy UR3 of the Replacement Unitary Development Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any subsequent equivalent legislation) no development falling within Class(es) A, B, C and E of Parts 1 of Schedule 2 of the said Order shall be carried out without the prior written permission of the Local Planning Authority.

Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties and to accord with Policy UR3 of the Replacement Unitary Development Plan.

10. Before development commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

11. The bathroom windows in the rear elevation of the dwelling hereby permitted shall be glazed in obscure glass prior to the first occupation of the dwelling and thereafter retained.

Reason: To prevent overlooking or loss of privacy to adjacent occupiers and to accord with Policy UR3 of the Replacement Unitary Development Plan.

12. The development hereby approved shall be constructed in accordance with the Method Statement and plan titled Detailed Landscape Proposals 2276/3 Rev B received by the Council on the 21st of November 2011 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the future sustainability of the trees being retained on site in the interests of visual amenity and to accord with policies NE6 and NE5 of the Replacement Unitary Development Plan.

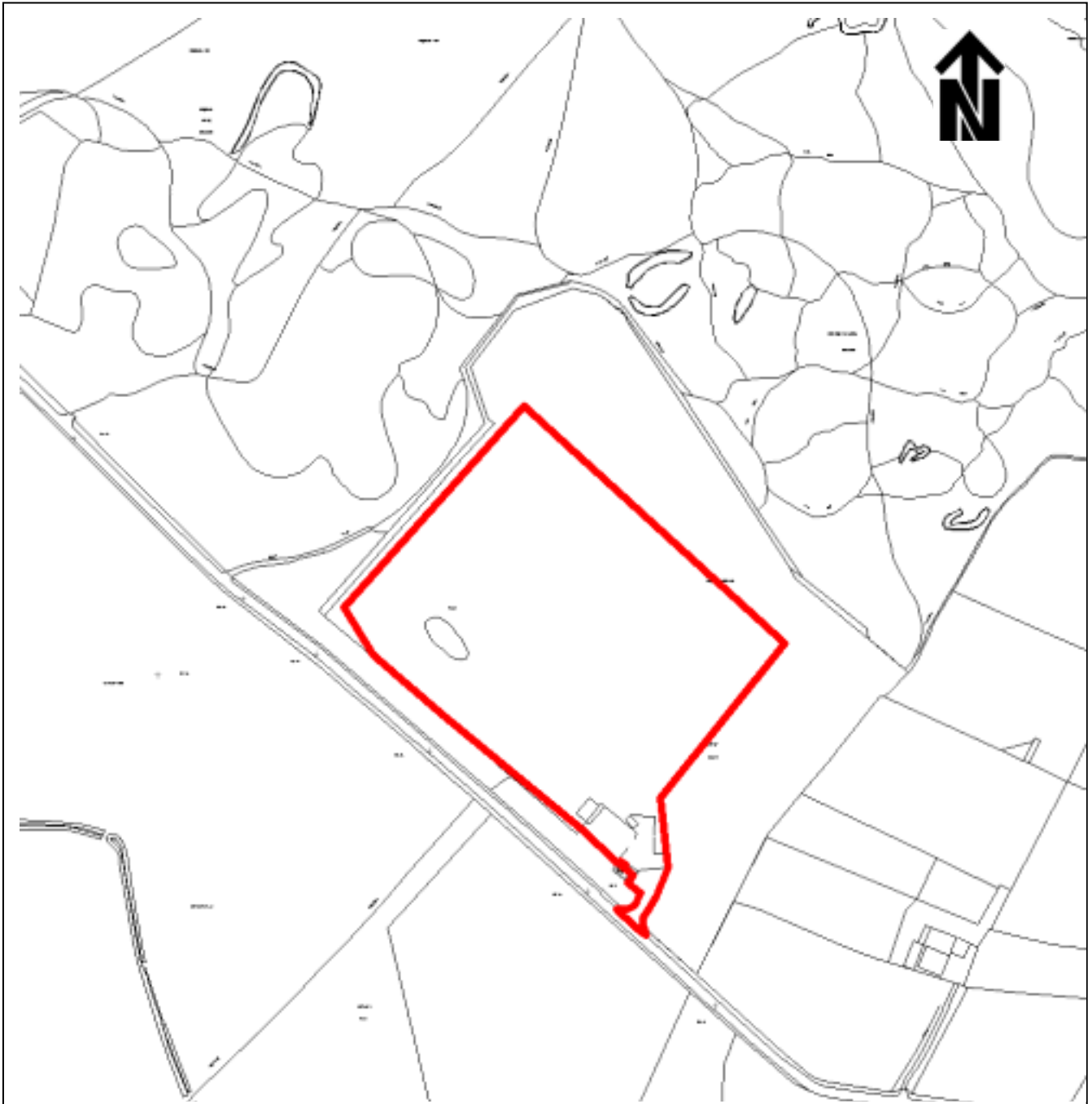
13. All new services to the dwelling hereby approved shall be taken from Sherwood Grove as shown on plan 011-01-1D unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the future sustainability of the trees being retained on site in the interests of visual amenity and to accord with policies NE6 and NE5 of the Replacement Unitary Development Plan.

Area Planning Panel (Shipley)

11/03414/FUL

21 February 2012



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ITEM NO. : 2

LOCATION:

**Midgeham Cliff End Quarry
Ryecroft Road
Harden, Bingley**

21 February 2012

Item Number: 2
Ward: BINGLEY RURAL
Recommendation:
TO GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS

Application Number:
11/03414/FUL

Type of Application/Proposal and Address:

Restoration of quarry void through deposit of un-recyclable material from imported construction and demolition waste and the associated production of recycled aggregates at Midgeham Cliff End Quarry, Ryecroft Road, Harden, Bingley.

Applicant:

Mr Brian Verity

Agent:

Mr Oliver Craven (Hughes Craven)

Site Description:

The proposal site is within an active sandstone quarry occupying approximately 6.2ha of former moorland to the south of Harden Moor accessed off Ryecroft Road. The proposal site itself is 3.7ha in area and comprises the site access, office and welfare facilities, the majority of the quarry floor and the north-western and south-western quarry faces. The southern area of the quarry floor comprises an operational area including a fenced, hard surface compound for materials storage, a parking area, an office/ welfare cabin and a wheel wash/ weighbridge. The currently approved aggregate recycling activity takes place adjacent to the south-western quarry face on a platform formed from compacted clay. The main surface water settlement pond is located adjacent to the operational area to the north-east. Various mounds of screened and graded materials including recycled aggregates, quarry fines/ sand and building stone were located within the quarry at the time of the site visit.

The site is separated from the surrounding moorland by a double layer post and wire fence. Harden Moor extends to the north, north-east and north-west of the site comprising a network of paths through undulating terrain vegetated by heather dominated heath. Ryecroft Road runs adjacent to the south-western boundary of the site beyond which further moorland and farmland is situated. The hamlet of Ryecroft is located approximately 300m to the south-east of the site, at approximately 40m lower elevation. The intervening land comprises farmed fields. The proposal site is on the edge of the Harden Moor plateau with the land sloping down to the south and east to the valleys of Cow House Beck and Harden Beck. Harden Village is located 0.8km to the east and Cullingworth is located 1.4km to the south.

Relevant Site History:

App. Ref.	Description	Decision
B11259	Stone, sand and gravel quarry	Granted 14/05/1997
97/00608/MIN	Determination of conditions, review of mineral planning permissions	Approved 29/07/1997
01/01522/VOC	Variation of conditions 9 12 15 and 22 and non-compliance with conditions 6 and 7 and submission of details in respect of condition 3 all attached to permission 97/00608/MIN	Granted 26/11/2001
02/00838/VOC	Variation of condition 15 on application 01/01522/VOC to defer due date for submission of landscaping scheme	Granted 17/05/2002
02/01973/VOC	Non-compliance with condition 12 of planning permission 02/00838/VOC	Granted 15/01/2003
03/03864/FUL	North eastern extension to quarry and recycling of construction and demolition waste	Granted 13/01/2005
10/01647/FUL	Restoration of quarry void through the deposit of un-recyclable material from imported construction and demolition waste and the associated production of recycled aggregates	Withdrawn 14/10/2010

Replacement Unitary Development Plan (RUDP):

Allocation

- The proposal site is within an area identified as Green Belt on the Proposals Map and therefore RUDP policy GB1 is relevant.
- Part of the proposal site is allocated as the Harden Moor Bradford Wildlife Area and therefore policy NE9 of the RUDP is relevant.
- The proposal site is located 200m from the Ryecroft Conservation Area and therefore policy BH7 of the RUDP is relevant.

Proposals and Policies

- The proposal involves the recycling and landfill of waste and therefore policies P8, P13 and P15 of the RUDP are relevant.
- The proposal is within 200m of the drinking water supply a potable groundwater supply and therefore policy NR17 of the RUDP is relevant.
- Other relevant RUDP policies include TM2, TM19A, and NE3(A).

The Draft National Planning Policy Framework:

The Draft National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;

- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Draft Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Parish Council:

Cullingworth Village Council

- There does not appear to be any evidence that the proposed combined quantities of aggregate produced at Hallas Rough site and Midgeham Quarry is based upon any evidential need identified by Local Authority Highways Department.
- Proposed hours of operation: 7am – 7pm (12 hours of operations) is unacceptable. 07.30 -1800 is in line with similar sites.
- The proposal does not identify when maintenance of machinery will be undertaken and if the time is an integral part of the weekly hours of work.
- The applicant has not provided a traffic survey of the current vehicle movements as a means of quantifying the impact of the additional 100 daily traffic movements upon the highway structure.
- This application does not satisfy UDP7 in reducing impact of travel, minimising traffic impact upon communities and the environment.
- The proposed route to access the A629 is not acceptable. There is a more direct route which is less populated and fewer traffic movements.
- The route along Keighley Road terminates at a very narrow junction which causes congestion with vehicles having to swing wide to avoid a bulging wall.
- If planning permission is granted we would insist that no vehicles from this site enters Cullingworth village between 0745 - 0930 & 1430 and 1530 in the interest of the safety of 1300 students walking to and from Cullingworth Primary School and Parkside School.
- The existing traffic congestion in Cullingworth (including HGVs) reflects development of an urban traffic corridor in a rural village which is unacceptable. An additional 100 traffic movements within the village is unacceptable.
- There is no evidence to suggest that the applicant has properly assessed noise impact and no ongoing noise monitoring arrangements have been proposed.

Harden Parish Council

- The Parish Council support in principle the filling in of the quarry but identify four areas of concern (water supplies for Rycroft, access routes for HGVs, types of waste accepted and the restoration of the site).
- Note that the Hydrogeological Appraisal states in para 6.3 that to 'better understand the detailed hydrogeology of the site ... specific investigation boreholes are required'.
- The Parish Council supports the investigations proposed in para 7 to 'establish the potential for a connection or pathway between the quarry and the Rycroft water supplies'.

- The Parish Council has serious concerns about the number of daily HGV movements, proposed daily working hours and the number of days of the week that HGV movements would take place.
- Modification should be made to the entrance of the site to prevent entry and egress from the site via Rycroft Village.
- The Parish Council feels that due to the nature of the application it should be determined by the Area Panel and not solely by the Planning Officers.

Publicity and Number of Representations:

The application was advertised in the press, through site notice and neighbour notification letter as a major application accompanied by an Environmental Statement. The notification period expired on the 02 September 2011. Ten representations and two petitions, one with 36 signatories and one with 21 signatories objecting to the proposals were received.

Summary of Representations Received:

Water Supply

- Concerns from residents of Rycroft in relation to the risk/ likelihood of deposits of waste within the quarry contaminating the water supply upon which they are dependant.
- Concern that elderly and very young residents would be particularly susceptible to such contamination.
- Concern that the submitted Hydrological Appraisal report acknowledges that it is not possible to ensure that contaminated materials are not introduced to the water supply from the quarry and that the potential hazard to the residents of Rycroft is high.
- Concern that no-one will have the ability or the resources to effectively monitor the types of waste deposited.

Highways/Traffic Impacts

- Concern in relation to the number of large vehicles accessing Midgeham Cliff End Quarry on a daily basis and that the size of HGVs and level of traffic has increased to unacceptable levels.
- Concern that all available routes to the primary road network comprise category B and C minor roads and are unsuitable for the weight and number of HGV movements proposed.
- Concern that noise, dust and disruption associated with increased HGV traffic would adversely affect residential areas along access routes including Rycroft, Barcroft, Long Lee and Harden.
- Concern that the proposed level of HGV traffic would have a devastating effect on quality of life, the safety of residents and other road users.
- Concern over unsuitability of Rycroft Road for HGVs, particularly the section between the quarry and Hill End Lane (B6429) prejudicing highways and pedestrian safety.
- Concern over unsuitability of Glen Lee Lane for HGVs, leading to damage to retaining walls, potential damage to property and psychological and physical harm to residents associated with fear, noise vibration, parking issues and inhibition of recreational activities (request for weight restriction).
- Concern over unsuitability of Bingley Road for HGVs, leading to pedestrian safety risks, property devaluation noise and pollution.
- Concern over risk to pupils of Harden Primary School due to narrow width of adjacent section of road.

- Concern that quarry wagons ignore the 20 mph speed limit imposed on the stretch of road between Barcroft Garage and Halifax Road.
- Suggested that the recycling element of the proposal should be dropped and only restoration soils should be permitted to be brought to the site.

Other Matters

- Concern in relation to visual impact and dust and noise generated by landfill operations, including reversing alarms, adversely affecting residential amenity and the character of Ryecroft.
- Adverse effect on harden moor in terms of ecology (rare birds) and recreational enjoyment due to noise, dust and lorry traffic.
- Concern over length of proposed operating hours.
- Concern that the operators do not currently encourage their employees to adhere to regulations.
- Request for reassurance that lessons have been learned from the problems associated with the former Manywells Landfill Site.
- Requested conditions/ obligations requiring:
 - provision of an alternative permanent water supply (at no cost to residents) if the Ryecroft water supply becomes contaminated,
 - signage prohibiting access along the eastern section of Ryecroft Road,
 - physical bollards to prevent vehicles turning left out of or right into the quarry access,
 - restricting HGV movements to 08.00 to 17.00 Monday to Friday and not on Saturday or Sunday,
 - imposing HGV routing restrictions.

Petition 1 – 34 Signatures (Residents of Glen Lee Lane)

- Object to planning application on the grounds that the current planning permission has already compromised the community's health and safety.
- Require the enforcement of the current speed limit and that a weight restriction is applied prohibiting the use of the road by HGVs.

Petition 2 – 21 Signatures (Residents of Bingley Road)

- Object to the planning application due to the intensification to the already widespread usage of the one way street known as Bingley Road
- Bingley Road is too narrow to accommodate heavy traffic.
- The road surface is sinking in places, walls are leaning over and pointing is coming off the walls.
- Vibrations are felt by residents and residents wing mirrors are broken off.

Consultations:

Building Control Structures Unit

- If soft clays are used to buttress the quarry faces then a 10 degree slope from the horizontal for stability purposes is not unreasonable.
- If the main purpose of the application is to stabilise the rock faces construction and demolition rubble can be stockpiled against the face at a slope of around 30 degrees from horizontal.

Countryside/ Biodiversity/ Landscape Design

- Generally happy with the proposals in terms of landform & habitat creation.
- Are happy to discuss sowing rates, seed mixes and potentially sourcing seed or brash from surrounding moorland owned by CBMDC.
- Noted that the long-term viability of the proposed wetland bog feature should be ensured by lining the base with an appropriate material (eg clay).
- Advised that the revised restoration proposals should be reconciled with the existing restoration requirements for the remainder of the quarry.

Design and Conservation

- The proposal would impact on the character of the Conservation Area due to HGV movements along Ryecroft Road past the entrance to the hamlet and vibrations from the works in the quarry (vibration impacts on the listed structures are unknown).
- Do not object to the principle of the proposed scheme to fill and restore the quarry as this would enhance the environment and ultimately lead to the cessation of works within the quarry
- Would suggest a limitation on the size of HGV trucks in operation and also a physical barrier to restrict HGVs turning left onto Ryecroft Road and passing through the conservation area.

Drainage

- The development must be undertaken in such a manner so as not to change the overland surface water flow patterns to the detriment of adjacent landowners.
- Refer the application to the Environment Agency for comment on potential pollution risks to the groundwater network.

Environment Agency

- Initially objected because the applicant had not supplied adequate information to demonstrate that the risks posed to groundwater can be satisfactorily managed.
- Further to the submission of an additional hydrological conceptual model report and details of the types of wastes which would be accepted at the site the Environment Agency removed their objection.
- However they confirmed that a bespoke Environmental Permit will be required for the site to operate and that groundwater risks will be further considered through the permitting process.
- Requested further information on drainage proposals.

Environmental Health

- Recommend the imposition of noise limit restrictions.
- Observed that the boundary of the site nearest Ryecroft Village and the natural topography of the land offer significant noise attenuation.
- Advised that it is imperative that current height of the bund along the site's south-eastern boundary is maintained throughout the life of the proposed void filling.
- Noted from the supporting documentation that maximum permitted daily HGV movements would be within the limits currently imposed on the quarry and the cessation of primary mineral extraction will mean that overall vehicle movements are likely to be below those experienced at the site to date.
- Recommend the imposition of suitable planning conditions requiring implementation of the submitted Dust Action Plan, with the flexibility for review if specific problems arise, which may require the operator to undertake the appropriate remedial works.

- Confirmed that in general Environmental Health are not minded to oppose the application on the issues discussed.

Health and Safety Executive

- No comments.

Highways Development Control

- The applicant considers that the infilling operation is likely to generate an average of 20 two way movements per day; the worst case scenario being 100 two way movements, the same as the current situation, although this is unlikely to occur due to problems in sourcing such a volume of material in one day.
- I consider that a maximum of 50 HGVs per day visiting this site is a reasonable limit.
- The current operation of the quarry requires HGVs to turn right out of the site to reduce impact on Ryecroft village. A sign is located adjacent to the site exit, though not in a prominent position, which directs HGVs to turn right out of the site. This left turn ban for HGVs is not legally enforceable and therefore gets abused. The applicant is proposing to address this issue by modifying the site access and erection of removable barriers to prevent left turn manoeuvre out of the site as shown on drawing no. 0702-2-9. This is acceptable.
- Recommend the imposition of conditions requiring the implementation of the proposed access modifications, requiring the wheel wash to be used, requiring the access drainage to be maintained to a sufficient standard to prevent silty water washing out onto Ryecroft Road, and restricting HGV movements to the proposed level.

Highways Structures

- The additional HGV movements associated with the proposal are likely to accelerate the rate of deterioration of highways structures along Glen Lee Lane. However it would be difficult to argue that further deterioration will be entirely as a result of the HGV movements associated with the quarry.
- The operators should be aware that we could impose restrictions on the highway which might restrict traffic routes if the condition of any structure along the route becomes a particular concern.

Natural England

- We are now satisfied that an appropriate restoration scheme has been proposed for the site.
- A monitoring and aftercare scheme will be essential in ensuring that the site will continue to provide biodiversity benefit.
- Recommend that a 10 year aftercare period would be more appropriate than 5 years for the successful establishment of heathland.
- Recommend that the upper soil profile (20cm-30cm) should be comprised mainly of material sourced from the site
- Consideration should be given to the installation of a deep main land drain to control pond water levels and as an outlet for any required future remedial drainage systems.
- Access to the site should be managed in such a way as to avoid any negative impact on biodiversity by providing trails across the site (site is designated as open access land).

Northern Gas Networks

- No objections

Rights of Way

- Public footpath, Bingley 608 abuts the site.
- When the bund, adjacent to the footpath, is reduced in height care must be taken not to allow material to fall onto the path. If this does occur it must be removed as soon as possible.

West Yorkshire Archaeology Advisory Service

- There are no apparent known archaeological impacts to the proposals and the WYAAS have no further comment to make on the application

West Yorkshire Geology Trust

- This is not a Local Geological Site at present.
- As it is of similar rock type to other sites in the local area, I do not feel that WYGT would be minded to designate it as a Local Geological Site in the future.
- It probably has no particular features which would suggest that it could be of scientific importance.

Yorkshire Water

- The proposed development is in an area remote from the water mains network and public sewerage system

Summary of Main Issues:

1. Principle
2. Groundwater Contamination
3. Highways Impacts
4. Other Environmental Effects
5. Restoration

Appraisal:

Site History

Sandstone workings have been present on the moorland surrounding the current quarry void for at least the last 150 years. The working of the current quarry area appears to have commenced following the granting of planning permission for the extraction of sandstone on 14 May 1957. The planning permission was later reviewed in accordance with the requirements of the Environment Act 1995 and a modern set of planning conditions for the site was approved on 29 July 1997. The site operator subsequently went bankrupt and the site was purchased by the present site operators who made several applications to vary the approved conditions in 2001 and 2002. In 2003 an application was made to extend the quarry to the north-east and to concurrently allow part of the quarry floor to be used for the recycling of imported construction and demolition waste. This application was approved on 13 January 2005 and the site is currently operating under the terms of this planning permission.

At the request of the Environment Agency a condition was imposed limiting the types of waste permitted to be received at the site for recycling to clean uncontaminated rock, brick rubble and ceramic. The annual quantity of waste permitted to be brought to the site for recycling was restricted to 100,000 tonnes. Although the permission was primarily for quarrying and aggregate recycling a small quantity of unusable fines resulting from the recycling process was permitted to be deposited in the quarry void (5,000 tonnes per annum, 40,000 tonnes in total). Special drainage arrangements were also required to be implemented in order to minimise the risk of groundwater contamination associated with the recycling operation. Both quarrying and aggregate recycling operations are currently required to cease by 30 September 2012; restoration of the site to a low level is required to be completed by 30 September 2014. The applicant has confirmed that the bulk of the sandstone reserves within the quarry have now been exhausted; however no substantial restoration works have yet taken place.

Proposal

The current proposal is similar to a previous planning application (ref. 10/01647/FUL), which was withdrawn in October 2010. The differences between the current submission and the previous withdrawn application are that the types of waste proposed to be accepted have been defined more precisely, further hydrological information has been provided, the restoration scheme has been amended and junction alterations have been proposed to inhibit left turns out of the site access. The application relates to only 3.7ha of the approximately 6ha area currently covered by the quarry workings. The remainder of the site would continue to be required to be restored by 30 September 2014 under the terms of planning permission 03/03864/FUL. Of the 3.7ha of land included in the planning application 2.3ha would be used for the deposit of construction and demolition wastes to buttress the quarry faces and 0.9 ha would be used to form the new aggregate recycling area, with the remainder of site area being utilised for vehicular access and manoeuvring, parking and site office and welfare facilities.

The proposal is to allow the importation of a total of 249,000m³ (approximately 448,000 tonnes) of construction and demolition wastes to the site at an average of 27,500m³ per annum over a 9 year period, with an additional year required for final restoration. The applicant has estimated that approximately 20% of the imported waste will be suitable for recycling and that 50% of the material subject to recycling will become saleable recycled aggregates. Therefore approximately 224,100m³ of the imported material would be deposited in the quarry void and approximately 24,900m³ would be sold as recycled aggregate over the lifetime of the operation. The applicant has supplied a list of the waste types intended to be accepted at the site which would include: concrete, bricks, tiles, ceramics, road base, road planings (other than those containing coal tar), soil, stones, dredging spoil and track ballast.

The aggregate recycling area would be re-positioned from its current site adjacent to the south-western quarry face to a more central location within the quarry to allow the south-western face buttressing to take place. The recycling facility would comprise crushing and screening plant and feedstock and recycled aggregate stockpiles sited on a base formed from compacted low permeability clays draining to a settlement pond. The applicant has proposed to maintain the currently permitted hours of operation for both the waste deposit and recycling operation at 07:00 – 19:00 hours mon-fri and 07:00 – 13:00 hours Saturday.

The applicant has estimated that the proposed amount of material required to be imported would generate on average fewer than 20 HGV movements per day. However they have allowed for a worst case scenario of up to 1,000 tonnes of material being imported to the site per day for limited periods which would result in 100 HGV movements (1 every 7 minutes). The applicant has indicated that HGV drivers exiting the site will be obliged to turn right onto Ryecroft Road, thereby avoiding the eastern section of Ryecroft Road. Additional signage and temporary alterations to the alignment of the access road have been proposed to facilitate the implementation of the left turn ban.

The tipping is intended to be undertaken in phases with the first 3.5 years being devoted to forming a 15m high buttress against the 20-25m high north-western quarry face. The second phase of tipping, taking place from year 3.5 to year 8 – 8.5, would involve the deposit of an additional material to entirely bury the north-western face. The final phase of tipping, lasting approximately 1 year, would involve the formation of a buttress against the remaining exposed section of the south-western quarry face to tie in with the 10° slopes formed in phase 1 and 2. Six months to 1 year of the 10 year period should remain after the completion of phase 3 to allow the removal of site infrastructure, formation of the central wetland and soiling and seeding of the remainder of the tipped area. The proposed restoration drawing shows the site being restored to an undulating bowl type landform including up to 3m high exposed faces and depressed 'pit' type features. The proposed cultivation and seeding methods are intended to promote the re-establishment of a heathland.

Environmental Permitting

The Environment Agency have indicated that in addition to planning permission the applicant would require an Environmental Permit to operate. Because of the sensitivity of the site, close to a potable groundwater supply, the applicant would not be able to obtain a simplified 'standard rules permit' but would instead require a more rigorous 'bespoke permit'. The environmental permitting application process would involve detailed assessment of the environmental effects of the waste disposal/ recycling operation, including noise, dust, litter, gassing and groundwater pollution. If the Environment Agency grant an environmental permit they will attach conditions to the permit requiring the implementation of appropriate pollution controls. Planning Policy Statement 10 advises that waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.

Principle of Development

The development plan for the Bradford District includes the replacement Unitary Development Plan (2005) (RUDP) and the Regional Spatial Strategy (2008) (RSS). The main policies relevant to the principle of the proposed development are policies GB1 (Green Belt) and P13 (Inert Waste Landfill) of the RUDP. Policy ENV12 (Regional Waste Management Objectives) of the RSS and Planning Policy Statement 10 (PPS10) set out the overarching national planning policy objectives for waste development. The main element of the proposal is the deposit of construction and demolition wastes within the quarry void. The recycling of any appropriate materials received at the site is a subsidiary part of the proposal which the applicant anticipates would allow the recovery of approximately 10% of the waste received at the site.

The applicant has not provided any assessment of the need for the proposed construction and demolition waste landfill capacity in relation to the principles of sustainable waste management. Given the known level of existing landfill capacity within West Yorkshire and the fact that a large construction and demolition waste landfill site has recently been granted planning permission at Hallas Rough Quarry, approximately 3km to the south-west of the proposal site (2,000,000 tonnes capacity provided over 15 years), it is not considered that the proposal could be justified on the basis of sustainable waste management or need for landfill capacity.

However the applicant has made the case that the proposed landfill operation is necessary as a means of remediating quarry face stability problems. Policy P13 of the RUDP indicates that landfilling will be an acceptable means of disposal for inert wastes that cannot be reused or recycled for the purpose of the restoration of quarries that cannot reasonably be restored by any other means. Therefore it is considered that the principle of the development hinges on whether the applicant has adequately demonstrated that acceptable quarry restoration could not be achieved by any other reasonable means. It is not considered that the proposal would be inappropriate development with the Green Belt, as it would not result in any significant long term harm to the openness of the Green Belt; therefore the proposal is not considered to conflict with policy GB1.

The applicant contends that the previously approved restoration proposals, which proposed mounding quarry waste against the faces to achieve steeper 20° - 30° slopes, did not take account of the weaknesses which have now become apparent in the quarry faces. To support this contention they have submitted a Preliminary Stability Assessment report which concludes that in the long term it is inevitable that failures will continue unless the faces are stabilised. The report advises that insufficient material exists on site to provide buttresses with safe angles of repose. The report further advises that restoration materials available to import would be likely to primarily comprise soft clays which would be required to be formed into slopes no steeper than 10° to ensure a safe working angle. The applicant therefore claims that the proposed waste deposit operation is needed to provide sufficient buttresses to ensure the long term stability of the quarry faces.

The Council's Structural Engineer has confirmed that an angle of repose of 10° would be appropriate for slopes formed using primarily soft clays. Steeper slopes could be achieved using construction and demolition rubble (recycled aggregate); however such recycled aggregate material can more appropriately be re-used for construction purposes and it is not considered that use of recycled aggregates in quarry restoration would represent sustainable waste management. Policy P13 specifically prohibits the use of inert wastes which can be 'reused or recycled' for quarry restoration. It is therefore considered that the applicant has demonstrated that the landfill operation is needed for the purposes of quarry restoration and that the land cannot reasonably be restored by any other means, consistent with policy P13 of the RUDP. The provision of an ancillary aggregate recycling facility to recover any recyclable materials from waste received at the quarry is consistent with the principles of sustainable waste management set out in policy ENV12 of the RSS and PPS10.

Groundwater Contamination

A number of residents of the Hamlet of Ryecroft have raised concerns in relation to the potential for the proposed landfill operation to result in contamination to their water supply. Two of the key national policy objectives of PPS10 are to help secure the recovery or disposal of waste without endangering human health and to reflect the concerns and interests of communities. Annex E to PPS10 makes it clear that consideration of the effect of landfill proposals on vulnerable groundwaters and appropriate assessment of such effects are material planning considerations. Policies NR17 and P13 of the RUDP state that development which would have an adverse effect on groundwater resources in terms of their quantity or quality will not be permitted.

Midgeham Cliff End Quarry is located approximately 300m north-west of the hamlet of Ryecroft with the quarry base at an approximately 30m higher elevation. Ryecroft does not have a connection to mains water but is instead reliant upon a groundwater collection system comprising catchpits and boreholes. The extant planning permission for the quarry has permitted the deposit of fines resulting from the recycling of imported construction and demolition waste within the quarry void since January 2005; however the material permitted to be received at the site is currently limited to 'uncontaminated rock, brick rubble and ceramic' and the total quantity of fines permitted to be deposited over the lifetime of the permission was limited to 40,000 tonnes. In addition to rock, brick rubble and ceramic the current proposal would allow concrete, road base, road planings, soil, dredging spoil and track ballast to be deposited within the quarry void.

The previous application was withdrawn for a number of reasons, principle of which was the failure to supply a satisfactory groundwater contamination risk assessment, as requested by the Environment Agency. This revised submission was, again, accompanied by inadequate information on groundwater contamination risks and therefore the Environment Agency initially maintained their objection. However following the submission of a more detailed hydrogeological conceptual model and further detail on the specific waste materials intended to be accepted at the site the Environment Agency withdrew their objection and indicated that they considered that their remaining concerns could be dealt with at the Environmental Permitting stage. The Hydrogeological Conceptual Model report submitted by the applicant proposed the provision of a low permeability layer to cap deposited waste on the completion of operations; the detailed design of such a cap, and any other necessary pollution control measures, will be addressed through the Environmental Permitting process.

Planning Policy Statement 23 advises that, in considering applications for potentially polluting development, the local planning authority should ensure that the relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework. Planning Policy Statement 10 advises that in considering planning applications for waste management facilities, waste planning authorities should concern themselves with implementing the planning strategy in the development plan and not with the control of processes which are a matter for the pollution control authorities. The Environment Agency have made it clear that they consider that sufficient information has been provided by the applicant to satisfy them that the proximity of the Ryecroft groundwater supply does not mean that the proposed inert landfill operation is unacceptable in principle, subject to detailed further assessment of groundwater risks through the Environmental Permitting Process. It is considered that groundwater contamination issues have been sufficiently addressed at the planning application stage and that therefore, in principle, there is no conflict with policies NR17 or P13 of the RUDP in terms of impact on groundwater resources.

Highways Impacts

A number of objectors have raised concerns about the standard of the roads between the quarry and the primary road network particularly Bingley Road, Glen Lee Lane and Ryecroft Road. Policy P13 of the RUDP indicates that inert waste landfill sites should be safely accessible from the Primary Road Network. Policy TM2 of the RUDP indicates that planning permission should not be granted for new development unless the Council is satisfied that the proposal would not adversely affect existing and proposed transport infrastructure. Policy TM19A of the RUDP indicates that road safety is a material consideration in determining planning applications. In order to access the primary road network HGV traffic associated with the proposed development would have a choice of 4 minor road routes including Bingley Road (Barcroft), Keighley Road, Ryecroft Road and Shaw Lane/ Glen Lee Lane, all of these routes are relatively narrow and pass by several adjacent roadside dwellings.

Midgeham Cliff End Quarry is an active quarry which has been operating for several decades and is now nearing the exhaustion of its reserves. The site has also been operating as an aggregate recycling facility since 2005. All operations at the site are currently required to cease in September 2012. The restrictions imposed on the current permission allow up to 100,000 tonnes of material per annum to be brought to the site for recycling and allow a maximum of 100 HGV movements per day. The applicant has indicated that the site operator currently obliges wagons to turn right out of the site access and not to use the lower part of Ryecroft Road to the east of the site, due to the unsuitability of this section of road for HGV traffic. The proposal would allow waste deposit and recycling operations to continue for a further 9 years. The applicant has indicated that the level of HGV traffic generated by the landfill operation will vary significantly; however they have proposed to maintain the same maximum daily HGV movement restriction (100 per day).

The Council's Highways Development Control team have been consulted on the application. They advised that the available routes between the quarry and the primary road network are not ideally suited to HGV traffic. However, as the site has already been operating for a number of years without any major highway safety problems and the proposed average annual quantity of material transported to the site will be theoretically lower than is permitted by the current planning permission, they advise that there is no case for refusing the application on highway grounds. Nonetheless, in order to mitigate highways impacts on the lower section of Ryecroft Road, the Highways Officer has advised that additional signage and junction alignment alterations should be required in order to direct HGV drivers leaving the quarry to only turn right out of the site access. No other routing restrictions would be appropriate as it would be undesirable to focus all HGV traffic on any single route.

In relation to highways structures, the highways service have advised that traffic management measures have been implemented as a result of deterioration of highways infrastructure along Glen Lee Lane. The proposed continuation of HGV traffic associated with the quarry may accelerate the deterioration of such structures and the consequent need for further traffic management measures; however it is not the case that such deterioration could be solely attributed to HGV traffic associated with the proposal. Therefore it is not considered that there is evidence that the proposal in of itself would significantly adversely affect traffic infrastructure.

The continuation of HGV traffic to/ from the quarry will adversely affect the amenities enjoyed by residents living adjacent to the minor roads used by quarry traffic. However the applicant has demonstrated that it is necessary to transport material to the site for a further 9 year period in order to stabilise the quarry faces. No alternative method of transporting the required material is available other than road haulage. Therefore, although the traffic associated with the development will lead to some continued disturbance to local residents living along the access routes, it is not considered that such traffic would significantly adversely affect highways safety or the condition of highways infrastructure. It is considered that the disturbance that will occur is justified by the need for quarry face stabilisation. The proposal is therefore considered to be consistent with policies TM2, TM19A and P13 of the RUDP in terms of highways impacts.

Other Environmental Effects

Policies P8 and P13 of the RUDP indicate that proposals for aggregate recycling facilities and inert landfill sites should not give rise to unacceptable adverse impacts on people and the environment in terms of visual amenity, noise, dust or other nuisance. The main potential amenity impacts of the proposal (other than the HGV impacts discussed above) would be the generation of dust and noise caused by the loading and tipping of materials, operation of machinery to move and engineer tipped material and crushing and screening of construction and demolition waste. The applicant has provided an assessment of noise and dust impact within the submitted Environmental Statement and has proposed certain operational controls to minimise noise and dust generation. The Environmental Statement concludes that dust and noise impact generation associated with the proposals will be minimal providing that the suggested operational controls are implemented.

The Environmental Health service have been consulted on the application and have advised that, given the separation distance to the nearest residential dwellings and the nature of the topography, they do not have any significant concerns in relation to noise or dust impacts associated with the development. However this is subject to the imposition of conditions setting noise limit restrictions and requiring the implementation of the proposed noise and dust control measures. As discussed above, the applicant will also require an Environmental Permit in order to operate which will impose detailed controls over environmental emissions. Subject to the imposition of appropriate conditions and the controls which will be imposed through the pollution control regime, it is not considered that the proposal would lead to significant adverse impacts to the amenity of residents within the locality.

Noise and dust also have the potential to lead to ecological harm; however it is not considered that the continuation of operations at the site for a further 10 year period would significantly adversely affect the ecological value of the Harden Moor Bradford Wildlife Area. Likewise the quarry has been a feature in the setting of the adjacent Ryecroft Conservation Area for a considerable period of time and it is not considered that the continuation of operations at the quarry for a further 10 years, to facilitate appropriate site restoration, would significantly adversely affect the character of the Conservation Area. The proposal is therefore not considered to conflict with policies BH7, NE9 of P13 of the RUDP in terms of the effect of the proposed landfill and recycling operations on the occupants of surrounding land, the ecological value of the adjacent moorland or the character of the Ryecroft Conservation Area.

Restoration

The quarry site formerly comprised part of Harden Moor, an exposed plateau of moorland heath. Upland heath is a UK Biodiversity Action Plan priority habitat and Harden Moor is designated as a local nature conservation area (Bradford Wildlife Area) on the RUDP proposals map. Minerals Policy Statement 1 (MPS1) indicates that quarry restoration schemes should take account of the opportunities for enhancing the overall quality of the environment and the wider benefits that sites may offer, including nature and geological conservation and the provision of networks of habitats. Planning Policy Statement 9 (PPS9) states that planning decisions should aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests. Policy NR4 of the RUDP indicates that quarry working and restoration schemes should contain measures to preserve, enhance or protect nature conservation interests.

One of the concerns raised prior to the withdrawal of the previous application related to the restoration proposals for the area covered by the application, in terms of both landform and habitat creation. This resubmitted application includes revised restoration proposals which provide for a more naturalised, undulating, landform, the retention of rock exposures, the formation of a wetland/ bog area and amended cultivation and seeding proposals to increase the proportion of the site intended to be returned to heath. It is considered that the restoration principles set out in the revised proposals have addressed the concerns previously raised and are appropriate to the site. However it is considered appropriate to impose conditions requiring further restoration details, including details of how the new restoration scheme will be integrated with the restoration requirements for the parts of the quarry outside of the current application area. Subject to such conditions it is considered that an acceptable restoration has been proposed which provides for the creation of a landform and habitat appropriate to the surrounding heather moorland landscape, in accordance with policies NE3, NE9 and NR4 of the RUDP and the principles of MSP1 and PPS9.

Environmental Impact Assessment

The proposal is accompanied by an Environmental Statement and therefore must be treated as EIA development under the terms of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011. In considering this application all relevant environmental information has been taken into account including the environmental statement, further and other information, and all representations made by consultation bodies and members of the public in relation to the environmental effects of the development.

Summary/ Conclusion

The proposal is to import 249,000m³ of construction and demolition waste, exclusively comprising bricks, tiles, ceramics, road base, road planings (other than those containing coal tar), soil, stones, dredging spoil or track ballast materials. The applicant has demonstrated that this quantity of additional material is required to be deposited at the site to provide for the stabilisation of the quarry faces. An ancillary aggregate recycling operation will allow any recyclable materials contained in the waste brought to the site to be crushed and re-used as construction aggregates. The site is located in close proximity to a potable groundwater supply for the village of Ryecroft. Sufficient hydrogeological information has been submitted with the application to satisfy the Environment Agency that groundwater risks are capable of being resolved through the Environmental Permitting regime.

HGVs transporting material to and from the site will need to pass along a network of minor rural roads which are not ideally suited to HGV traffic and will lead to some disturbance to residents. However it is not considered that the level of traffic generated by the development would significantly harm highways safety or highways infrastructure and it is considered that the disturbance caused by a 9 year continuation of HGV traffic to/from the site is justified due to the demonstrated need for additional restoration material. The submitted restoration scheme provides for the site being returned to a naturalised moorland heath landscape which is appropriate to the surrounding ecology and landscape character. It is not considered that the development would give rise to any unacceptable adverse impacts on people or the environment in terms visual amenity, noise, dust, air, ground or water pollution, or other nuisance. The proposal is considered to accord with policies TM2, TM19A, GB1, NE3, NE9, BH7, NR4, NR17, P7, P8, P13 and P15 of the RUDP and the national waste planning policy principles set out Planning Policy Statement 10.

Community Safety Implications:

None relevant to this application.

Reason for Granting Planning Permission:

1. The applicant has demonstrated that the quantity of waste proposed to be imported is necessary to facilitate the creation of a landform which will provide for the long-term stability of the quarry faces. The proposed ancillary aggregate recycling operation will allow recyclable material to be recovered from waste received at the site. The proposal accords with the criteria set out in policy P13 of the replacement Unitary Development Plan and will not prejudice the sustainable management of construction and demolition waste, in accordance with the waste management principles set out in policies ENV12 and ENV13 of the Regional Spatial Strategy and the key planning objectives of Planning Policy Statement 10.
2. All relevant environmental information has been taken into account in considering the application. Subject to the imposition of appropriate conditions and the subsequent need to obtain an Environmental Permit, it is considered that the proposal would not lead to any unacceptable adverse environmental effects, significant harm to amenity, harm to the openness of the Green Belt, or adverse highway impacts. The proposal accords with policies GB1, TM2, TM19A, NE3, NE9, BH7, NR4, NR17, P7, P8, P13 and P15 of the replacement Unitary Development Plan.

Conditions of Approval:

1. The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. Unless otherwise agreed in writing by the Waste Planning Authority the development hereby approved shall only be carried out in accordance with the following documents:-
 - a) Drawing entitled 'Indicative Proposed Site Layout', numbered 0702-2-5 Rev A, scale 1:1250, dated 13 July 2011, dated as received by the Council on 26 July 2011;

- b) Drawing entitled 'Proposed Phasing – Phases 1 and 2', numbered 0702-2-6 Rev A, scale 1:2,500, dated 13 July 2011, dated as received by the Council on 26 July 2011;
- c) Drawing entitled 'Proposed Phasing – Phase 3 and Final Landform', numbered 0702-2-7 Rev A, scale 1:2,500, dated 13 July 2011, dated as received by the Council on 26 July 2011;
- d) Drawing entitled 'Indicative Restoration Concept', numbered 0702-2-8 Rev A, scale 1:1,250, dated 13 July 2011, dated as received by the Council on 26 July 2011;
- e) Drawing entitled 'Proposed Modifications to Site Access', numbered 0702-2-9, scale 1:500, dated 15 November 2011, dated as received by the Council on 16 November 2011;

Save where measures are required by the conditions set out elsewhere on this permission, which shall take precedence over the above documents.

Reason: In the interests of amenity and for the avoidance of doubt as to the terms under which this planning permission has been granted, in accordance with policies P13 and P15 of the replacement Unitary Development Plan.

3. All waste disposal and recycling operations shall cease not later than 30 September 2021. All plant, machinery, containers, roads, access, hard surfaces and structures associated with the development shall have been removed from site and the land shall have been restored in accordance with the details shown on drawing 0702-2-8 Rev A, as modified or supplemented by the additional details approved under condition 23 below, not later than 30 September 2022.

Reason: To provide for the completion of operations and restoration of the site at the earliest opportunity within the project timescale, in the interests of amenity, minimising the duration of adverse highways impacts and the protection of the Green Belt, in accordance with policies P13, P15 and GB1 of the replacement Unitary Development Plan.

4. Waste disposal operations shall be undertaken in phases in accordance with the details shown on drawings 0702-2-6 Rev A and 0702-2-7 Rev A. No waste shall be deposited at that site other than within either the 'Area of proposed buttressing' or the 'Stocking and processing area' identified on drawing 0702-2-5 Rev A. The site shall be restored to ground levels which shall not exceed the levels shown on drawing 0702-2-8 Rev A.

Reason: To ensure that the waste disposal operations are carried out methodically and that deposits do not exceed the height and extent proposed in the application, in the interests of amenity, landscape character and groundwater protection, in accordance with policies P13, P15 and NR17 of the replacement Unitary Development Plan.

5. No waste shall be deposited at the site to which this notice relates other than waste exclusively containing bricks, tiles, ceramics, road base, road planings (other than those containing coal tar), soil, stones, dredging spoil or track ballast materials, or any mixtures of the above materials. No materials which may reasonably be recycled using the plant available at the site shall be deposited within the 'Area of proposed buttressing' identified on drawing 0702-2-5 Rev A. Not more than a total of 249,000m³ of waste materials shall be deposited at the site to which this notice relates.

Reason: To ensure that unsuitable materials are not imported to the site, in the interests of sustainable waste management, amenity, ecology and groundwater protection, in accordance with policies NR17 and P13 of the replacement Unitary Development Plan.

6. Prior to the commencement of development full details of the wording, type, size and mounting height of additional signage, advising HGV drivers not to make left turns out of the site access, shall be submitted to and approved in writing by the Waste Planning Authority. No waste disposal or recycling operations shall take place in connection with this permission until the additional signs have been installed in accordance with the approved details in the locations shown on drawing 0702-2-9. The signs shall be maintained in the approved locations whilst ever the development subsists.

Reason: To minimise the number of HGVs using the lower section of Ryecroft Road, in the interests of amenity, highways safety and the preservation of the character of the Conservations Area, in accordance with policies TM2, TM19A, BH7, P13 and P15 of the replacement Unitary Development Plan.

7. Prior to the commencement of development details of the location, design and size of the barriers to be placed at the site access to restrict left turn manoeuvres shall be submitted to and approved in writing by the Waste Planning Authority. No waste disposal or recycling operations shall take place in connection with this permission until the access barriers have been installed in accordance with the approved details. The access barriers shall be maintained in the approved locations whilst ever the development subsists.

Reason: To minimise the number of HGVs using the lower section of Ryecroft Road, in the interests of amenity, highways safety and the preservation of the character of the Conservations Area, in accordance with policies TM2, TM19A, BH7, P13 and P15 of the replacement Unitary Development Plan.

8. Prior to the commencement of development full details of the construction and drainage of the 'Stocking and processing area', identified on drawing 0702-2-5 Rev A, shall be submitted to and approved in writing by the Waste Planning Authority. Such details shall include:
- i) bunding or other means of enclosure to be used to demark the stocking and processing area and contain surface water;
 - ii) materials and constructional specification for the base of the stocking and processing area, bunding, drainage ditch and settlement lagoon;

- iii) method of monitoring water quality within the settlement lagoon and disposal of water collected within the lagoon.

No waste disposal or recycling operations shall take place in connection with this permission until the stocking and processing area has been fully constructed, sealed and drained, in accordance with the approved details. The stocking and processing area shall be maintained and the approved methods for the monitoring and disposal of water from the settlement lagoon implemented whilst ever the development subsists.

Reason: To ensure that proper mitigation is in place to minimise groundwater contamination risks associated within the proposed recycling operation, in accordance with policies P13, P15 and NR17 of the replacement Unitary Development Plan.

- 9. Prior to the commencement of development full details of proposals for the stockpiling of restoration cover material (comprising soils and quarry fines derived from the site) shall be submitted to and approved in writing by the Waste Planning authority. Such details shall include:

- i) the quantity and type of cover material to be stockpiled;
- ii) the location of the stockpile;
- ii) methods to be employed to prevent the stockpile from becoming contaminated by waste materials.

No waste disposal or recycling operations shall take place in connection with this permission until the stockpile of cover material has been formed in accordance with the approved details. The stockpile shall be maintained and protected from contamination throughout waste disposal and recycling operations and shall be spread across the site during final restoration to achieve a cover layer at least 200mm deep.

Reason: To ensure that sufficient native material is retained and protected from contamination during waste disposal operations to achieve a suitable cover layer during final restoration to facilitate the re-establishment of heathland, in accordance with policies NE3, NE9, P13 and P15 of the replacement Unitary Development Plan.

- 10. The methods for the control of dust outlined in section 8.2.2 of the document entitled 'Environmental Statement in support of the resubmission of application 10/0164/FUL for the restoration of the quarry void through the deposit of un-recyclable material from imported construction and demolition waste and the associated production of recycled aggregates', dated July 2011, dated as received by the Council on 26 July 2011, shall be implemented in full whilst ever the development subsists.

Reason: In order to mitigate adverse impacts associated with the development in the interests of amenity, in accordance with policies P13 and P15 of the replacement Unitary Development Plan.

11. The methods for the control of noise outlined in section 8.1.3 of the document entitled 'Environmental Statement in support of the resubmission of application 10/0164/FUL for the restoration of the quarry void through the deposit of un-recyclable material from imported construction and demolition waste and the associated production of recycled aggregates', dated July 2011, dated as received by the Council on 26 July 2011, shall be implemented in full whilst ever the development subsists.

Reason: To ensure that the level of noise generated by the site is minimised, in the interests of protecting residential amenity, in accordance with policies P7, P13 and P15 of the replacement Unitary Development Plan.

12. Noise generated by operations at the site shall not exceed 55dB(A) L_{Aeq} (1 hour) free field, as measured within the curtilage of any surrounding residential dwelling. Unless otherwise specified by the Waste Planning Authority, the measurements and assessment shall be made according to BS 4142:1990.

Reason: To ensure that the waste disposal and recycling operations do not generate excessive noise, in the interests of protecting the occupants of surrounding land from noise disturbance, in accordance with policies P7, P13 and P15 of the replacement Unitary Development Plan.

13. No stockpiles or other mounds shall exceed an elevation of 270 metres AOD.

Reason: To ensure that excessive stockpiles are not formed, in the interests of minimising the impact of operations on the character of the landscape and the setting of the conservation area, in accordance with policies NE3 and BH7 of the replacement Unitary Development Plan.

14. No HGVs shall enter or leave the site and no working or operations shall take place within the site to which this notice relates except between the hours of:-
07.00 hours to 19.00 hours Monday to Friday; and
07.00 hours to 13.00 hours on Saturdays.
There shall be no working on Sundays, Bank and Public Holidays.

Reason: To protect the amenities of the local residents, in accordance with policy P13 of the replacement Unitary Development Plan.

15. Not more than 50 HGV movements to and 50 HGV movements from the site to which this notice relates shall take place during any single weekday (Monday to Friday). Not more than 25 HGV movements to and 25 HGV movements from the site to which this notice relates shall take place on Saturdays. No HGVs shall enter or exit the site on Sundays, Bank or Public Holidays.

Reason: In the interests of highways safety, the protection of highways infrastructure and the minimisation of harm to the amenities of local residents, in accordance with policies TM2, TM19A, P13 and P15 of the replacement Unitary Development Plan.

16. No HGVs leaving the site shall enter onto the public highway unless they have first passed through a wheel wash system and their wheels and chassis have been cleaned sufficiently to prevent any mud, dirt or debris from being deposited on the public highway.

Reason: In the interests of highway safety in accordance with policies TM2 and TM19A of the replacement Unitary Development Plan.

17. In the event that any mud, dirt or debris from the site is deposited on the public highway, the operator shall immediately arrange for its removal and any such deposits shall be removed within 2 hours of the material being deposited.

Reason: In the interests of highway safety in accordance with policies TM2 and TM19A of the replacement Unitary Development Plan.

18. The surface of the access road shall be maintained and kept in a condition free of potholes and obstructions until it is restored in accordance condition 23 below.

Reason: In the interests of highway safety and amenity in accordance with policies P13, TM2 and TM19A of the replacement Unitary Development Plan.

19. Any proposed liquid storage tanks for fuel oils or process chemicals, shall be located within a bund having a capacity of not less than 110% of the combined volume of the tanks. The floor and walls of the bund shall be impervious to oil and water and shall also be resistant to any stored chemicals. All inlet/outlet/vent pipes and gauges shall be within the bunded area.

Reason: To prevent pollution of the water environment, in accordance with policies P13, P15 and NR17 of the replacement Unitary Development Plan.

20. There shall be no discharge of foul or contaminated drainage from the site into either ground water or any surface water, whether direct or via soakaways.

Reason: To prevent pollution of the water environment, in accordance with policies P13, P15 and NR17 of the replacement Unitary Development Plan.

21. The existing access drainage shall be maintained whilst ever the development subsists and, if necessary, improved to ensure its effectiveness in the prevention of silt-laden surface water from being transferred from the site onto the highway.

Reason: To ensure that operations at the site do not lead to sediment laden surface water discharge onto Ryecroft Road, in the interests of highways safety and the protection of highways infrastructure, in accordance with policies TM2 and TM19A of the replacement Unitary Development Plan.

22. Prior to the commencement of development full details of the first phase of quarry restoration, to be completed by 30 September 2014, shall be submitted to and approved in writing by the Waste Planning Authority. Such details shall include:
- a) details of the landform which will be created across the whole quarry by 30 September 2014;
 - b) details of any rock exposures to be retained on the north-eastern quarry face;
 - c) details of the extent, nature and depth of the surface cultivation material to be provided for the areas to be restored by 30 September 2014;
 - d) details of the areas of the site to be seeded, the source and composition of the seed/ brash mixes to be used and the application method and application rate;
 - e) details of methods to be employed to protect restored areas of the site from waste disposal and recycling operations during the period between 30 September 2014 and 30 September 2022.

The approved phase 1 restoration works shall be implemented in full by 30 September 2014.

Reason: To ensure the site is appropriately restored, in the interests of ecology, landscape character and the beneficial after use of the site, in accordance with policies NE3, P13 and P15 of the replacement Unitary Development Plan.

23. Not later than 30 September 2016 full details of the second phase of restoration, to be completed by 30 September 2022, shall be submitted to and approved in writing by the Waste Planning Authority. Such details shall include:
- a) details of the surface profile of the site, including depth of soil/ cover material and thickness of clay cap;
 - b) details of the nature, ph level and fertility level of the cover material stockpiled at the site and any necessary proposals to treat or supplement the cover material to make it a suitable substrate for the establishment of heath;
 - c) details of the source and composition of the seed/ brash mixes to be used and the application method and application rate;
 - d) details of the exposed faces, pits and valleys to be retained in the north-western and south-western quarry faces;
 - e) details of any tracks to be formed across the restored site to facilitate public access;
 - f) method of drainage for the restored site and direction in which surface water flows will be channelled;
 - g) construction details for the wetland area including type and depth of material to be used to retain water and method of drainage to prevent excessive water retention and flooding;
 - h) details of any walls or fences to be reinstated following restoration;
 - i) details of any agricultural standard access to be retained following site restoration.

The approved restoration details shall be implemented in accordance with the timescale set out in condition 3 above and maintained in accordance with the aftercare provisions approved under condition 24 below.

Reason: To ensure the site is appropriately restored, in the interests of ecology, landscape character and the beneficial after use of the site, in accordance with policies NE3, P13 and P15 of the replacement Unitary Development Plan.

24. Not later than 30 September 2020 a scheme for the aftercare of the restored site shall be submitted to the Waste Planning Authority for approval in writing. The aftercare scheme shall provide details of the methods to be employed to facilitate the establishment of heathland across the site and the actions to be taken in the event of restoration failure. The approved aftercare scheme shall be carried out for a period of not less than five years following the completion of the soiling and seeding of the site.

Reason: To ensure the restored site is cared for in an appropriate manner in the interests of ecology, landscape character and beneficial after use, in accordance with policies NE3, NR3 and NR4 of the replacement Unitary Development Plan.

25. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent order revoking or re-enacting that Order), no buildings or other structures shall be erected on the site except with the prior written approval of the Waste Planning Authority.

Reason: In the interests of visual amenity, landscape character and the openness of the Green Belt, in accordance with policies NE3, P13 and P15 of the replacement Unitary Development Plan.
