



The reasons given for previously turning down the application for developing this site in the way proposed have not been resolved in this application:

The ground works, removal of coal, and remediation associated with the proposed development would result in an unacceptable number of vehicle movements and unacceptable environmental impacts.

In addition, due to unknown conditions beneath the site, there is a lack of information that prevents it being fully ascertained what the environmental impacts of the aforementioned works would be.

Furthermore, it has not been demonstrated that the site is suitable for residential development.

The data regarding movement of vehicles is an underestimate, once you consider the movement of waste material, in addition to coal, off site, and materials back on.

Cumberworth Lane is not suitable for such a high level of HGV movements. There are also other developments nearby (including a quarry at Bromley Farm recently given permission) which will be adding to the number of large HGVs on local roads - where is the cumulative impact assessment?

There is also no mention of noise pollution mitigation, when the heavy plant being used on site will produce noise levels in the hazardous to extremely hazardous range.

The extraction process for the coal on site is still based on all sorts of assumptions and estimations, changes in which in reality (almost certainly revised upwards) would significantly increase the detrimental effects on the area. The method of disposal of the coal is also not specified, and though it says the applicant does not intend to dispose of it for commercial purposes that does not prevent another legal entity taking on that task.

The comparison of this site with small development at Springhead Gardens is not valid - the two areas are not geographically similar, the risks are not equivalent, and even on that site there were significant breaches of conditions and unmitigated noise and dust caused by practices by the developer.

Paragraph 11c of the NPPF states that there is a presumption in favour of 'sustainable development' - this site cannot be considered sustainable, in that its development requires the extraction of a large volume of coal, in contradiction to Kirklees environmental policies and planning priorities, and it is not suitable for residential development.