9 April 2019

**Ward:** Worth Valley (ward 29)

**Recommendation:**

To grant planning permission subject to conditions

**Application Number:**

18/03635/MAF

**Type of Application/Proposal and Address:**

Lateral extension and deepening application to the existing quarry to facilitate the release of a proven, locally distinctive, building stone resource.

Naylor Hill Quarry, Black Moor Road, Keighley.

**Applicant:**

Dennis Gillson & Son Ltd

**Agent:**

The Mineral Planning Group

**Site Description:**

The site is an active sandstone quarry covering approximately 6.1 ha, situated on the western edge of Brow Moor overlooking the village of Haworth. The quarry includes relatively large saw sheds, and items of fixed and mobile plant. Land to the east and north of the quarry is open moorland. Land to the south and south east is upland pasture farmland interspersed farm houses. Screening soil bunds are situated adjacent to the southern, eastern and northern quarry faces.

The settlement of Haworth is situated to the north- east of the quarry with the centre of the village approx. 0.6 km distant, at approximately 100m lower elevation.

Access to the site is from Black Moor Road which runs parallel to the western boundary of the site. The nearest residential dwelling is a property built within the restored are of the quarry and occupied by the applicant. The next nearest dwellings are 45m to the south east, Hawkcliffe Farm approx. 100m west, Upper Naylor Farm approx. 150m south and Moor End Farm approx. 140m north west.

**Relevant Site History:**

* KE589 – To carry out surface mineral workings – Granted March 1951
* 80/06/01461 – Increase in extn of quarry operations – Granted 07/12/1982
* 86/06/05950 – Extension of working quarry – Granted 13/01/1988
* 00/03288/FUL – Continuation of sandstone quarrying - Granted 21/01/2002
* 09/05232/FUL – consolidating application to extend end date for the winning and working of minerals and to amend the previously approved working and restoration plans to allow the benching of the southern face of the quarry and alterations to the proposed final landform – Granted 05/02/2010

***Development Plan Proposals Map Allocation:***

* The proposal site is within the Green Belt as defined by the Proposals Map.
* The proposal area is shown as being within the potential Minerals Resource area in the Core Strategy.

***Proposals and Policies***

As the site is within the Green Belt Strategic Policy 7 in the adopted Core Strategy is relevant (which defines the Green Belt) as is saved policy GB1 of the replacement Unitary Development Plan (RUDP) which considers the policy base for green belt protection. The minerals policies set out in the RUDP have now been fully superseded by those set out in the adopted Core Strategy. The following adopted Core Strategy policies are considered to be particularly relevant to the proposed development:

* P1 - Presumption in Favour of Sustainable Development
* SC8 - Protecting the South Pennine Moors and their Zone of Influence
* TR1 - Travel Reduction and Modal Shift
* EN2 - Biodiversity and Geodiveristy
* EN3 - Historic Environment
* EN4 - Landscape
* EN7 – Flood Risk
* EN8 - Environmental Protection Policy
* EN9 - New Minerals Extraction Sites
* EN10 - Sandstone Supply
* DS5 - Safe and Inclusive Places

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework (NPPF) states that development proposals which accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless:

• any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole;

• or specific policies in the NPPF indicate development should be restricted.

Therefore the proposal has been reviewed for consistency with the new (NPPF) and the overarching principal of a presumption in favour of sustainable development. Specific chapters of the NPPF which are most relevant to the proposal are

• Building a strong, competitive economy

• Promoting sustainable transport

• Protecting Green Belt Land

• Meeting the challenge of climate change, flooding and coastal change

• Conserving and enhancing the natural environment

• Facilitating the sustainable use of minerals

**Parish Council:**

Haworth, Cross Roads and Stanbury Parish – comments: The Parish Council has no objections to this application.

**Publicity and Number of Representations:**

The application was advertised as a major planning application through the posting of site notices and neighbour notification letters and the publication of a notice in a newspaper. The date specified on these notices, by which representations should be submitted, was 15 November 2018

In response to this publicity 3 written representation, from farms within the vicinity, were received objecting to the proposal. Two of the objections are via letters from a solicitor.

**Summary of Representation Received:**

* *our only water supply for the farmhouse and livestock comes from brow moor it is a chance that it may interfere with it especially if they take the top water of the moor this has been the only water supply it as ever had was built in 1699*.
* Risk of contamination to water supply
* Impact on business if clean water supply contaminated
* Noise pollution from additional works – impacting on business
* Air pollution – impacts on health and dairy herd
* Insufficient water drainage – causing water logging on land
* Impacts on stability of land due to close proximity
* Footpath users should be provided with a fence rather than just a bund

**Consultations:**

***Biodiversity Team***

***Advise no Objection subject to conditions***

*This consultation response follows consideration of the documents provided by the applicants and in particular the ecological Appraisal (Brooks Ecological May 2017), and follow up communications from Natural England and an Addendum to the Preliminary Ecological Appraisal (R-2877-01.1) (Brooks Ecology 2018).*

***European Protected sites***

*The site lies within zone B of the South Pennine Moors SPA. In Zone B (land up to 2.5km from the SPA) it will be considered, based on such evidence as may be reasonably required, whether land proposed for development affects foraging habitat for qualifying species of the SPA.*

*Following advice from Natural England and further information from Brooks Ecology we are satisfied that there will be no likely impact to the protected site from this development.*

***Other protected sites***

*The development will impact on Brow Moor Local wildlife site and supporting habitats (acid grassland, blanket mire and dry heath). The impact is contained to a small area which is already heavily disturbed. In time the restoration of the quarry will be expected to replace these habitats as far as possible and provide other habitats (rock face, scree and water bodies) adjacent to the site which will add to the interest of the LWS. However any continued extension of the quarry would need to be considered carefully with respect to the LWS.*

***Protected species***

*The ecological appraisal provided mitigation requirements for reptiles and for nesting birds.*

***Reptiles***

*Although no records of reptiles occur within the site or wider moor, the habitat is suitable for reptiles (adder and common lizard). It is highly unlikely due to the small size of the extension that impacts will have an effect on the populations of these species but individuals may be harmed as a direct result of loss of habitat and substrate. To avoid harm to these species the following condition is suitable for any positive determination of this planning application.*

***Conservation***

*The application proposes an extension to the existing quarrying operations in order to procure a continuing supply of good quality local sandstone for use in connection with building projects. Haworth Conservation Area is in sufficiently close proximity to the quarry as to require an assessment of the proposal’s likely impact on this designated heritage asset under section 72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. This places a special duty on the local planning authority to seek to preserve or enhance the character or appearance of a conservation area in determining an application.*

*I consider that the likely impact of the proposal on the immediate area is best assessed by a specialist in the Council’s landscape assessment section. In general, however, I am satisfied that the proposal will have no obvious impact on nearby Haworth Conservation Area. The proposal also offers the benefit of delivering an important resource for heritage-related repairs and restoration, and for new development in heritage-sensitive locations. The proposal thus accords with section 72 of the Planning (Listed Buildings and Conservation Areas) Act and with Core Strategy Policy EN3 of the Local Plan for Bradford.*

***Drainage/ Lead Local Flood Authority***

*The Lead Local Flood Authority (LLFA) has assessed the documentation relating to the surface water disposal, flood risk and foul water disposal on the proposed development, against the requirements of the National Planning Policy Framework, Planning Practice Guidance and local planning policies. An assessment of the submitted documentation has been undertaken and if the following details are implemented and secured by way of a planning condition on any planning permission the LLFA have NO OBJECTION to the proposed development.*

Request conditions.

***Environment Agency***

*We have reviewed the information submitted with the application and we have no objection to the proposal. Our comments on protection of groundwater are as follows.*

***Groundwater***

*The Groundwater team is currently working on Yorkshire Area’s response to the Prolonged Dry Weather. Please be aware that we are prioritising workload to high priority activities in our work plan and engagement with water companies, partners, key abstractors and water users in areas where there is the highest risk.*

*The Groundwater and Contaminated Land team have applied a risk based approach based on the activity and location and will not be providing detailed comments at this stage.*

Informative provided on dewatering.

***Environmental Health (Air Quality)***

*Quarries have the potential to give rise to significant HGV emissions and fugitive particulate emissions from site operations. Both these need to be considered and controlled for LAQM purposes.*

*Traffic emissions: This is an existing operation that already has permission for up to 15 HGV movements per day (condition 18 - 09/05232/FUL). The current application states that vehicle numbers will remain at this level. As there are currently no AQMAs within the vicinity of the site this level of HGV movements remains acceptable in this area. If the council is minded to approve the application then the content of conditions 17, 18 and 19 of permission 09/05232/FUL should be applied to the new decision to ensure vehicle emissions continue to be adequately controlled.*

*Fugitive PM emissions: Current operations at the site are subject to dust mitigation controls under condition 10 of the decision notice relating to application 09/05232/FUL. My colleagues in the nuisance team are currently reviewing the effectiveness of these controls and will advise in due course if any further controls will be required as a result of this extension application. As long as the dust control requirements of my colleagues are met I have no objection to this application.*

***Environmental Health (Land Quality and Private Water Supply***

*First response 4 Dec 2018*

*The MPG cross–section and map submitted with this application do not comprise an assessment of the potential impact of the extension of the mineral extraction operations on private water supplies in the area.*

*Environmental Health would therefore advise that the application be refused unless such an assessment is provided and approved. We also recommend that the assessment in relation to the ground conditions and potential impact on private water supplies should be prepared by a ‘competent person’ as per the NPPF.*

*Second response 27 Feb 2019*

*Further to your recent consultation about Planning reference 18/03635/MAF, Environmental Health has the following observations in relation to Private Water supplies and the additional MPG report dated 18/01/19 submitted by the applicant.*

*The Environmental Health response of 05/12/18 recommended submission of “an assessment of the potential impact of the extension of the mineral extraction operations on private water supplies in the area”.*

*The MPG report letter dated 18/01/19 includes scaled cross sections which indicate that the groundwater encountered beneath the quarry site and at Upper Naylor Farm is at different elevations separated by a fault line, with the groundwater being at a lower level under the quarry.*

*The MPG cross section and discussion confirms that groundwater movement from the quarry site towards the Upper Naylor Farm borehole is not anticipated.*

*In relation to the other potential private water supplies within 1km, MPG also concludes that “as the proposed maximum extraction depth does not reach groundwater, these private water supplies would, equally, be unaffected by the proposed development” and “The proposed extensions would, therefore, have no adverse impacts upon the private water supply boreholes within 1km of the site”.*

*Environmental Health concurs that further hydrological modelling will not be required as the information submitted demonstrates the “separate hydrogeological regimes between Upper Naylor Farm and The Site”.*

*Therefore, no conditions will be recommended for inclusion on the Planning decision notice in relation to this issue.*

Further information received from agent on 8 March in response to objector concerns of 6 March 2019.

*Third response EH 29 March 2019*

*Thank you for the additional correspondence which we have reviewed. We concur with the discussion in the MPG letter dated 8th March 2019. Therefore, we have no further comments to add to our response of 27th February.*

***Environmental Health (Nuisance)***

*We cannot comment on the impact on animals and businesses. It’s about public health not financial or animal health. I would just add dust conditions as per any original consent and same for the noise if you feel they are still appropriate for the works they are intended on doing.*

***Highways Development Control***

*I have assessed the proposal and consider that the granting of planning permission would*

*not have adverse implications for highway safety and therefore I raise no objections from*

*a highways point of view.*

*There are no changes to the site access, maximum number of HGVs entering or leaving*

*the site in a single day or vehicle routeing.*

*If the Council is minded to approve this application then the highway conditions attached*

*to approval 09/05232/FUL should be attached to the decision notice.*

***Landscape Team***

Concerns raised regarding the initial proposed restoration proposal. Further information submitted and restoration proposals amended - the last but one response from landscape

*26 March 2019*

*I have reviewed the most recent drawings (224/1 – Landscape2-2A and 224/1 – Landscape2-2B) and letter dated 11th March 2019.*

*The Agent is now proposing restoration measures that will help create something that is similar to other nearby abandoned former quarries. The inclusion of additional slopes using the so called ‘rollover’ technique will enhance assimilation of the site into the landscape post-restoration. I note that the most significant retained quarry face on the south-eastern side of the quarry is shown on the most recent plan as an undulating ‘ragged’ surface, not planar as on previous drawings. The drawing style of the latest plans is also more helpful in portraying the Agent’s intentions than were previous drawings.*

*The only further comments that I have are in respect of the need for a detailed restoration plan in the future and the need for clarity concerning which plan and proposal documents are now still relevant to the application. For example, drawing C452-00D shows levels that should never be present collectively and which would form highly inappropriate planar faces and benches. This drawing is titled ‘Restoration Plan’ which clearly it is not. Drawing 224/1 – 8 revision 5.3 ‘Phased Schematic Restoration Concept’ also appears not to reflect the most recent proposal modifications and the way retained quarry faces are represented is not how they will be left. The 3D views provided in drawing 224/1 – 7 shows faces and benches with far too much linear precision; it is clear that this is totally unrepresentative of the most recent proposal update.*

*The Client will need to be well informed by the Agent and careful detailed planning will be needed to ensure that the ‘ripping’ operations allow for a very uneven and undulating quarry face to be left where these are to be exposed after restoration. This will be particularly important in the final stages of extraction in each phase.*

Further updates to plans undertaken and landscape offices final response of 2 April 2019

*I can confirm that in my opinion the updated documentation satisfactorily clarifies the scope of the proposed restoration scheme and I have no further comments.*

***Natural England***

*First response - 19 Oct 2018*

***Summary of Natural Englands Advice***

***No Objection***

*Based on the plans submitted Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected sites.*

*Further response 19 Nov 2018*

*Thank you for consulting Natural England further on our response 18/03635/MAF. Apologies for the delay and for not including sufficient information in our original response for you to complete your habitats regulations assessment. Natural England considers that the proposal site includes a number of constraints that make its use by South Pennine Moors Phase 2 SPA/South Pennine Moors SSSI birds. We consider that this area is heavily used recreationally, particularly by dog walkers along the adjacent public rights of way. In addition to disturbance caused by the existing quarry. The size of the site and proximity to the treeline along the south-eastern boundary of the site will also make the site unfavourable to curlew and golden plover due to predation risk. Finally the site lies over 2km from the designated site towards the outer limit of how far we would expect these species to routinely travel.*

***Rights of Way***

*Records indicate that Keighley Public Footpaths 160 and 162 abut the site as marked on the plan below. Please note that the land at Brow Moor is also Common Land and the applicant will need to fully consider the legal implications of any additional loss of this Land. As submitted the proposals do not appear to adversely affect these public rights of way however the applicant should ensure that the extent of the open quarry is clearly marked and highlighted with signage, soil bunds or fencing.*

*While route 162 is recorded as a footpath it is also used as a bridleway as well as forming part of the Worth Way Recreational Walk. Use as a bridleway was acknowledged by the previous owner of the moor (Yorkshire Water). Works have been agreed with the current owner of the site for a section of this route to be improved (drainage and surface improvements). As this route is also included on the Councils Rights of Way Improvement Plan (to upgrade the route to a bridleway/cycle route) this section would seek the landowner’s approval to be able to formally dedicate route 162 as a bridleway. The applicant is also asked to contribute a financial sum for additional improvements to public access on Brow Moor. Such works could include improvements to signage, drainage and surface repairs to the various routes across the moor. Please contact the Rights of Way Section direct for further details of these works.*

***West Yorkshire Archaeology***

*First response – 31 Oct 2018*

*The WYAAS recommend that the developer be required to provide the Planning Authority with an evaluation, based on appropriate analytical methods, of the full archaeological implications of the proposed development. We would further recommend that a planning decision be deferred, on the grounds that the planning authority requires further information in order to reach an informed decision, until the results of the evaluation have been received and assessed by WYAAS, as your advisors on archaeological matters.*

*Second response 20 Feb 2019*

*….we would recommend an archaeological walkover survey to check there are no unrecognised archaeological features or remains present. This walkover survey should be carried out by a suitably qualified and experienced individual and be carried out prior to determination.*

*Should permission be granted we would then develop a suitable evaluation and mitigation programme based on test pitting, trial trenching and potentially further excavation.*

*Third Response 2 April 2019*

*The walkover survey is satisfactory.*

Condition requested

***Yorkshire Water***

*I can’t find any recent consultation from Bradford on this on our database (last one was for 09/05232/SUB02) but in any case we have no comments. There is no water or water supply infrastructure in the vicinity. It looks like YW did once own the land but I think you need to speak to the EA regarding any private water supplies in the area. The 1987 concerns you refer to would have been back in the days of the Yorkshire Water Authority i.e. pre privatisation and the EA’s existence. I believe that responsibilities for private water supply monitoring etc. passed to the EA/local environmental health teams in 1989.*

**Summary of Main Issues:**

* 1. Principle
  2. Impacts on Residential Amenity
  3. Highways and Public Rights of Way
  4. Landscape & Biodiversity
  5. Archaeology
  6. Private water supply, Groundwater Protection and Drainage

**Appraisal:**

***Proposal***

The application is for a small lateral extension of approx. 1.2 ha and deeping by 15m of the existing quarry that occupies approx. 6ha.

The applicant estimates that the lateral extension and deeping of the quarry would release 500,000 t of sandstone dimensional stone.

The proposed deeping and lateral extension would be phased, permitting a rolling restoration whilst maintaining access to excavation areas.

The first stage would involve deeping of the existing quarry by 15m to approx. 247 AOD, a bench would be created from the existing floor and thereafter engineering in accordance with Quarry Regulations. Deeping would be across most of the existing quarry, bar a small element on the northern edge as some restoration has already occurred here.

The lateral extension to approx. 262m AOD would be worked to the same level as the existing quarry floor.

Rate of working 14,000 to 28, 000 t per annum. Hours of operation as currently 07:30 to 18:00 M- F and 08:00-13:00 Saturdays.

The site would be accessed by the current access and the HGV movements retained as currently 15 in and 15 our per day maximum.

The site would be restored at a lower level using non saleable mineral waste and stripped soils/overburden. The aims of the restoration scheme are to restore the site to heath environment, with random rock faces, scree and undulating quarry floor to create a random topography.

Attenuation ponds would be formed, some native tree planting and aftercare would follow.

***Principle***

The key overarching issue in planning is delivering sustainable development. The NPPF in particular promotes a presumption in favour of sustainable development at the heart of the NPPF; referred to as the ‘golden thread’ running through decision taking. The Bradford Local Plan Core Strategy also refer to sustainability objectives. Bradford Local Plan Core Strategy Policy P1 is a key policy on the presumption in favour of suitable development, outlining that the Council will approve permission without delay unless material consideration indicate otherwise. In accordance with Core policy 1(SC1), planning decisions ensure high quality and design to protect the natural environment.

Specific minerals policies in the NPPF and section 5 of the Core Strategy support the sustainable use of minerals. The NPPF acknowledges that minerals are essential to support sustainable economic growth and that it is important to ensure a sufficient supply of material to provide the infrastructure and buildings; stating great weight should be given to the benefits of minerals extraction, but ensuring that there are no unacceptable adverse impacts. The Bradford Local Plan Core Strategy policies again reflect and emphasise those set out in the NPPF***.***

Paragraph 205 of the NPPF states that great weight should be given to the benefits of the mineral extraction, including to the economy, but the expectation is that unacceptable adverse impacts are avoided and/or mitigated. Small scale extraction of building stone is also noted in the NPPF, with it stated planning authorities should recognise the small-scale nature and impact of building and roofing stone quarries, and the need for a flexible approach to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites.

Paragraph 146 of the NPPF confirms that minerals extraction is not inappropriate in the Green Belt, provided the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt. Recent cases *Samuel Smith Old Brewery Vs North Yorkshire County Council* Court of Appeal Case (2018) have highlighted the need to consider the impacts of quarrying in the Green Belt.

The applicants agent has provided a narrative to support why they consider the proposal is not inappropriate development in the Green Belt, noting that the landscape officer has not raised any issues in terms of the proposal giving rise to an unacceptable level of visual impact during its operational phases and taking on board the officers comments to ensure restoration assimilates into the moorland surroundings.

The agent refers to the submitted LVA and its conclusion that there will be no

unacceptable landscape, or, visual impacts during extraction operations, i.e there will be no ‘harm’ to the existing perception of Openness when viewing The Site and upon restoration there will be an overall improvement as The Site is ‘absorbed’ in to its surrounds.

The agent also states that due to The Site’s very well-established position, careful design including the incorporation of amenity mounds to prevent direct views into The Site from footpaths, sympathetic restoration and the relatively small-scale extraction, they do not consider that the proposals ‘harm’ the Openness of the Green Belt.

Furthermore the agent states that:

“*The NPPF defines the ‘purposes’ of the Green Belt as:*

*a) to check the unrestricted sprawl of large built-up areas;*

*b) to prevent neighbouring towns merging into one another;*

*c) to assist in safeguarding the countryside from encroachment;*

*d) to preserve the setting and special character of historic towns; and*

*e) to assist in urban regeneration, by encouraging the recycling of derelict and*

*other urban land.”*

*It is clear that Policies a), b) & e) are not applicable in this instance. Policies c) & d) are*

*considered below.*

*As detailed in the planning application’s supporting statement, and other material*

*correspondence since then, the ‘countryside’ in this instance has contained mineral extraction sites since, at least, the 1850s. As with all mineral permissions, any consent is temporary and upon the cessation of mineral extraction The Site will be returned to a moorland environment with carefully designed landscape features intended to generate Net Gains in biodiversity. The countryside will not be ‘encroached’ upon by the proposals, as the existing site is well established within the countryside.*

*With regards to preserving the setting and special character of historic towns, the Mineral*

*Planning Authority’s Design & Conservation Team state:*

*“…I am satisfied that the proposal will have no obvious impact on nearby Haworth*

*Conservation Area. The proposal also offers the benefit of delivering an important*

*resource for heritage-related repairs and restoration, and for new development in*

*heritage-sensitive locations. The proposal thus accords with section 72 of the Planning*

*(Listed Buildings and Conservation Areas) Act and with Core Strategy Policy EN3 of the*

*Local Plan for Bradford.”*

*As such, it is clear that the proposals do not impinge upon the setting or special character of Haworth. The proposals do however contribute a, recognised, important resource in the*

*maintenance of Haworth’s built character.*

The interpretation by the agent of the impacts of the operation on the Green Belt are concurred with, the relatively small site will be restored to a lower level and create a diverse ecology. The impact of this development on the openness of the Green Belt is considered limited, even whilst development is being undertaken, the limited impacts are temporary and the end restoration does not inhibit openness, providing biodiversity enhancements.

Therefore, in conclusion, the proposed minerals extraction operation and ultimate restoration would not be inappropriate development in the green belt.

Policy EN9(B) of the Bradford Local Plan Core Strategy states that proposals to open up a new minerals extraction site on previously developed land, re-open a disused minerals extraction site, or extend an existing minerals extraction sites, will be supported in principle provided that certain criteria are met, which include - the protection of the South Pennine SPA, that it would not result in unacceptable adverse impacts, there would be no long term loss of biodiversity and it accords with policy EN10.

The proposal is within proximity of the SPA, but as the competent authority under the provisions of the Habitats Regulations, due regard for any potential impacts that a plan or project may have, has been given. Natural England and the Conservation officer consider that the proposal site includes a number of constraints that make its use by South Pennine Moors Phase 2 SPA/South Pennine Moors SSSI birds limited. They consider that this area is heavily used recreationally, particularly by dog walkers along the adjacent public rights of way and in addition to disturbance caused by the existing quarry. The size of the site and proximity to the treeline along the south-eastern boundary of the site will also make the site unfavourable to protected birds due to predation risk and as the site lies over 2km from the designation it is the outer limit of how far they would expect these species to routinely travel. The proposal site (primarily the extension as the main quarry is operational) is therefore not regarded as supporting habitat and therefore highly unlikely to have a significant effect on the interest features of the South Pennine Moors SPA/SAC. It is considered that criteria EN9 (B1) is therefore met.

It is considered that proposal accords with criteria EN9 (B2) as assessed in subsequent sections of this report;

It is considered that criteria EN9 (B3) is met, as the development would not result in unacceptable adverse impacts on people or the environment, as assessed in subsequent sections of this report;

It is considered that criteria EN9 (B4) is met as the restoration scheme would provide appropriate restoration and result in an improvement in biodiversity, providing for a moorland and wetland area more in keeping with surrounding landscape.

It is considered that criteria EN9 (B5) is met as the existing quarry void is primarily worked out and phased restoration is proposed as part of the proposal.

The Bradford Local Plan Core Strategy policy EN10 states that, within the area of search identified in the Allocations DPD, proposals for the extraction of sandstone where the proposed reserves will primarily be used for the production of high quality building, roofing or paving stones will be supported in principle. However, the Allocations Development Plan Document has not yet been produced, but the proposal site is consistent with the Area of Search Criteria set out at EN10(E) in that the site is within the potential resource area identified by BGS, the site is not in a protected designation, it would not result in a loss of a an irreplaceable habitat and it is not in an urban area.

The Bradford Local Plan Core Strategy gives particularly strong support to minerals development which would result in an increased supply of scarce building, roofing or paving stones, such as stone slates, riven flags, or matching stones needed for the repair of historic buildings or monuments. This is because the supply of such materials is key to maintaining the character of the historic built environment including the fabric of listed buildings.

The Midgley Grit rock at Naylor Hill has been used as a building stone in the local area for a considerable period of time. The applicant states that stone directly from Naylor Hill Quarry has been used in the villages of Krumlin, Ripponden Mytholmroyd and Scarcroft and for several individual buildings of architectural merit, e.g Harden Hall and Slaithwaite Hall. It is also considered to have been used in the local farmstead buildings and the village of Haworth. The lateral and vertical extension to this quarry would continue to help supply such key materials for new built development in the surrounding area, for repair of existing buildings and historic buildings of merit.

The vertical and lateral extension of the quarry is supported in principle by the NPPF and the Bradford Local Plan Core Strategy. However, for such quarrying to be acceptable, it also needs to demonstrate that there would not be unacceptable adverse impacts on people or the environment and if there are impacts that they can be mitigated, this is considered in the remainder of the report below.

***Residential Amenity and Amenity***

As indicated the area is primarily rural however, there are a number of farmsteads in the area, three who have objected to the application stating that there is a risk to the contamination of the water supply, impact on their business, potential impacts on stability of the land, air pollution and concerns regarding surface water/flooding.

The issues in connection with resident’s concerns regarding risk to water supply, stability and surface water/flooding issues are covered later in this report.

For proposals involving mineral extraction, the main impacts on residential amenity are noise, dust and air quality. The proposal is to deepen the existing quarry and undertake a small extension. The extension area would run parallel, not particularly closer, to the existing farmsteads land, with it moving away from one residential farm building and slightly closer to another, but still some 500m from this residential farm building.

Concerns have been raised that the operations at the quarry could impact on the businesses at these farmsteads, which operate dairy farms and beef farms, due to the impact on cattle from noise and possible contamination of the water supply (discussed later). The quarry is proposed to continue to operate in the same manner as it has for many years, with the same hours of operation, machinery and extraction techniques. There will be no blasting whilst the quarry is operational and this will be restricted by a proposed condition (which will state no blasting shall take place) and will be ‘tighter’ than previous conditions relating to blasting (which restricted blasting unless otherwise agreed in writing with the LPA) – therefore ensuring no noise pollution from blasting activities. The only caveat is if there is a need to blast to create ‘rollover’ rock faces upon restoration, this would be very limited and controlled.

In terms of other noise from quarrying activities, there is little evidence that noise has impacted on any business in the area in the past; there is no evidence supplied by the farmsteads to demonstrate that noise from operational quarries (that do not undertake blasting) have an impact on the milk yields of cows; and the Council is not aware of any complaints from any business in the area regarding adverse impacts of noise emanating from the quarry in previous years.

The EH officer (nuisance) has stated that they wish to see conditions similar to those previously attached regarding dust, noise, hours of operation and when HGVs enter/leave the site. There is no indication from the EH officer that the proposals will have any additional adverse effects and conditions will be attached regarding the requirement for updated noise and dust schemes prior to development commencing.

The EH Air Quality officer raises no objections regarding the proposal, provided HGV numbers remain as they are, the routing is as in previous years and mud is prevented from being deposited on the road. The EH AQ officer refers to dust, which as indicated above will be controlled through a condition which will update the dust management scheme form that granted in 2009. There is no evidence that air quality at the quarry or in the area will decrease or be adversely impacted upon due to the proposal, provided relevant conditions are attached as indicated.

Core strategy policy EN8 indicates that in order to protect public health and the environment the Council will require that proposals which are likely to cause pollution or are likely to result in exposure to sources of pollution (including noise) or risks to safety, will only be permitted if measures can be implemented to minimise pollution and risk to a level that provides a high standard of protection for health, environmental quality and amenity. Policy EN9 states the minerals development should not be allowed where it would have unacceptable adverse impacts on people.

With a suite of conditions, as outlined above, it is considered that the proposal is in accordance with policies EN8 and EN9 of the Bradford Local Plan Core Strategy in that it will not have an unacceptable effect on the occupants of adjoining land (including their businesses) and that it will not result in unacceptable adverse impacts on the environment and amenity.

***Highways and Public Rights of Way***

The number of HGV movements are low for this site, with a maximum of 15 HGVs in out per day, the access and routing will remain as currently. The Highway officer has raised no objections provided conditions are attached as set out in the 2009 permission, restricting the number of HGV’s, the access point and the routing of HGV’s.

The extension of the site does bring the quarry closer to the public footpath Keighley 162, which runs to the east of the site between the current quarry boundary and the boundary wall of farmland abutting the common land. The proposal is to erect a bund between the edge of the quarry extension and boundary walls, with appropriate warning signage. As the land is common land, the erection of fencing is generally not acceptable and it is considered a bund provides the necessary protection.

Concern has been expressed by owners of the farmstead Bleak House Farm regarding the proximity of the proposed extension to their land and the public footpath, with a suggestion that stability issues may arise which would affect their land. The agent has responded by stating that the distance between the quarry and boundary wall of the farmstead would be 17m, not 9m as indicated by the landowner, additionally, the agent has outlined that it is the responsibility of quarry operators to adhere to the Quarry Regulations 1999, which require strict health and safety requirements, benching of faces and regular surveys. Additionally, the Council are not aware nor have any evidence of historical or current stability issues at the quarry.

The Rights of Way officer has expressed no concern regarding the proposals - his comments seek a financial contribution for the upkeep of the footpaths and agreement with the applicant (landowner) that the footpath can be marked as a bridleway. The applicant/agent has responded to this, offering a crushed rock for the repair of footpaths rather than a financial contribution and expressing concern about marking the footpath as a bridleway - for fear of motocross riders starting to use the common land.

The Rights of Way officer and Countryside Manager have agreed that a 60t crushed rock/aggregate contribution per year from the quarry for use for footpath repairs is acceptable rather than a financial contribution, primarily because the finical contribution would have been used to buy the necessary aggregate in any event. In terms of the marking of the footpath as a bridleway, the land is common land and horse riders already have the right to access the common land and use the footpath – the sign would just give confirmation. The concern by the agent regarding motocross riders is valid, in that it may encourage motocross riders (who have been/are prevalent in the area) that a newly marked bridleway is wider/easy to access and more suitable for motocross vehicles, therefore the request for marking as a bridleway is not being pursed through this planning application. However, if the situation improves regarding motocross vehicles in the area, Rights of Way can approach the landowner outside of the planning regime for the bridleway signage.

With a suite of conditions restricting the number of HGV’s, routing and protection of the footpath, it is considered that the proposal is in accordance with policies TR1 and EN9 of the Core Strategy in that impact of development on the existing transport networks is minimal, the walking route is protected and it will not result in unacceptable adverse impacts on amenity.

***Biodiversity and Landscape***

Strategic Core Policy (SC8): Protecting the South Pennine Moors SPA and the South Pennine Moors SAC and their zone of influence and EN9, require that any proposed development considers the impacts on these areas based on zones.

The site lies within zone B of the South Pennine Moors SPA. In Zone B (land up to 2.5km from the SPA) it will be considered, based on such evidence as may be reasonably required, whether land proposed for development affects foraging habitat for qualifying species of the SPA. The operational quarry in itself does not present a suitable habitat for foraging however; there is a possibility that the extension area could.

However, following advice from Natural England and further information from Brooks Ecology - in which it was concluded that the area is heavily used recreationally, particularly by dog walkers along the adjacent public rights of way, the disturbance caused by the existing quarry and with the site over 2km from the designated site towards the outer limit - that there will be no likely impacts to the protected site from this development and therefore there is no conflict with policy SC8 .

An ecological survey was undertaken a as part of the application and other protected species are possible in the extension area and although doubtful due to the proximity and use of the footpath, it is considered appropriate to attach conditions to protect reptiles and ground nesting birds.

Core Strategy policy EN2 states that proposals should contribute positively towards the overall enhancement of the District’s biodiversity resource. They should seek to protect and enhance species of local, national and international importance and to reverse the decline in these species. The Council will seek to promote the creation, expansion and improved management of important habitats within the district and more ecologically connected patchworks of grasslands, woodlands and wetlands.

Core Strategy Policy EN4 states that Development Decisions should make a positive contribution towards the conservation, management and enhancement of the diversity of landscapes within the District. EN9 seeks to ensure that the development would not lead to a long-term net loss of biodiversity, to the loss or significant deterioration of any irreplaceable habitats.

The applicant has undertaken a landscape and visual impact appraisal concluding that the zone of visual influence due to its elevated position is large, but the extent of visibility to the east is restricted and nearby receptors limited. They have concluded that the increased size and deepening of the quarry will have minimal overall effect on the character of the landscape and that upon final restoration no residual effects are predicted to be notably adverse.

Although the landscape officer raised no concerns regarding the methodology and conclusions of the LVIA, concerns were raised regarding the indicative/schematic submissions for the restoration, with it stated that the drawings showed an overly-engineered landform which did not appear to reflect the previously approved restoration scheme/drawings for previous applications - a more naturalistic final landform was sought.

Following further submissions and changes to the restoration proposals it was concluded by the landscape officer that the inclusion of additional slopes using the ‘rollover’ technique would enhance assimilation of the site into the landscape post-restoration and that the indicative/schematic restoration scheme was satisfactory. It was also noted that the proposed restoration schemes are only indicative/schematic and with a condition attached to require a detailed restoration scheme the landscape officer is satisfied. The biodiversity officer also sought a detailed restoration scheme to ensure biodiversity enhancement was achieved.

It is therefore concluded that the development proposals, being of temporary duration will have a some impact upon the existing landscape - on completion of the restoration the impact on the landscape character and visual amenity is considered neutral/beneficial.

With conditions requiring protection of reptiles and ground nesting birds, a detailed restoration scheme and aftercare scheme, it is considered that the proposal is in accordance with policies SC8, EN2, EN4 and EN9 of the Core Strategy in that an enhanced biodiversity interest and improve ecological connectivity is ultimately achieved and the change is considered acceptable as there are limited adverse impacts on the landscape whilst operations continue and on completion of the development.

***Archaeology***

Policy EN3, F requires proposals to protect or enhance the heritage significance and setting of locally identified non designated heritage assets, including archaeological sites.

The West Yorkshire Archaeology Advisory Service (WYAAS) noted that the proposed quarry extension is located in an area of archaeological potential, as demonstrated by the discovery of prehistoric flint tools 200m of the site. The WYAAS recommend that the developer be required to provide the Planning Authority with an evaluation, based on appropriate analytical methods, of the full archaeological implications of the proposed development and that the planning decision be deferred, on the grounds that the planning authority requires further information in order to reach an informed decision, until the results of the evaluation have been received and assessed by WYAAS.

The agent provided a walkover survey by a qualified archaeologist, which concluded that the extension area was unlikely to have any archaeological potential. WYAAS accepted the conclusions of the walk over survey, but have sought to secure archaeological evaluations or recording programmes for the quarry extension.

With a condition requested by WYASS it is considered that the proposal is in accordance with policy EN3 of the Core Strategy, in that surveys have been undertaken and further surveys will be undertaken to asses and record any archaeological features found.

***Private water supply, Groundwater protection and Drainage***

Policy EN8 of the Core Strategy there are no adverse impacts on water bodies and groundwater resources and EN9 requires that there would be unacceptable adverse impacts on people or the environment in terms of pollution and flooding.

The surrounding farmsteads are served by boreholes for their water supply and the applicant was advised to provide an assessment of the potential impact of the proposal on private water supplies in the area. Environmental Health stated that the required assessment should enable a recommendation to be made about whether hydrogeological modelling will be required.

A submission was not made with the application, but followed on after the EH consultation response in a letter/report of the 18 Jan 2019. In which the agent created a Conceptual Site Model and undertook an assessment of potential effects on private water supply boreholes. The assessment also concluded that groundwater beneath the Site is at a significant depth below the proposed maximum extraction depth and that the proposal would have no effect on groundwater and / or the private water supply at Upper Naylor Hill Farm, in terms of both no ‘draw down’ of groundwater and no ‘contamination’.

They also assessed other local private water supply boreholes and concluded that the proposed maximum extraction depth does not reach groundwater and therefore these private water supply boreholes would, equally, be unaffected by the proposed development.

They concluded that the proposals would have no adverse impacts upon private water supply boreholes within 1km of the site.

EH officers concurred with the findings set out in the 18 Jan 2019 documentation, requiring no further reports or conditions to be attached to any decision.

The three farmsteads in the area who objected raised concerns regarding contamination of groundwater and insufficient water drainage. The agent provided comprehensive responses to these concerns based on the documentation submitted on the 18 Jan 2019 and correcting the misconception that the quarrying was taking place below the water table and that water would be pumped to the surface. One of the farmsteads responded further in March 2019 requesting guarantees that if movement of the fault occurred there would be no loss of the borehole (water supply) and that the borehole wasn’t already leaking in to quarry. A comment was also made by this farmstead about the term ‘dry’ quarry – in that there was evidently water in the quarry. The agent responded again further clarifying points and noting that the reference to ‘dry’ quarry was related to quarrying taking place above the water table and that any water accumulating was surface water.

EH officers have seen sight of the concerns of residents and further concerns raised by one farmstead/resident. EH have confirmed that they concur with the agents approach and conclusion in the letters/documentation of the 18 Jan 2019 and 8 March 2019 - having no further comments to add to their response of the 27 Feb 2019.

In conclusion there is no concerns regarding contamination of private water supplies or dewatering of boreholes. Comprehensive information has been submitted by the agent and points raised by concerned residents responded to in detail by the agent. It is therefore concluded that the proposal is not contrary to policies EN8 and EN9 of the Core Strategy.

In terms of drainage and flooding Core Strategy policies EN 8 D and EN7 seek to protect water quality and flood risk. With EN8 D seeking to ensure there is no adverse impact on water bodies or groundwater and EN7 to manage flood risk.

The Drainage officer/Local Lead Flood authority have considered the documentation relating to the surface water disposal, flood risk and foul water disposal on the proposed development, against the requirements of the National Planning Policy Framework, Planning Practice Guidance and local planning policies. They have raised no objections to the proposal provided a suite of conditions are attached.

With conditions requiring compliance with the submissions, and as set out by the Drainage officer, it is considered that the proposal is in accordance with policies EN8 and EN7 and EN9 of the Core Strategy in that flood risk is managed and there would be no adverse impact on water bodies and groundwater resources.

***7) Community Safety Implications:***

Adopted Core Strategy Policy DS5 states that development proposals should be designed to ensure a safe and secure environment and reduce the opportunities for crime. The proposal site is adjacent to the landowner/operators residential property and machinery would be secured in the existing outbuildings at night. The site has operated as a quarry for a number of years. It is not considered that there is sufficient are grounds to conclude that the proposed development would create an unsafe or insecure environment or increase opportunities for crime, in accordance with adopted Core Strategy Policy DS5.

***8) Equality Act 2010, Section 149:***

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups, in accordance with the duty placed upon Local Authorities by Section 149 of the Equality Act 2010.

The context of the site, the development scheme proposed and the representations which have been made have been reviewed to identify the potential for the determination of this application to disadvantage any individuals or groups of people with characteristics protected under the Equality Act 2010.

**Reason for Granting Planning Permission:**

Taking development plan policies and other relevant material considerations into account it is considered that the proposed development represents an opportunity to extend a building stone quarry in an environmentally acceptable manner, which will allow for the continued supply of natural stone building materials from the site. The proposal is considered to accord with the relevant national planning policies set out in the NPPF and the policies of the Bradford Local Core Strategy, in particular policies P1, SC8, EN2, EN3, EN4, EN7, EN8, EN9 EN10 and DS5.

**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. The development hereby approved shall only be carried out in accordance with the following documents:-

1. Document entitled “Planning Application for a Lateral and Deepening Extension at Naylor Hill Quarry, Haworth” Ref 224/1 – submitted 21 August 2018
2. Ecological Appraisal – Report Ref R-2877-01.1 dated May 2017
3. Site Location – Drawing No 224/1-1 Dated May 2018
4. Topographic Survey – Drawing No C452-001 – dated 16-10-17
5. Site Sections – Drawing No D252-001 dated 31-5-18
6. Drawing No: 224/1-12 Schematic Stripping Phasing Oct 2017
7. Quarry Profile Post-Extraction (Schematic) Without Phased Restoration Shown – C452-00D dated 05-01-18
8. Letter and appendices from MPG of 18 January 2019 entitled “RE: PLANNING APPLICATION REF: 18/03635/MAF – NAYLOR HILL QUARRY –CLARIFICATIONS”
9. Letter from MPG of 25th January 2019 entitled “RE: 18/03635/MAF – PUBLIC COMMENTS – RESPONSE”
10. Letter from MPG of 11 March 2019 – entitled “RE: PLANNING APPLICATION REF:– 18/0365/MAF – NAYLOR HILL QUARRY LANDSCAPE RESPONSE”
11. Drawing No: 224/1-Landscape2-2A dated 29/03/2019
12. Drawing No: 224/1-Landscape2-2B dated 29/03/2019
13. Letter from MPG of 27th February 2019 entitled “RE: PLANNING APPLICATION REF: 18/03635/MAF – NAYLOR HILL QUARRY”
14. Drawing No 224/1-5 Surface Water Drainage dated May 18
15. Drawing No: 224/1-6 Schematic Plan of Proposed Surface Water Ditches dated May 2018
16. Drawing No 224/1-10 Private Water Supply Boreholes and Water Table Cross Section dated Aug 2017

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 EN9 and EN10 of the Bradford Core Strategy.

3. Extraction operations shall cease not later than 30 April 2040. All screening mounds, plant, machinery, haul roads, hard surfaces and any structures shall have been removed from site and the land shall have been restored, in accordance with details approved under condition 26, not later than 30 April 2042.

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 and the protection of the Green Belt, in accordance with Policies EN9 and EN10 of the Core Strategy.

4. In the event of a cessation of mineral extraction prior to the achievement of the final levels under the approved scheme, which in the opinion of the Local Planning Authority constitutes a permanent cessation, a revised restoration scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented within one year of the date on which minerals extraction operations ceased unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide for the completion of operations and restoration of the site at the earliest opportunity, in the interests of amenity, facilitating restoration and minimising the duration of any adverse impacts in accordance with policy EN9 of the Bradford Local Plan Core Strategy.

5. Prior to any development commencing a written scheme of archaeological investigation (WSI) shall be submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

• The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

• The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

Reason: To ensure archaeological interest are protected in accordance with policy EN3

6. Prior to any development commencing a noise monitoring and management scheme shall be submitted to and approved in writing by the local planning authority. On approval the noise monitoring and management scheme shall be fully implemented and maintained whilst ever the use subsists.

Reason: To ensure the minimum disturbance from operations and avoidance of nuisance to the local community in accordance Policies EN8, EN9 and EN10 of the adopted Core Strategy.

7. Prior to any development commencing a dust monitoring and management scheme shall be submitted to and approved in writing by the local planning authority. On approval the dust monitoring and management scheme shall be fully implemented and maintained whilst ever the use subsists.

Reason: To ensure the minimum disturbance from operations and avoidance of nuisance to the local community in accordance Policies EN8, EN9 and EN10 of the adopted Core Strategy.

8. The operator shall maintain accurate records of the annual output of sandstone products produced from sandstone reserves at the site (including building stones, roofing stones, paving stones, aggregates and sand). Not later than 31 July in every year commencing from the date of this decision notice a confidential copy of the annual record of output from the site shall be submitted to the Local Planning Authority.

Reason: To monitor the output of the site and ensure that the site is being worked in accordance with this planning permission, in the interests of the timely working and restoration of the quarry and the efficiency of use of the mineral reserve, in accordance with policies EN9 and EN10 of the Bradford Local Plan Core Strategy.

9. The winning and working of minerals, including all excavation works, shall only be undertaken in accordance with the depth and area of extraction shown on the approved drawing entitled “Quarry Profile Post-Extraction (Schematic) Without Phased Restoration Shown – C452-00D” dated 05-01-18. No working shall take place below 247m AOD and as shown on this plan.

Reason: In the interests of amenity and the protection of groundwater, in accordance with policies EN7, EN8, EN9 and EN10 of the Bradford Local Plan Core Strategy.

10. All available top and sub soils shall be separately stripped from any part of the site before it is excavated or is traversed by heavy vehicles or machinery (except for the purposes of stripping that part of the site or stacking top soil on that part of the site). All top and sub soils shall be stored at the site for use in restoration and shall not be removed from the site. Soil stripping, stockpiling and replacement work shall only be carried out when the material is in a dry and friable condition.

Reason: To ensure that soil resources at the site are protected from damage, stored and appropriately re-used for restoration, in accordance with policies EN9 and EN10 of the Bradford Local Plan Core Strategy.

11. Within a week prior to any soil stripping occurring a reptile survey will take place to move any reptiles out of harm’s way. Visual surveys, combined with destructive searches of any potential hibernacula will take place by a qualified ecologist and any individuals found will be moved to safe zones of the moor. Ecologists will particularly search for any possible communal hibernacula.

Reason: To ensure that important habitats and species are protected in accordance with policy EN2 of the Bradford Local Plan Core Strategy.

12. Soil stripping will take place outside of the bird breeding season which is March 1st to August 15th. If this is not possible, then within a week prior to any soil stripping taking place a survey for ground nesting birds will take place both within the area of the extension and within a buffer of 250m beyond the extension on the moor. If any ground nesting birds (including raptors) are present within the extension area or cliff edge, then works shall be halted until the young birds have fledged. If birds are found within the buffer area then works must stop within an appropriate zone around the birds nest. This will be determined by the bird species which is nesting and advised upon by the ecologist.

Reason: To ensure that important habitats and species are protected in accordance with policy EN2 of the Bradford Local Plan Core Strategy.

13. No waste or other bulk fill materials shall be imported to the site to which this notice relates. No soils shall be imported to the site to which this notice relates except with the prior written approval of the Local Planning Authority.

Reason: This planning permission does not convey any approval to deposit waste at the site for the purposes of restoration or any other purposes and the policies and risks associated with depositing waste at the site have therefore not been assessed, in accordance with Policies EN9 and EN10 of the Bradford Local Plan Core Strategy.

14. No HGVs shall enter or leave the site and no working shall take place within the site to which this notice relates except between the hours of

07.30 hours to 18.00 hours Monday to Friday; and

07.30 hours to 13.00 hours on Saturdays.

There shall be no working on Sundays, Bank and Public Holidays.

Reason: In the interests of amenity in accordance with Policies EN8, EN9 and EN10 of the Bradford Local Plan Core Strategy.

15. No blasting shall be undertaken at the site to which this notice relates other than to achieve the final ‘rollover’ restoration features for which the dates and times shall be agreed in writing with the local planning authority.

Reason: In the interests of amenity of the locality in accordance with Policies EN8, EN9 and EN10 of the Bradford Local Plan Core Strategy.

16. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specifications at all times and shall be fitted with, and use, effective silencers.

Reason: To protect the amenities of the local residents, in accordance with Policies EN9 and EN10 of the Bradford Local Plan Core Strategy.

17. Access to the site to which this notice relates shall only be gained via the existing quarry access roads from Black Moor Road. No other access shall be used by any vehicles entering or leaving the site.

Reason: In the interests of highways safety, in accordance with Policies TR1, EN8 and EN9 of the Bradford Local Plan Core Strategy.

18. Not more than 15 HGV movements to and 15 HGV movements from the site to which this notice relates shall take place during any single day. No HGVs shall enter or exit the site on Sundays, Bank or Public Holidays.

Reason: In the interests of highways safety and the protection of highways infrastructure and to protect the amenities of nearby local residents in accordance with Policies TR1, EN8 and EN9 of the Bradford Local Plan Core Strategy.

19. The HGV routing arrangements contained in the document entitled “Planning Application 18/03635/MAF – Naylor Hill Quarry HGV Routing Scheme” received and uploaded by the Council 3 April 2019, shall be implemented in full and communicated to all HGV drivers transporting materials to or from the site.

Reason: In the interests of highways safety and the protection of highways infrastructure and to protect the amenities of nearby local residents in accordance with Policies TR1, EN8 and EN9 of the Bradford Local Plan Core Strategy

20. No vehicles leaving the site shall enter onto the public highway unless 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 TR1 and EN9 of the Bradford Local Plan Core Strategy

21. Notwithstanding the details contained in the supporting information, the drainage works shall not commence until full details and calculations of the proposed means of disposal of surface water drainage, during the mineral extraction phases of the works, are submitted and approved by the Local Planning Authority. The development shall thereafter only proceed in strict accordance with the approved drainage details.

Reason: In the interests of groundwater and flood protection in accordance with Policies EN7, EN8, and EN9 of the of the Bradford Local Plan Core Strategy

22. Notwithstanding the details contained within the supporting information, no mineral extraction should commence until a strategy indicating how pollution pathways from fine particles will be managed for the lifetime of the sites operation, as not to impact on the flows within the hydrological catchment of the site, are submitted and approved by the Local Planning Authority. The development shall thereafter only proceed in strict accordance with the approved drainage details.

Reason: In the interests of groundwater protection in accordance with Policies EN8, and EN9 of the of the Bradford Local Plan Core Strategy

23. The applicant should submit for approval within 2 months, emergency plans they intend to utilise in the event of accidental spillages including the risk associated with the rupture of any storage tanks, failure of the drainage provisions or accidental release from the welfare facilities.

Reason: In the interests of groundwater protection in accordance with Policies EN8, and EN9 of the of the Bradford Local Plan Core Strategy

24. Whilst ever the use subsists up to sixty metric tonnes per-annum of crushed rock / aggregates suitable for use in footpath repair / construction schemes shall be provided to the Countryside and Councils Rights of Way Department (or any subsequent department) for use within the blue line shown on drawing No 224/1-1–Site location plan and/or for any other appropriate Countryside and Rights of Way Council projects.

Reason: In the interest of amenity, footpath and biodiversity enhancement SC3, SC6, EN4 and EN2 of the Bradford Local Plan Core Strategy

25. A scheme to include the details of the bund and warning signage to be erected between the edge of the new quarry extension and Keighley Public Footpath 162 shall be submitted six weeks prior to any soil stripping. The scheme shall include:

1. Engineered details of the bund shown on a drawing – including length, height and width. The bund shall be no higher than 1.5m
2. Details of the timing for the construction of the bund and the seeding of the bund.
3. Proposed seed mix to be used on the bund
4. Signage details
5. Location of the signage.

Upon approval the scheme shall be fully implemented and maintained whilst ever the use subsist.

Reason: For protection of the users of the public right of way, in the interest of amenity and to minimise impacts on the landscape, in accordance with Policies EN4 and EN9 of the Bradford Local Plan Core Strategy.

26. Within 6 months of this decision notice, a detailed scheme for the restoration of the site based on approved Drawing No: 224/1-Landscape2-2A dated 29/03/2019 and Drawing No: 224/1-Landscape2-2B dated 29/03/2019 shall be submitted to the Local Planning Authority for approval in writing. The restoration details shall provide for enhanced biodiversity.

Restoration details shall include

* final details of restoration levels,
* wetland areas and their creation, including planting
* surface soil characteristics and depth, cultivation, seeding and detailed moorland planting.
* creation of areas of dry heath and acid grassland which will require low fertility acid substrate/bare ground and no topsoil
* Consideration of the viability of relocating peat from the area of extension to suitable areas within the void.
* Consideration of retention of areas of cliff for nesting peregrines
* Creation of habitat/nest sites suitable for sand martins and oyster catcher.
* Details of the ‘rollover’ techniques to be applied
* Details and location of the scree slopes
* Details of tree planting
* Details of the timescales for phasing–these should be as short as possible

The detailed restoration scheme shall be approved and fully implemented in accordance with the approved timescales.

Reason: To ensure the restored site is cared for in an appropriate manner in the interests of ecology, woodland creation and landscape character, in accordance with Policies EN2, EN4, EN9 and EN10 of the Bradford Local Plan Core Strategy.

27. Within 11 months of this decision notice a scheme for the aftercare of the restored site shall be submitted to the Local Planning Authority for approval in writing. Aftercare details shall include details of the monitoring and management of restored areas. An aftercare schedule shall be provided which sets out the aftercare activities which will be carried out in each of the 5 years following site restoration.

Reason: To ensure the restored site is cared for in an appropriate manner in the interests of ecology and landscape character, in accordance with Policies EN2, EN4, EN9 and EN10 of the Bradford Local Plan Core Strategy.

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

Reason: In the interests of controlling pollution in accordance with Policies EN8 and EN10 of the Bradford Local Plan Core Strategy.

29. There shall be no de-watering of the site without the written consent of the Local Planning Authority.

Reason: In the interests of groundwater protection in accordance with Policies EN8, EN9 and EN10 of the adopted Core Strategy.

30. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of 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 should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bunded area.

Reason: In the interests of pollution prevention and to accord with Policies, EN8, EN9 and EN10 of the Bradford Local Plan Core Strategy.

31. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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 Local Planning Authority.

Reason: In the interests of visual amenity, landscape character and the openness of the Green Belt, in accordance with Policies EN9 and EN10 of the Bradford Local Plan Core Strategy.

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**Footnote:**

For the purposes of interpreting this decision notice the term HGV shall be taken to mean any commercial vehicle having a permitted gross vehicle weight (GVW) in excess of 7500kg.

**Footnote:**

For the purposes of interpreting this decision notice a permanent cessation of minerals extraction operations shall be taken to have occurred where:

(a) no extraction or depositing operations authorised by this permission have taken place, to any substantial extent, for a period of at least two years; and

(b) it appears on the balance of evidence that resumption of the extraction or depositing operations authorised by this permission, to any substantial extent, is unlikely.

**Footnote:**

Please contact Danny Jackson - Countryside and rights of Way Manager - regarding the organisation of the supply of the 60 tonnes of suitable aggregate. danny.jackson@bradford.gov.uk Tel: 01274 43 1230

**Footnote:**

**Detail of the archaeological work:** A specification for the archaeological work can be supplied to the developer, on written request, by the West Yorkshire Archaeology Advisory Service, who would be responsible for monitoring the work of an archaeological contractor commissioned by the developer, on behalf of City of Bradford Metropolitan District Council. From the 1st of April 2011 in accordance with the agreement of the Council Committee that oversees our work the WY Archaeology Advisory Service will charge the developer for these and concomitant services. Please note that WYAAS make a charge for the production or validation of specifications.

WYAAS can also provide a list of archaeological contractors who may be available to tender for the work. For further information please contact: David Hunter, West Yorkshire Archaeology Advisory Service: 0113 535 300.

**Footnote:**

**Informative on dewatering:** If you are planning a new abstraction, or planning to increase your current abstraction volumes, then, after 1st January 2018, you will need to have an abstraction license in place before the abstraction can commence. These new or planned changes are not covered by the transitional arrangements that apply to existing abstractions. In these cases you will need to allow sufficient time to make the necessary applications which normally take up to four months from the date we receive a valid application.

Please go to https://www.gov.uk/guidance/water-management-apply-for-a-water-abstraction-or-impoundment-licence for more information.

**Footnote:**

**Registered Common Land:** The proposal is sited on an area of land that is registered common land. This is covered by the Commons Act 2006 and will have rights of access by the public. You will be required to apply to the Secretary of State for consent under section 16 or section 38 of the Commons Act 2006.

**Footnote:**

**PROW:** The affected public right of way must not be obstructed by any plant, materials or equipment. Even the temporary storage of materials on the right of way is not permitted. Any obstruction of the route constitutes an offence under the Highways Act 1980 and will be pursued accordingly.

•If essential works mean that the public right of way cannot be kept open because of safety hazards, a temporary diversion or closure order must be obtained. Please contact Network.management@bradford.gov.uk for details.

•Even if planning permission is granted, no new stiles, gates, barriers or other structures can be erected on or across a public right of way without prior approval from the Council's Rights of Way Section. The requirements of the Equality Act 2010 must also be considered.

•If works alongside the public right of way present a danger to path users the affected section should be fenced off with safety netting.

•The surface of the public right of way should not be disturbed, however, if development works causes damage to the right of way it must be promptly repaired by the applicant at their expense. If any changes are proposed that would affect the surface in any way, these must be approved, in advance by the Rights of Way Section.

•If building works remove features that would enable users to find the right of way, the line of the right of way must be clearly indicated by some other means, as this will help to minimise conflict and difficulties on site.