

Comments in relation to the application for quarrying at Bromley farm from

The Cumberworth Quarry Action group .

Application number 2023/91280

These comments form the basis for our continued objection to the proposals set out in the above application . They are made in the context of previous submitted papers , our comments and objections made in relation to those papers and in the light of new documentation recently published on the planning portal .

It is imperative that members of the planning committee read those previous objections, especially as many of the inaccuracies , gaps in information and repeated failures to answer questions , asked by ourselves and Kirklees Council , remain unanswered by the developer and its agents. Some of those gaps are so significant that to make an approval judgement in the absence of vital information renders Kirklees council responsible for an unsafe decision that is open to judicial challenge

These comments are in no particular order of priority , but seek to raise concerns that form the basis for our objections from the paperwork submitted.

GENERAL COMMENTS

1. The timescales for a response from interested parties in the community is just 14 days , we would query the fairness and equity in this approach , surely the planning policy states 21 days for consultees .
2. Kirklees council responded to Paragon Highways on the 12th September 2024 . Paragon Highways responded on the 14th January 2025 – a period of 18 weeks. To ask residents and members of the community to respond in 2 weeks to information that took the applicant 18 weeks to prepare and Kirklees council 3 weeks to issue , is neither fair nor reasonable.
3. The planning portal was experiencing technical difficulties on the weekend 7-9th making the submission of comments very difficult , residents reported comments being annotated or jumbled and submission very difficult .
4. We note the proposed new route but would point out there has been no consultation either prior or during the latest round of paperwork with those along the route. All of whom will be impacted if this development proceeds.
5. The Highways response from September 2024 , refers to Highways maintenance costs and indicates that Barnsley MBC may also have requested costs . The issue of Barnsleys engagement in this

application is a matter raised previously . There are no papers from Barnsley MBC visible on the planning portal and it is likely and we can only conclude that they were not consulted . As the road network strays across the boundary , this is significant , regardless of any new route proposed . There is a planning requirement with major developments for authorities to consult across local authority borders. A new quarry represents a major development , especially given its size , the years applicable to mining and the transport journey to process mined material.

6. The original application is for an Extension to existing Quarrying , a point contested by us all along , previous quarrying ceased many years ago. This is not an extension- it is a new quarry . This is now supported by Kirklees MBC in the highways report , and as such this application is fundamentally flawed and should be thrown out .
7. It is our view , supported by evidence that the developers and their agents in this case have treated Kirklees's planning processes and the public with utter contempt. The paper trail of this application demonstrates that they have supplied inaccurate information , incomplete information , changed information during the process, failed to answer questions and have largely relied on computer generated data analysis . On at least one occasion information produced and in the public domain was supplied for an area not even in Kirklees . This begs the question as to the diligence applied.
8. At no point have they sought to engage the community despite request being made to them , nor have they sought to offer any benefits to the community of this application proceeding . We understand they have transferred ownership to a company based in Romania.
9. The new paperwork still contains inaccuracies , for example, what is the type and size of vehicle being used ? artic, rigid 3 or 4 axle . This is significant in the assessment of risk , relating to size , the nature of the road conditions , turning requirement , and park up ability . A factor picked up specifically in the transport section of this objection. What is clear is that the vehicle types are interchanged in the reports . This seems the most basic of information and is necessary to facilitate a full , comprehensive and safe decision making process.
10. The trip data for coal extraction is still not evident in the new paperwork. In an application of this type, to say it will be minimal is not good enough .
11. In the original application it was estimated that there are 10,000 tonnes of coal on the development site. Kirklees is still awaiting information on how this will be removed. Either, it will increase daily trips or it will extend the 25 year life cycle that is proposed . These latter two questions are raised by Kirklees Highways and remain unanswered .

12. There is also NO analysis of the transport of inert waste to the site , where this will come from and how it will be transported . This is a significant gap both in terms of traffic flows and any risk analysis.

TRANSPORT SPECIFIC ISSUES

1. While pleased that the highways team from Kirklees , have indicated that they will not support an application for the use of rural roads and acknowledge the request for additional modelling. The re routing of HGVs from Carr Hill Road is welcomed , although it begs the question if not suitable for these vehicles why is it suitable for any HGV a matter we will pick up separately.
2. The lack of clarity regarding the size of vehicle and the trip numbers is a significant factor . It should and must be noted that the developer and the agents have changed and modified data to such an extent it is unclear how many trips will take place daily. It should also be noted that the figures DO NOT include trip data for inert waste being brought to the site.
3. As figures are modified by Paragon Highways in reports , it is always in the downward direction and usually done in response to a concern . Kirklees Highways have picked this up , the original application , the interim information and the new documentation all show differing amounts of trips and as is said above we do not know the inert waste trip data.
4. This DOES not stack up , if you are going to extract minerals on a campaign basis over the 25 year period you need to be making a set number of trips of waggons loaded to capacity. The reality is the maths tells you this will be around 60 single trips per day. So any figures less than that mean the developer is going to either want a longer quarrying period OR they will exceed the permissions granted- Kirklees must clarify this .
5. Residents have already raised concern regarding violations of routes and volumes with operators to very little by the way of result . So how will any route be policed ?
6. The modelling throws up some interesting issues with the use of the A road network , particularly at the Sovereign and New Mill junctions. Notwithstanding that there remains no clarity on the size and type of vehicle to be used. The type and size of vehicle is central to the veracity of the modelling , so in its absence caution should be applied .
7. There is no reliable accident data factored into the modelling . This is relevant not only because the Sovereign Junction and New Mill Junction are high accident spots , but because delay and excess queuing increases risk. There are many studies that demonstrate that inconvenience , delays and queuing increase the likelihood of risk taking by drivers.

8. There is also no consideration of the fact that the New Mill junction is a major junction on the school route for Holmfirth High School and is part of the prescribed walking route.
9. Kirklees Highways requested a repeat of traffic counts on the northern junction of the Sovereign cross roads and junction capacity at New Mill. These are dealt with in section 4 of the Paragon submitted response – there are some specific issues with the findings and the conclusions
 - Paragraph 4.7 the junction operates within theoretical capacity but slightly over normal requirements , apart from questioning the veracity of this ,especially in the absence of any accident analysis – is it acceptable to operate outside of the normal requirement.
 - Paragraph 4.10 A635 Holmfirth arm ‘ struggles with existing volumes ‘ , A635 Barnsley arm ‘ struggles with existing volumes ‘
 - Paragraph 4.24 A635 Penistone arm’ struggles with existing volumes
10. How can the phrase ‘struggles with existing volumes ‘ equate to a view that increases in existing queue levels are not severe ?
11. When taken in the absence of Accident data and any consultation from West Yorkshire police , the risk at both junctions, even if the agents paperwork on trip volumes, was clear and consistent , is unacceptable.
12. Paragraph 4.30 concludes and acknowledges operation of both junctions is an issue in terms of theoretical capacity but then proceeds to suggest that this is within normal daily parameters. It is worth noting that these conclusions appear to be based on a morning and afternoon appraisal There is no risk assessment to support this and indeed vital information to support the modelling is absent .
13. There is no analysis of the road condition or the geography . The road from the Sovereign junction has a steep decent down into new mill . This is a 9% gradient and is has signage as such . There are also two severe blind spots which prevent vehicles seeing the queuing traffic until you are on it . The joining junction of Sude Hill and at Huddersfield road also have traffic queuing at peak times. New speed limits were put in place last year and speeding is an issue.
14. The Penistone Road is also crossed by a route used by Horse riders at Gate Foot Lane and this is signposted as such by Kirklees MBC
15. Pedestrian risk , while the use of Carr Hill road has been ruled out , (although it is unclear how this will be policed) there is no acknowledgement of the state of the footpath between the site exit and the Sovereign Junction . The footpath is only on one side of the road , is narrow , often impassible due to mud and or litter and has been subject to a number of wall collapses. For wheelchair users or parents wheeling a pram , it is necessary at points to head into the road which means if you are heading back into Cumberworth , you are not facing vehicles travelling from the Sovereign back to the site.

16. Where is the evidence in relation to noise and pollution , the number of lorries trundling along Barnsley Road , laden with material for the site is going to impact significantly on the noise and dust experienced by those houses backing onto or facing Barnsley road.
17. In short there is no impact analysis or risk appraisal of laden waggons (of whatever type) , with a 44 tonne payload , using the now proffered route , which is already busy , is a frequent accidents site – and includes making a descent into backing up and queuing traffic. A decision made in the absence of appropriate risk appraisals by Kirklees Planning to allow this to proceed would be reckless and unreasonable.
18. The highways report states there are bus stops within 1km of the centre of the proposed site . There are in fact two bus stops within 50 metres of the junction into the Bromley Farm Household Recycling centre.
19. A detailed analysis undertaken by the community with an experienced operational transport manager , using the proposed opening hours of the quarry has been supplied to Kirklees highways. This was much more extensive than anything undertaken by the agent and it illustrated that each weekday 4.3 %of traffic passing the site junction was HGV traffic, with an additional 120 proposed movements this would increase to 6.1%. This level of HGV traffic and the increase proposed is unacceptable.
20. The gaps relating to the supply of basic information such as the movement associated with inert waste and the type of vehicle , basic information , render the modelling undertaken inaccurate at best. There are very significant differences and risk associated with Artic or rigid axle vehicles. This point is covered further below.
21. In paragraph 8 , Paragon Highways confirm the use of 16.5 metre articulated six axle vehicle (although we note this is different to in previous reports). This has a significant impact on the modelling
 - For example setting a gate 17 metres back , will not allow for two of these vehicles to entre the site without one of them sticking out onto the access road and presenting a hazard. We have already presented evidence regarding quarry operational practice , particularly first thing in the morning.
 - Getting site machinery onto site using a low loader would have no success in not obstructing the access road . These measure 18 meters.
 - Nor would a second vehicle be able to wait in the layby as it wont fit
 - The access via the bell mouth would be very different for a ridged or articulated HGV
22. We have previously referred to the Health and Safety Executive operating procedures for Quarries . The ‘quarry Vehicles and Edge Protection ‘ guidance states the road needs to be wide enough to allow vehicles to pass with ease , for two way roads they should be three and one times the width of the largest vehicle using the road – THESE ARE THE MINIMUM

ACCEPTABLE WIDTHS. The road therefore needs to be at least 8.92 metres wide , so 6 metres, as recommended by Kirklees , is incorrect

23. This is a shared public access to Bromley Farm Household Waste recycling Centre, it is not a highway according to the standard definitions. A quarry access road used in part by members of the public requires a detailed risk appraisal - Where is the risk appraisal ?
24. To suggest that the existing bell mouth access, would be acceptable is misleading, not only because of the interchangeable nature of vehicle type in the reports but because no consideration has been given for pedestrians or cyclists .We are unclear as to whether Kirklees has satisfied itself that the kerb radius is 10meters , if this has been done from ariel maps then it is likely to be inaccurate .
25. None of the modelling takes into account the inert material trips , this will not be arriving from points along the proposed route . It is known that inert material can come from anywhere , both locally and nationally , so vehicles are likely to come from all directions not as is suggested. This significant gap not only impacts on trip numbers but on the road modelling and on any risk assessment .
26. Overall there is complete silence on the issue of cumulative assessment which the council is obliged to undertake . The approval of housing developments , and other quarrying sites has meant increased pressure on all the roads . The knock on though, is that the main road doesn't sit in isolation from the other more rural roads , being used as a rat run . Skelmanthorpe to Barnsley road is a good example . The excessive pavement parking on the junction of Cumberworth Lane outside the post office , means cars are often jutting onto Barnsley road . This has been reported although no action has resulted .

ENVIRONMENT

1. We have previously highlighted serious concerns about the impact of this development on the biodiversity . These are not addressed by the new information
2. We know that the firing of clay is energy intensive. Where is the downstream environmental impact assessment arising from the Supreme court judgement ? Any EIA must consider the whole effects of a project , this needs to be established by evidence , not speculation or conjecture. Information on likely downstream impact must be available to the Local Planning Authority before any decision is made. This should include all phases of the project , construction , commissioning , operation and decommissioning. The EIA in this instance is incomplete
3. While there are updated environmental reports there is no updated ecology report . We know the site is home to protected species and there is no new information on how this will be preserved

4. The loss of amenity is a loss forever . The quality of life for residents reduced should this proceed, this is a popular walking route used by those living locally as well as visitors.
5. There is a strategic gap in relation to convincing residents that Kirklees takes the environmental and heritage fabric of Kirklees seriously . Once developed green belt is lost. This site borders the village of upper Cumberworth with its conservation area . The absence of effective policing of restrictions placed on developers means that the roads through the village are little more than a rat run , for drivers wanting to save a few minutes. The noise , dirt and risk this presents outside the school is significant . Where is the mitigation action promised by councillors Turner and Simpson ? and what is the strategy to preserve this heritage.?

These comments that make up this objection need to be read alongside other comments in previous objections . In short the information provided in this application is incomplete and does not facilitate a full and proper risk analysis . Should the application proceed any decision made by Kirklees will be rendered unsafe.