

DC Admin

From:
Sent: 08 April 2025 15:55
To: DC Admin
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8 April 2025

Dear Sirs,

Proposed Development for 62 residential dwellings at Cliff Hill Site Denby Dale off Cumberworth Lane. Planning Application 2024/93458

I would like to express my concerns regarding the above planning application.

This is a resubmission of a previously refused Planning Application no. 2022/91911. The new application does not address the concerns raised by Kirklees Strategic Planning Committee in their Decision Notice 1050452 dated the 23/7/2024. Kirklees have already spent a significant amount of time and money on a parcel of land that does not satisfy planning criteria. It should be refused again for the reasons set out below:

1. Flooding concerns. The rear of properties on Wakefield Road already flood due to grouting works from a previous granted planning application. Further grouting, which will be needed to fill mining voids, will compound this problem by filling voids in the ground making it more prone to flooding.

3. The proposal involves significant open cast mine workings to remove a coal seam approximately 1.4m deep. The excavation, compaction and associated vibration is likely to damage the existing surrounding properties. The trial holes from the previous application have already caused my garden and next doors garden to sink. Despite writing to the proposed developer at the time they chose to ignore this fact. How will this risk be negated? Even if full dilapidation surveys are done there is nothing preventing a latent defect from appearing.

4. The land in question is home to nesting bird, bats, and badgers. How will these be protected?

5. The National Coal Board categorically state that the removal of coal is contrary to its guidelines and should only be carried out if it is for the benefit of the existing local residence. This is further supported by the exert below from Kirklees Council Local Plan that you appear to be ignoring

Para 15.11

National planning guidance does not support the opening of new opencast coal sites unless they meet strict criteria regarding environmental impact **or provide overwhelming community benefits**. The Coal Authority and the British Geological Society have identified areas where surface coal exists and where coal has been identified by prospecting and all these areas which fall within the Green Belt will be safeguarded.

Para 15.16

Minerals sites employ a wide range of mechanical machinery to extract, process and transport the minerals including excavators, heavy vehicles, screens and crushers. Mineral extraction also involves the excavation of significant areas of land, the siting of associated buildings and the storage of spoil, restoration material and worked mineral.

Para 15.17

As a consequence, mineral extraction can result in noise, dust, vibration, heavy vehicle movements, changes to ground and surface water regimes, injury to visual amenity and the setting of heritage assets and damage to landscape character and local ecological systems. In addition the subsequent beneficial use of the site can be prejudiced. It is therefore essential that in order to assess proposals for mineral extraction sufficient information is provided so that the likely impacts associated with the development and any proposed mitigation can be fully considered

Para 217 National Planning Policy Framework

Planning permission should not be granted for the extraction of coal unless: a) the proposal is environmentally acceptable, or can be made so by planning conditions or obligations; or b) if it is not environmentally acceptable, then it provides national, local or community benefits which clearly outweigh its likely impacts (taking all relevant matters into account, including any residual environmental impacts).

6. Traffic movements from both the development of the site and additional dwellings will have a serious environmental impact. Coal extraction will be problematic and should not be allowed to happen especially now knowing the likelihood of air pollution and breathing difficulties that it could cause for the existing local residents.

Yours Faithfully

Copy to Kirklees Planning and Highways Departments