

## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 22ND DECEMBER, 2022**

**PRESENT:** Councillor E Taylor in the Chair

Councillors B Anderson, C Campbell,  
S Hamilton, R Finnigan, T Smith,  
J Garvani, J Heselwood, N Walshaw,  
D Jenkins and A Garthwaite

### **68 Appeals Against Refusal of Inspection of Documents**

There were no appeals.

### **69 Exempt Information - Possible Exclusion of the Press and Public**

There were no exempt items.

### **70 Late Items**

There were no formal late items.

### **71 Declarations of Interests**

Panel members did not raise any interests at the meeting.

### **72 Apologies for Absence**

Apologies were received on behalf of Councillor D Ragan and Councillor J Bowden. Councillor D Jenkins and Councillor A Garthwaite attended as substitutes on behalf of Councillors Ragan and Bowden.

### **73 Minutes - 24 November 22**

**RESOLVED** – That the minutes of the previous meeting held on Thursday, 24<sup>th</sup>, November 2022 be approved as an accurate record.

### **74 22/04074/FU - Land at Hawksworth Quarry, Odda Lane, Hawksworth**

The report of the Chief Planning Officer presented a report setting out an application for the erection of a filter press to recover and recycle water from the sand washing plant at Odda (Hawksworth) Quarry and produce clay soil for the restoration of the exhausted quarry workings or exportation as product. Removal of the settlement lagoons in the quarry. The landscaping of the southside quarry face near to the filter press. (Part Retrospective) Land at Hawksworth Quarry, Odda Lane, Hawksworth.

Photographs and slides were shown throughout the presentation, and the officer in attendance provided Panel members with the following information:

- Additional comments were received following publication of the report and the issues raised are covered within the contents of the submitted report.
- The quarry is operational and is situated within the Green Belt and adjacent to the village of Hawksworth, north-west Leeds.
- HGV movements are limited to 220 per week, which is currently being breached and enforcement action is on-going regarding this matter. Lagoons are proposed to be removed as part of the application, aiming to reduce the number of HGV trips required. It was also confirmed that the proposed traffic numbers will be low and will not make a significant difference.
- An overview of relevant planning permissions and the history of the site was provided. It was noted that the proposal does not seek to retrospectively amend the original red line permission.
- There is a need for a filter press, and the sand wash alone is not the best option.
- The proposed structure includes concrete storage bays, associated gantries, and storage.
- Access is taken from Odda Lane at the western boundary of the site.
- Details regarding the landscaping scheme are yet to be confirmed.
- The shed would extend above the original ground level by approximately 5m, partially visible from private land adjacent to that boundary, although landscaping will soften the view. It is unlikely to be seen from the village or a public view-point.
- Proposed to be dark green in colour and will not adversely impact surrounding landscaping.
- Leeds City Councils Environmental Health department have assessed a noise report submitted by the applicant and consider a condition would be appropriate to deal with the low noise impact.
- The application has attracted 68 objections.

The objector in attendance, a resident and local GP, as well as being part of the Hawksworth Monitoring Group (actively monitors the operations of the quarry) explained that residents do not wish for the quarry to close. However, they do wish that their amenity and day lives are respected. Residents do not object to the proposals in principal but do object to the location of the structure and increased operational hours of the quarry. The machinery is close to residents homes and gardens, and before objectors are able to support such an application, they wish for adequate steps to be taken to shield residents. Concern was raised regarding the structure being built without planning permission and the increased height of the boundary wall. Residents wish to work with the local authority, and the owners of the quarry to provide better outcomes for residents and the locality.

Further to a question from a Panel member, the objector raised concern regarding building taking place beyond the red line boundary in 2013, affecting nearby residents.

The applicants representative attended the meeting and addressed the Panel. He informed the Panel of the following points:

- The proposed filter press compliments the sand washing plant. The filter press collects fine particles (clay) which the filter press then recovers water to send it back to the sand washing plant.
- The lagoons at the site will no longer be required once the filter press is in place and operational.
- The red line boundary on the planning permission granted in 1954 outlines the original boundary of the site and plans referred to relate to the 2009 permission granted for the extension of the quarry applied for in 2006. The reasoning behind the red line running diagonal is due to the red line running along the edge of a powerline. The applicant is in the process of negotiating with them to move the power grid.
- Noise and impact assessments have been undertaken and it demonstrates a low impact.
- The quarry does not run outside of the hours permitted for processing of materials. Planning permission allows for the operation of the machinery to reach the end of its cycle and there are different operations for outside of the machinery.

In responding to questions from Panel members, the applicants representative confirmed the following:

- Most of the enforcement cases relating to the site have been closed and planning conditions relating to previous consents are complied with.
- There is an on-going case relating to vehicular movement on site. The filter press reduces the amount of traffic on site and there are on-going discussions regarding traffic limits.
- The owner of the quarry and site attended a meeting with residents, which was 'hostile'.
- There have been no pre-negotiations regarding the filter press, the owner believed that the filter press could be installed under Permitted Development under condition 19 of planning permission 28/96/93/FU.
- The filter press is not being built to create a new product. However, it is identified that there is a possibility for the filter press to create a type of clay that may be used in a small market for animal bedding and supplements for beef cattle. It was confirmed that any materials leaving the site, will remain within the traffic limits permitted; 220 HGV trips per week, 110 in and 110 out.
- The owner intends to reinstate a liaison committee with residents and to explain the operation of the quarry over the next 10 years.
- The location of the filter press needs to be near the sand washing plant in order to pump 40% of clay into the machine and a landscape report has been undertaken on the 'crushing operations'. The proposed location of the filter press is tucked under the face, at the base of the quarry and cannot be seen from residents houses at the village. The proposed location mitigates any potential impact on residents.
- Further to a question regarding extension of the hours of 'operation' it was explained that the permission allows for the continuation of

processing a material inside a building, until it has run until the end of its cycle.

- Liaison meetings with residents were not possible during the Covid-19 pandemic, and the owner of the quarry wants to move forward by reintroducing meetings with residents again.

Further to confusion regarding vehicular traffic movement, officers reiterated that the condition to the planning consent states that no more than 220 trips for heavy goods vehicles, 110 in and 110 out Monday – Saturday in any working period. It was confirmed that should the applicant foresee increased traffic movements, consent must be obtained from the Local Planning Authority and agreed in writing and must provide details on the routine strategy and the impact of increased traffic.

Further to questions from officers, the following was confirmed:

- Officers were presented with a location for the filter press, and no other locations were considered. Officers deem the location of the proposed filter press acceptable.
- The hours of operation outside are 07:30 until 17:30 weekdays, and 08:00 until 12:00 Saturdays.
- A site visit was not an option due to there not being any safety equipment for members.
- Mineral extraction is considered an acceptable use in the Green Belt and there will be no use other than mineral extraction under the current application. It was also confirmed that the product created by the filter press is considered, by Planning to be a mineral product.
- Further liaison with the applicant is required regarding the landscaping plan.
- The applicant proposed the filter plant as Permitted Development, although this required prior approval.
- The filter press is not a manned building and does not require an extractor fan. Should maintenance be required, the machinery will be switched off. A condition can be applied to mitigate concerns regarding the impact of noise, by the applicant providing details of extraction should this be required.
- A condition cannot be applied to enforce liaison meetings on this particular application. A condition already exists on the wider planning consent, enforcement is able to look at that.
- The removal of permitted development rights cannot be applied.

Comments from Panel members highlighted the following:

- A suggestion that the hours of use (not operational hours) are restricted to 07:30 until 17:30 on weekdays and 08:00 until 12:00 on Saturdays. Members felt it is unreasonable to extend the pattern of use that already exists.
- There should be a strict interpretation on vehicular movement.
- To receive assurances that the structure will be 100% obscured from local residents, with no visual impact. Planting should be intense and thicker.

- To ensure that conditions attached to the planning permission are robust and unambiguous to protect the environment and nearby residents.

It was confirmed that Legal Services will check the decision notice with regard to the wording to ensure that it clear and robust in terms of enforceability.

Following a vote on the recommendation, it was moved and seconded:

**RESOLVED** – To approve the application in principal and defer and delegate the final decision to the Chief Planning Officer subject to amendments to the conditions as proposed in the submitted report:

- Add informative to the decision to ensure that the applicant is reminded of the condition on the previous approval restricts the quarry to no more than 110 vehicles in and 110 out per week.
- Add to end of condition 5 'to be submitted to and agreed in writing by the LPA and then painted the agreed colour within 2 months of installation and retained thereafter for the lifetime of the development'.
- When negotiating Landscape plan for condition 8 ensure that this screening is dense enough to hide the building from close and far views from the South. This may require the raising of the proposed bunding.
- That condition 11 reflect the already approved operational hours for the quarry.
- The filter press shall not be in any use except between the hours of 07:30 until 05:30 Monday - Friday and 08:00 until 12:00 on Saturdays.
- Additional condition to ensure any mechanical extract vent equipment to the building is submitted to the LPA for consideration, approval in writing and thereafter retained as approved.

## **75 Date and Time of Next Meeting**

**RESOLVED** – To note the date and time of the next meeting as Thursday, 19<sup>th</sup> January 2023 at 1.30 p.m.

(The meeting concluded at 15:40)