

## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

business need to identify additional areas of mineral extraction during the plan period. This need has been considered against their existing permitted reserve and the potential for the retention of and / or growth in local jobs. This approach is in compliance with NPPG paragraph 7. It is also acknowledged that the target mineral – block stone – is of national importance which also needs to be given significant weight. This is in accordance with NPPF paragraph 143. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). No objections from Historic England, Conservation and Design and WYAAS. However, predetermination archaeological survey will be required at the planning application stage as site is not too far from heritage asset PRN11 – a probable Iron Age – Romano – British enclosure. Impacts upon potential heritage assets would also be addressed through policy PLP 35. The allocation has been assessed based on NPPF and NPPG requirements. In particular the need for the mineral has been considered, environmental criteria – consistent with NPPF and NPPG – has been applied when assessing the site. The evidence used is proportionate and sufficient to justify the allocation. More detailed studies would follow at the planning application stage.

Paragraph/Site: **ME2240**

Consultee: **943612 Helen France**

Agent:

Rep ID: **PDLP\_AD2018**

**Soundness - Positively Prepared** - The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.

**Soundness - Justified** - Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment

**Soundness - Consistent with National Policy** - These allocations fail to meet the requirements of Paragraph 182 of the NPPF

**Council Response** No change. This is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.

Paragraph/Site: **ME2240**

Consultee: **953144 Mr S Berry**

Agent: **953142 Mr Jonathan Standen**

Rep ID: **PDLP\_AD662**

**Council Response** SUPPORT - No change, support for site allocation noted.

Paragraph/Site: **ME2241**

Consultee: **943612 Helen France**

Agent:

Rep ID: **PDLP\_AD2019**

**Soundness - Positively Prepared** - The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.

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**Soundness - Consistent with National Policy** - These allocations fail to meet the requirements of Paragraph 182 of the NPPF

**Council Response** No change. This is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.

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Paragraph/Site: <b>ME2241</b>	Consultee: <b>953144</b>	<b>Mr S Berry</b>	Agent: <b>953142</b>	<b>Mr Jonathan Standen</b>	Rep ID: <b>PDLP_AD212</b>
<b>Council Response</b>	SUPPORT - No change, support for allocation noted.				
Paragraph/Site: <b>ME2242</b>	Consultee: <b>943612</b>	<b>Helen France</b>	Agent:		Rep ID: <b>PDLP_AD2020</b>
<b>Soundness - Positively Prepared</b>	- The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.				
<b>Soundness - Justified</b>	- Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment				
<b>Soundness - Consistent with National Policy</b>	- These allocations fail to meet the requirements of Paragraph 182 of the NPPF				
<b>Council Response</b>	No change.This is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.				
Paragraph/Site: <b>ME2242</b>	Consultee: <b>953144</b>	<b>Mr S Berry</b>	Agent: <b>953142</b>	<b>Mr Jonathan Standen</b>	Rep ID: <b>PDLP_AD213</b>
<b>Council Response</b>	SUPPORT - No change, support for allocation noted.				
Paragraph/Site: <b>ME2243</b>	Consultee: <b>943612</b>	<b>Helen France</b>	Agent:		Rep ID: <b>PDLP_AD2021</b>
<b>Soundness - Positively Prepared</b>	- The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.				
<b>Soundness - Justified</b>	- Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment				
<b>Soundness - Consistent with National Policy</b>	- These allocations fail to meet the requirements of Paragraph 182 of the NPPF				
<b>Council Response</b>	No change.Comments noted:However, this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.				
Paragraph/Site: <b>ME2243</b>	Consultee: <b>943973</b>	<b>Mr David Newby</b>	Agent:		Rep ID: <b>PDLP_AD1000</b>
<b>Soundness - Justified</b>	The, soon to be implemented, change in the Planning Regulations will mean that, once in the approved Local Plan, these sites will, in effect, have outline Planning Consent. Loss of agricultural land, impact on landscape and removal of disruption of landscape features. Impact on residential amenity. Increased HGV traffic on minor roads.				
<b>Soundness - Consistent with National Policy</b>	Large areas of land would be taken out of the Green Belt in direct conflict with the provisions of NPPF para 79 and 80.				
<b>Council Response</b>	No change.Comments noted:However, this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation				

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measures considered and secured through conditions and / or planning obligations.

Paragraph/Site: **ME2243**

Consultee: **947700 Mr G Maxwell**

Agent:

Rep ID: **PDLP\_AD730**

**Soundness - Justified**

The reports/commentary section about sites ME2243 and ME2263 states "Operational site that will be expected to continue to conform with the planning permission associated conditions and agreed site restoration and after care plan". Kirklees Planners must ensure that owners/developers adhere to the conditions that are placed on them and not allow them to repeatedly seek extensions to time limited approvals. An extension to time limit should be treated as a new application. Both quarries are at the time of writing inactive. The Council must start to put the needs of local residents ahead of those of developers and they must enforce their original decisions.

**Proposed Change Requested**

The Council have considered an extension to Appleton Quarry by putting forward site ME1965a as a new site close to the quarry. The council's own LP states that a new quarry should not be considered until an old quarry is exhausted. Therefore Site ME1965a should not be included in the plan

**Council Response**

No change. Comments noted: However, this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.

Paragraph/Site: **ME2244**

Consultee: **943612 Helen France**

Agent:

Rep ID: **PDLP\_AD2022**

**Soundness - Positively Prepared**

- The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.

**Soundness - Justified**

- Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment

**Soundness - Consistent with National Policy**

- These allocations fail to meet the requirements of Paragraph 182 of the NPPF

**Council Response**

No change. Comments noted: However, this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.

Paragraph/Site: **ME2244**

Consultee: **943973 Mr David Newby**

Agent:

Rep ID: **PDLP\_AD1001**

**Soundness - Justified**

The, soon to be implemented, change in the Planning Regulations will mean that, once in the approved Local Plan, these sites will, in effect, have outline Planning Consent. Loss of agricultural land, impact on landscape and removal of disruption of landscape features. Impact on residential amenity. Increased HGV traffic on minor roads.

**Soundness - Consistent with National Policy**

Large areas of land would be taken out of the Green Belt in direct conflict with the provisions of NPPF para 79 and 80.

**Council Response**

No change. Comments noted: However, this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.

Paragraph/Site: **ME2245**

Consultee: **943612 Helen France**

Agent:

Rep ID: **PDLP\_AD2023**

**Soundness - Positively Prepared**

- The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.

**Soundness - Justified**

- Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to

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illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment

**Soundness - Consistent with National Policy** - These allocations fail to meet the requirements of Paragraph 182 of the NPPF

**Council Response** No change.This is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.

Paragraph/Site: **ME2245** Consultee: **943973 Mr David Newby** Agent: Rep ID: **PDLP\_AD1002**

**Soundness - Justified** The, soon to be implemented, change in the Planning Regulations will mean that, once in the approved Local Plan, these sites will, in effect, have outline Planning Consent. Loss of agricultural land, impact on landscape and removal of disruption of landscape features. Impact on residential amenity. Increased HGV traffic on minor roads.

**Soundness - Consistent with National Policy** Large areas of land would be taken out of the Green Belt in direct conflict with the provisions of NPPF para 79 and 80.

**Council Response** No change.This is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.

Paragraph/Site: **ME2245** Consultee: **1035351 Mr Robert Kersey** Agent: Rep ID: **PDLP\_AD1025**

**Soundness - Justified** The quarry will be very close to the hamlet of Wellhouses. If the quarry expands to the edge of Cartworth Moor Road then noise from diggers / peckers etc. is going to become a major issue. Noise from diggers is extremely loud and can be heard even inside the houses. Obviously if the border moves right up to Cartworth Moor Road this is going to be a lot worse particularly in the early stages when digging is at surface level or just below.

**Proposed Change Requested** Noise limiting steps, such as constructing earth banks planted with shrubs and fast growing trees, to lessen any impact have to take place before quarrying starts.

**Council Response** No change.This is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.

Paragraph/Site: **ME2246** Consultee: **943612 Helen France** Agent: Rep ID: **PDLP\_AD2024**

**Soundness - Positively Prepared** - The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.

**Soundness - Justified** - Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment

**Soundness - Consistent with National Policy** - These allocations fail to meet the requirements of Paragraph 182 of the NPPF

**Council Response** No change.Comments noted:However, this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.

Paragraph/Site: **ME2246** Consultee: **943973 Mr David Newby** Agent: Rep ID: **PDLP\_AD1003**

**Soundness - Justified** The, soon to be implemented, change in the Planning Regulations will mean that, once in the approved Local Plan, these sites will, in effect, have outline

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	Planning Consent. Loss of agricultural land, impact on landscape and removal of disruption of landscape features. Impact on residential amenity. Increased HGV traffic on minor roads.
<b>Soundness - Consistent with National Policy</b>	Large areas of land would be taken out of the Green Belt in direct conflict with the provisions of NPPF para 79 and 80.
<b>Council Response</b>	No change.Comments noted:However, this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.
Paragraph/Site: <b>ME2246</b>	Consultee: <b>1035351 Mr Robert Kersey</b> Agent: Rep ID: <b>PDLP_AD1027</b>
<b>Soundness - Justified</b>	The quarry will be very close to the hamlet of Wellhouses. If the quarry expands to the edge of Cartworth Moor Road then noise from diggers / peckers etc. is going to become a major issue. Noise from diggers is extremely loud and can be heard even inside the houses. Obviously if the border moves right up to Cartworth Moor Road this is going to be a lot worse particularly in the early stages when digging is at surface level or just below.
<b>Proposed Change Requested</b>	Noise limiting steps, such as constructing earth banks planted with shrubs and fast growing trees, to lessen any impact have to take place before quarrying starts.
<b>Council Response</b>	No change.Comments noted:However, this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.
Paragraph/Site: <b>ME2247</b>	Consultee: <b>943612 Helen France</b> Agent: Rep ID: <b>PDLP_AD2025</b>
<b>Soundness - Positively Prepared</b>	- The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.
<b>Soundness - Justified</b>	- Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment
<b>Soundness - Consistent with National Policy</b>	- These allocations fail to meet the requirements of Paragraph 182 of the NPPF
<b>Council Response</b>	No changeComments noted:However, this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.
Paragraph/Site: <b>ME2247</b>	Consultee: <b>943973 Mr David Newby</b> Agent: Rep ID: <b>PDLP_AD1005</b>
<b>Soundness - Justified</b>	The, soon to be implemented, change in the Planning Regulations will mean that, once in the approved Local Plan, these sites will, in effect, have outline Planning Consent. Loss of agricultural land, impact on landscape and removal of disruption of landscape features. Impact on residential amenity. Increased HGV traffic on minor roads.
<b>Soundness - Consistent with National Policy</b>	Large areas of land would be taken out of the Green Belt in direct conflict with the provisions of NPPF para 79 and 80.
<b>Council Response</b>	No change.Comments noted:However, this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>942963 Mr Richard Brook</b> Agent: Rep ID: <b>PDLP_AD1432</b>
<b>Soundness - Justified</b>	Site ME2248 is too close to residential areas and would damage people's health and quality of life. It would destroy a valuable children's playground. It would

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also destroy public rights of way, damaging the area's increasing reputation for outdoor recreation and leisure tourism.

### Council Response

No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

Paragraph/Site: **ME2248b**

Consultee: **942968**

**Mrs Carol Brook**

Agent:

Rep ID: **PDLP\_AD1237**

### Soundness - Positively Prepared

Prior to receiving a document through the letter box we were unaware of the quarrying developments around Cumberworth and were suddenly faced with the deadline by which we need to object.

### Soundness - Justified

Objection to site ME2314 due to the proximity of villages and severe impact on communities. There are concerns about general disruption; suitability of the road for heavy traffic and as a route to school and for runners, cyclists and walkers; impact on noise & dirt pollution, including from increased vehicle emissions; impact on peace and quiet and general road safety, especially near the school. The area is special in terms of habitat and wildlife and there are nesting Skylarks on the site which are an endangered species. The fields and woodlands in the area are important habitats which must not be destroyed.

### Council Response

No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

Paragraph/Site: **ME2248b**

Consultee: **943162**

**Mr Frank Dolan**

Agent:

Rep ID: **PDLP\_AD1423**

### Legally Compliant

It does not meet the criteria for legal compliance. It is not based on robust and credible evidence. It is not the most appropriate strategy when considered against alternatives. It has not considered cross boundary/inter authority issues. It has not consulted widely and community engagement has been limited.

### Duty to Co-operate

Residents in the nearby villages of West Bretton and Calder Grove have not been made aware of the proposals. Both are within the Wakefield MC area and the former is also the home of the internationally recognised Yorkshire Sculpture Park. Traffic exiting the M1 at exits 38 and 39 already chokes these villages especially for 2 to 3 hours in both early morning and early evening.

### Soundness - Positively Prepared

The Vision and Objectives Section of the KMC Strategies and Policies Document recognises the natural beauty and heritage of this area, yet these plans would ultimately lead to its destruction. There has been only minimal if any involvement of the local communities. Two information sessions, neither of which was widely publicised, were held in Huddersfield and Dewsbury, a tedious journey, especially for those using public transport. Access to the plans via the Internet is also bad practice being predicated on the flawed assumption that this is available to all and that they have the skills to access and negotiate an unusually difficult and unwelcoming site.

### Soundness - Justified

Over 5,000 new houses are planned for Kirklees Rural adding to the many hundreds of houses recently built, or undergoing construction. Infrastructure and the facilities essential for public health are already compromised; the proposals are therefore unsustainable. Notably it does not; Improve the health of local people, Secure an effective transport network, Protect and enhance the character of the landscape. Protect and enhance recreation facilities and areas of open space Provide the housing that meets local demand.

### Soundness - Consistent with National Policy

The Plans do not ensure sustainable development for either Kirklees or Kirklees Rural and are therefore unsound, particularly with regard to National Policy, (para 182, NPPF).

### Council Response

Insert/Remove Numbered List  
No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations. At a meeting on 17th February Wakefield Council confirmed that they consider Kirklees to have complied with the duty to cooperate. In relation to the preparation of highways and transport evidence, Wakefield is now satisfied that Kirklees have recognised the impacts upon Wakefield's network. With respect to highway impacts at the A636/A637 roundabout junction, Wakefield Council recognises that the highway network will experience significant congestion in 2030 without the Kirklees Local Plan site allocations, however it is also recognised that the site allocations will add to this issue. However Wakefield Council does acknowledge that there is a reasonable prospect that highway improvements could be provided. As such, Kirklees will work with Wakefield Council over time to discuss cross-boundary infrastructure and traffic impact issues.

Paragraph/Site: **ME2248b**

Consultee: **943612**

**Helen France**

Agent:

Rep ID: **PDLP\_AD2026**

### Soundness - Positively Prepared

- The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late

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<b>Soundness - Consistent with National Policy</b>	- These allocations fail to meet the requirements of Paragraph 182 of the NPPF
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>943973 Mr David Newby</b> Agent: Rep ID: <b>PDLP_AD1013</b>
<b>Soundness - Justified</b>	The, soon to be implemented, change in the Planning Regulations will mean that, once in the approved Local Plan, these sites will, in effect, have outline Planning Consent. Loss of agricultural land, impact on landscape and removal of disruption of landscape features. Impact on residential amenity. Increased HGV traffic on minor roads.
<b>Soundness - Consistent with National Policy</b>	Large areas of land would be taken out of the Green Belt in direct conflict with the provisions of NPPF para 79 and 80.
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>944053 Mr Stephen Ayre</b> Agent: Rep ID: <b>PDLP_AD1282</b>
<b>Soundness - Justified</b>	The quarrying is too close to residential properties Cumberworth Lane is unsuitable for heavy traffic especially as there is a school on It destroys the character of the area & village recreation facilities & public footpaths.
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>965106 Mrs Emily Fenton</b> Agent: Rep ID: <b>PDLP_AD280</b>
<b>Soundness - Justified</b>	The proposals fails to improve the health of the local people, protect and enhance recreation facilities and areas of open space and encourage their usage, protect and enhance the character of the landscape, secure an effective and safe transport network; and conserve and enhance Historic environment
<b>Proposed Change Requested</b>	Remove site from the plan.
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>966867 mrs sandra mitchell</b> Agent: Rep ID: <b>PDLP_AD238</b>
<b>Soundness - Justified</b>	Impact on health and wellbeing, amenity and highways. Part of site is playing field.
<b>Proposed Change Requested</b>	Remove the site from the plan.
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>966889 mr paul mitchell</b> Agent: Rep ID: <b>PDLP_AD242</b>

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<b>Soundness - Justified</b>	Impact on character of the area. There would be noise and dust pollution and large waggons travelling on the narrow roads in the area, passing the local school and church and many houses.
<b>Proposed Change Requested</b>	Remove the site from the plan.
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.

Paragraph/Site: **ME2248b** Consultee: **967105 mr kevin hill** Agent: Rep ID: **PDLP\_AD788**

<b>Soundness - Justified</b>	The site does not "Improve the health of the local people": Being close to residential areas the developments are likely to have negative impact on health as a result of dust and noise pollution. The site does not "Protect and enhance recreation facilities and areas of open space and encourage their usage.": Site 2248 includes the Eunice Lane Playing Field and numerous public footpaths which would be destroyed. The site does not "Protect and enhance the character of the landscape": The site ME2248b borders the conservation area of Upper Cumberworth. Much of the area is clearly visible from roadsides, public footpaths and houses, destroying the landscape. There are woodland areas nearby with protected species. The site does not "Secure an effective and safe transport network": Cumberworth Lane, between Upper and Lower Cumberworth, is a narrow road with parts that cannot be widened. It has inadequate footpath provision and passes by the Cumberworth First School. It is therefore unsuitable for a significant increase in large trucks. The site does not "Conserve and enhance Historic environment": The site ME2248a borders houses included in the conversation area, including some more than 300 years old, and is only a few metres from St Nicholas Church and its grounds, a listed building.
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

Paragraph/Site: **ME2248b** Consultee: **969399 Mrs Magdalen Blanchard** Agent: Rep ID: **PDLP\_AD1322**

<b>Soundness - Justified</b>	These plans would contravene certain stated aims of the Kirklees Sustainability Appraisal. including the requirement to "improve the health of local people". The sites mentioned are extremely close to people's homes and gardens and it is difficult to understand how the health of these residents would be improved by such close proximity to the dust and noise associated with the quarrying of stone or other minerals. A further aspiration is "to protect and enhance recreation facilities and areas of open space and encourage their usage" and to "protect and enhance the character of the landscape". Tourism and walking improvements and investment in the area would be put in jeopardy if these permissions were to be granted having a negative impact on local businesses. Historic sites would be seriously compromised by being so close to large quarries – for example, St.Nicholas church and grounds. The road which joins Upper and Lower Cumberworth is inadequate for buses to pass oncoming vehicles. Large lorries would bring added pressures to the local transport system.
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

Paragraph/Site: **ME2248b** Consultee: **975281 Ben Jones** Agent: Rep ID: **PDLP\_AD505**

<b>Soundness - Justified</b>	Health and Safety: I note that there is a planning notice for Formation of access road to serve existing quarry operations (application 2016/93658). If, as seems likely, access to this site will be through this access road then the residential area of Bromley Park will be significantly affected. 40 tonne trucks will cause noise pollution, as well as safety issues on the residential streets. Noise and dust pollution from quarrying, the site borders Bromley Park residential area, the prevailing wind will accentuate this impact of dust and noise pollution. Destruction of recreation facilities: The site is crossed by a public right-of-way, this footpath would be destroyed. Negative Impact on the Landscape: Site ME2248b is a large site and a significant increase on existing workings, but it is only a part of what is a massive overall site that includes ME2248a, ME2248b, ME2248c, and ME2314. ME2248b and ME2248c are in immediate risk and if allocated as planned then the impact on the local landscape would be massive and totally out of scale. The character of the landscape would be changed for ever. Impact on Housing in the Immediate Vicinity: Considering all the above, the development would likely cause significant drop in house values in the villages in the immediate vicinity of site ME2248b, especially those of Bromley Park.
<b>Proposed Change Requested</b>	The size and scale of the site should be significantly reduced.
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation



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measures considered and secured through conditions and/or planning obligations.

Paragraph/Site: **ME2248b**

Consultee: **978216 Cllr Jim Dodds**

Agent:

Rep ID: **PDLP\_AD1649**

### Soundness - Justified

• These sites are very close to residential areas and are likely to have a negative impact on health as a result of dust and noise pollution. • Site ME2248 includes the Eunice Lane playing fields and numerous public footpaths which will be destroyed. The loss of footpaths across countryside will force walkers onto paths of the main roads and the pollution from the traffic. Surely the Council should be promoting good health and support the local amenities and open spaces which benefit the residents of Kirklees. • The road, Cumberworth Lane, between Upper and Lower Cumberworth is a narrow road with parts which cannot be widened. It has inadequate footpath provision, there are unsighted corners where pedestrians can be forced onto the road. The road also goes through a narrowing 'chicane' near the church where a number of properties have blind sight entrances to their drives. Finally, this road passes the very successful Cumberworth First School whose playground area is at the front next to the road. Cumberworth Lane is therefore unsuitable for an increase of large lorries. • Upper Cumberworth has a conservation area. This area will be irrecoverably impacted by any quarrying activity at these sites. We feel that the Council should ensure that their decisions protect and uphold the natural diversity within these conservation areas. • The site ME2248a borders houses included in the conservation area and is only a few metres from St Nicholas Church.

### Proposed Change Requested

The playing fields should be protected to provide a safe open area for the children of the locality to play and exercise.

### Council Response

No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

Paragraph/Site: **ME2248b**

Consultee: **1034451 Mr John Clayton**

Agent:

Rep ID: **PDLP\_AD128**

### Soundness - Justified

The site is too close to village housing. Noise, dust and road safety issues on Cumberworth Lane.

### Proposed Change Requested

This part of the Local Plan should be removed and permission should not be given.

### Council Response

No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

Paragraph/Site: **ME2248b**

Consultee: **1043186 Dr Toby Capstick**

Agent:

Rep ID: **PDLP\_AD1977**

### Legally Compliant

No consultation with the local population prior to consideration of the Minerals and Waste Site Options section of the Local Plan affecting Upper Cumberworth. I'm not aware of any attempt of community involvement for this plan as there has been no notification made to local residents, and so cannot be in general accordance with the LPA's Statement of Community Involvement (SCI).

### Soundness - Justified

No consultation with the local population prior to consideration of the Minerals and Waste Site Options section of the Local Plan affecting Upper Cumberworth

### Proposed Change Requested

Local plan should focus only on the existing quarry and not extend it any further towards the conservation area of Upper Cumberworth, or closer to residential areas.

### Council Response

No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations. The council's Statement of Community Involvement sets out when, how and with whom it consulted as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. All comments were considered as part of the pre-submission process and published on the council's website. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication Draft Local Plan.

Paragraph/Site: **ME2248b**

Consultee: **1045821 Mr John McCaughey**

Agent:

Rep ID: **PDLP\_AD1822**

### Soundness - Justified

- Being close to residential areas the development is likely to have a negative impact on health as a result of dust and noise pollution. - Cumberworth Lane is a narrow road with parts that cannot be widened. It has inadequate footpath provision and passes by Cumberworth First School. It is unsuitable for a significant

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increase in large trucks.

**Council Response**

No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

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Paragraph/Site: **ME2248b**

Consultee: **1045833**

**Ms Rosemary de Csernatony**

Agent:

Rep ID: **PDLP\_AD894**

**Soundness - Positively Prepared**

Not in keeping with Kirklees aims: Improving the health of local people, Protect and enhance recreation facilities and areas of open space and encourage their usage, Secure an effective and safe transport network, Protect and enhance the character of the landscape and Conserve and enhance historic environment.

**Soundness - Justified**

There will be a considerable impact on health as a result of noise dust and traffic pollution. Cumberworth Lane is a narrow lane which cannot be widened especially near Cumberworth First School & St. Nicholas Church, it has inadequate footpath provision in some areas and is totally unsuitable for a significant increase in the number of large trucks requiring access to the proposed sites. The site borders the Conservation Area at Upper Cumberworth and St. Nicholas Church which is a Listed Building, the development of both sites would indeed destroy and not 'protect or enhance the character' of local unspoilt landscapes.

**Council Response**

No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations. The council's Statement of Community Involvement sets out when, how and with whom it consulted with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.

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Paragraph/Site: **ME2248b**

Consultee: **1045911**

**Mr Roger Pearson**

Agent:

Rep ID: **PDLP\_AD150**

**Soundness - Justified**

- Impact on the health of the community due to increased noise, air and light pollution - Negative impact on the character of the landscape - Negative impact upon children's play areas, horse riders, cyclists and walkers - Negative impact upon neighbouring conservation areas - Highways do not have the capacity to accommodate HGV movements associated with the proposed minerals operations. The traffic generated would also increase safety issues for pedestrians of all ages - particularly the school children

**Council Response**

No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

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Paragraph/Site: **ME2248b**

Consultee: **1046684**

**mr john townsend**

Agent:

Rep ID: **PDLP\_AD1135**

**Soundness - Positively Prepared**

The proposal is not compliant with the council's core aims and is not sound.

**Soundness - Justified**

The proposal is not sound. There are concerns about the detriment impact on residential amenity contrary to the right to peaceful enjoyment of property (Protocol 1, Article 1) ECHR; proximity of residential areas and conservation zones and buildings; the impact of noise and dust to resident's health and the loss of a playing field and public footpaths. The transport network is too narrow for large trucks and there are substandard pavements, particularly on Cumberworth Lane which is used by school children and the road from Lower Cumberworth to Shelley College. They are "pinch points" around the adjacent roads, such as at St Nicholas' church in Upper Cumberworth and at the Cumberworth Lane/Top Road junction which have limited width and visibility. The area is at high risk from old mining works. Vibration from quarry operations may lead to disturbance of the ground under adjoining roads and houses causing severe detriment to residents, including subsidence and gas build up and escape. The plan does not indicate this has been addressed or that the Coal Authority has been consulted. The materials to be extracted are abundant in Kirklees at sites further from residential areas with better road infrastructures and less blighted by old coal workings.

**Council Response**

No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations. The council is satisfied that its processes and practices are compatible with the European Convention on Human Rights (ECHR). The planning system by its very nature respects the rights of the individual whilst acting in the interest of the wider community. It is an inherent part of the decision-making process for the council to assess the effects that a proposal will have on individuals and weigh these against the wider public interest. In carrying out this balancing exercise the council will of course wish to be satisfied that it has acted proportionately. Consequently the council consider the decisions made in connection with the Local Plan do not Breach Article 8 and Article 1.

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Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1046686 Mrs Melanie Crossland</b>	Agent:	Rep ID: <b>PDLP_AD1230</b>
<b>Soundness - Positively Prepared</b>	There have been difficulties in viewing and objecting to proposals online and awareness of the proposals has been late in the process the week before Christmas.		
<b>Soundness - Justified</b>	Objection to ME2248 on the grounds of proximity to Upper Cumberworth village and the negative impacts the quarry will have on homes; people's health; noise levels which will be excessive and impact of dust on air quality causing associated respiratory problems. Eunice Lane Recreation Ground, including playing fields and play area, will be lost. There are concerns about the adverse effect on the conservation area and historic houses; loss of agricultural land; visual impact from roadsides, footpaths and houses; and the negative effects on natural vegetation which will lead to the loss of wildlife habitat. The quarry will destroy the beautiful landscape and jeopardise the stability of homes in the area resulting in a decline in house prices. Access roads and Cumberworth Lane are unsuitable to cope with additional HGVs which are narrow in width and have inadequate footpath provision and are used by children walking to the local first school. The amount of debris that would be dragged on the roads from the quarry would potentially be a safety hazard for road users and pedestrians.		
<b>Council Response</b>	No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		

Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1047137 Dr Neil Denby</b>	Agent:	Rep ID: <b>PDLP_AD457</b>
<b>Soundness - Positively Prepared</b>	The proposed quarry fails to protect the local environment and its biodiversity. In particular by allocating large tracts of greenbelt land to mineral extraction which will reduce both ecological benefits and amenity.		
<b>Soundness - Justified</b>	The proposed site will lead to: destruction of countryside and wildlife habitat, including Green Belt land, on an unacceptable scale in comparison with the value of minerals extracted. the loss of amenity – sites will produce noise, dust and dirt, be visible for many miles and cause excessive nuisance. Local secondary, primary and first schools will be affected by dust and harmful airborne particulates. Prejudice highway safety owing to the volume and nature of heavy traffic on constricted minor roads and through habitations with already poor access. Cause loss or unacceptable alterations to public rights of way. Cause loss of useful agricultural land.		
<b>Soundness - Consistent with National Policy</b>	The site runs counter to the NPPF paragraphs; 7,112,144.		
<b>Proposed Change Requested</b>	Remove the site from the plan.		
<b>Council Response</b>	No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		

Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1047177 Mr Roy Griffin</b>	Agent:	Rep ID: <b>PDLP_AD1868</b>
<b>Soundness - Justified</b>	Plans eliminate the only public play area in Upper and Lower Cumberworth. This is an unacceptable reduction in local amenities. Access to ME2248 and ME2414 via Cumberworth Lane is not possible. The road between Lower and Upper Cumberworth is accessible to private cars only, even passing the local bus service requires private cars to mount the pavement in many sections.		
<b>Council Response</b>	No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		

Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1047458 mrs julie Seage</b>	Agent:	Rep ID: <b>PDLP_AD1340</b>
<b>Soundness - Positively Prepared</b>	The proposals need to take Draft Local Plan Policy 37 (mineral extraction) into consideration.		
<b>Soundness - Justified</b>	Objection to site ME2248b due to the high concentration of quarry sites in the area; the negative effect on residential amenity and health from noise levels, vibration, dust and pollution levels; visual impact of security fences and destruction of the environment. Access is poor. Roads through Cumberworth are narrow and would not support the increase in heavy traffic. The existing road to the landfill site is already overused. The infrastructure of the village will decline with the destruction of countryside; the loss of agricultural land; loss of wildlife; loss of public footpaths and recreational areas (playing field/park on		

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	Eunice Lane).
<b>Soundness - Consistent with National Policy</b>	It contravenes many paragraphs of NPPF: 14, 17, 112, 114, 144, 145, 150, 151 and 152.
<b>Proposed Change Requested</b>	Reject sites ME2248a/b/c and ME2314 and removed them from the local plan.
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1048436 Mrs Joan Wood</b> Agent: Rep ID: <b>PDLP_AD311</b>
<b>Soundness - Justified</b>	The dust and noise pollution caused by the proposal will be harmful to health. The proposal would fail to protect and enhance recreation facilities and open space, fail to secure an effective and safe transport network, fail to protect and enhance the character of the landscape and the peacefulness of Cumberworth and fail to conserve and enhance historic environments.
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1048733 Pauline Tyas</b> Agent: Rep ID: <b>PDLP_AD1766</b>
<b>Soundness - Justified</b>	Noise and dust. Impact on health of local people. Impact on and loss of recreational facilities and open space. Impact on transport network - narrow lanes, poor footpath provision. Impact on the landscape. Impact on the historic environment
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1048817 Mr Peter Crossley</b> Agent: Rep ID: <b>PDLP_AD1366</b>
<b>Soundness - Positively Prepared</b>	Brownfield sites should be used before greenfield areas.
<b>Soundness - Justified</b>	There are concerns that the locations mapped for mineral searches border residential properties and that future work, within 5 metres of our property, will cause adverse effects from noise pollution and effect health as machinery will be so close. The vibrations from machinery and exploratory work will cause damage to property and will cause distress to domestic and farm animals. The playground on Eunice Lane will be lost, local paths will be disrupted or demolished, all remaining paths will be in a dangerous location and there is a major gas pipeline. Cumberworth Lane is already dangerous due to its narrow width, is unsuitable for HGVs and hazardous for wheelchair and parents with pushchairs as the footpath is too narrow in a number of places. This road is also a route to school and accidents have already occurred.
<b>Proposed Change Requested</b>	This site should not proceed further.
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1048864 Louise Barrowcliffe</b> Agent: Rep ID: <b>PDLP_AD1312</b>
<b>Soundness - Justified</b>	Objection to the allocation of sites ME2248 a, b c & ME2314 for Mineral Extraction in the plan. Our garden borders site ME2248a and a quarry situated at the other side of our garden wall would have an impact on the unspoilt landscape at the rear of our property and the great views from the back of our house. The reasons for objections are:- 1. The close proximity to Cumberworth First School. The strong prevailing wind would carry the dust decreasing air quality for the school children. 2. Dangerous, especially to young children. 3. The negative impact of disturbance and nuisance by the generation of dust, noise and vibration by the site operations and associated transport. This will have a massive impact on residents within the village and reduce people’s health and quality of life. 4. The proposals would be a breach of the Human Rights Act 1998, article 8. Individuals have the right to a peaceful existence in their home. 5. Loss of agricultural land. 6. The village playing fields (Eunice Lane playing field) and numerous public footpaths would be destroyed. We need to protect and enhance recreation facilities to encourage people to visit our village not 7. Cumberworth Lane is a very narrow road with very little pavement. This road is unsuitable

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for large trucks and would make it dangerous to pedestrians who regularly walk between the villages of Upper and Lower Cumberworth. Cumberworth Lane runs past the village school which would also make the road more dangerous for pupils of the school. 8. There are already too many quarries within this part of Kirklees. 9. Is there necessary demand of the mineral they are wishing to extract considering the detrimental effect this will have on our village and community. 10. The site ME2248a is only a few meters from St Nicholas Church and its grounds which is a listed building. We need to protect the village's historic buildings and unique landscape. 11. The site would cause unacceptable detriment to local visual and residential amenity due to the proximity to housing in Upper Cumberworth.

### Proposed Change Requested

Remove sites ME2248a, ME2248b, ME2248c & ME2314 for Mineral Extraction from the plan and find better alternatives situated away from villages and residential areas.

### Council Response

No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

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Paragraph/Site: **ME2248b**

Consultee: **1049133 Mrs Susan Ellis**

Agent:

Rep ID: **PDLP\_AD408**

### Soundness - Positively Prepared

This proposal is contrary to improving the health of local people and having an effective and safe transport network which are aims of the plan.

### Soundness - Justified

The road through between Upper and Lower Cumberworth is too narrow for the traffic it already carries. Walking up and down between the 2 villages is already a challenge, particularly for disabled and those with pushchairs. This development will create noise and dust and will be too close to local residential areas.

### Proposed Change Requested

Remove site ME2248b from the plan.

### Council Response

No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

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Paragraph/Site: **ME2248b**

Consultee: **1049317 Mr Brian Sivyour**

Agent:

Rep ID: **PDLP\_AD493**

### Soundness - Justified

The site is used extensively for exercise and well-being by local people. This includes walking groups, dog-walking and children's play / exercise. These all contribute to the health of inhabitants; outdoor activities are important in offering a convenient and enjoyable means of exercise, which in turn combats ill-health and obesity. Turning the area to industry will deprive the local community of this facility, and encourage inactivity and vehicle journeys. The site therefore fails to meet the council's objective to improve the health of local people. Destruction of footpaths and play areas. Self-evidently this does not support the council's aim of protecting and enhancing the recreation facilities and areas of open space. The local roads are narrow and frequently used. Cumberworth Lane, for instance, would not allow a large quarry or commercial vehicle to pass another car. The footpath is narrow, causing increased risk of injury to pedestrians. The area is used extensively by cyclists; industrial traffic on narrow roads increase risk of injury; it is a well-documented fact that commercial tippers / aggregate lorries contributed disproportionately to cyclist serious injuries and fatalities. Therefore this fails to meet the council's objective to secure an effective and safe transport network. The prominent ridge-top position and visibility from surrounding villages and towns means carrying out quarrying this area will result in the council failing its aim of protecting and enhancing the character of the landscape.

### Proposed Change Requested

The site should be removed from the Plan.

### Council Response

No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

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Paragraph/Site: **ME2248b**

Consultee: **1049317 Mr Brian Sivyour**

Agent:

Rep ID: **PDLP\_AD494**

### Soundness - Justified

The site is used extensively for exercise and well-being by local people. This includes walking groups, dog-walking and children's play / exercise. These all contribute to the health of inhabitants; outdoor activities are important in offering a convenient and enjoyable means of exercise, which in turn combats ill-health and obesity. Turning the area to industry will deprive the local community of this facility, and encourage inactivity and vehicle journeys. The site therefore fails to meet the council's objective to improve the health of local people. Destruction of footpaths and play areas. Self-evidently this does not support the council's aim of protecting and enhancing the recreation facilities and areas of open space. The local roads are narrow and frequently used. Cumberworth Lane, for instance, would not allow a large quarry or commercial vehicle to pass another car. The footpath is narrow, causing increased risk of

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injury to pedestrians. The area is used extensively by cyclists; industrial traffic on narrow roads increase risk of injury; it is a well-documented fact that commercial tippers / aggregate lorries contributed disproportionately to cyclist serious injuries and fatalities. Therefore this fails to meet the council's objective to secure an effective and safe transport network. The prominent ridge-top position and visibility from surrounding villages and towns means carrying out quarrying this area will result in the council failing its aim of protecting and enhancing the character of the landscape.

**Proposed Change Requested**

The site should be removed from the Plan.

**Council Response**

No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

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Paragraph/Site: **ME2248b**Consultee: **1049323 Mr Alan Howarth**

Agent:

Rep ID: **PDLP\_AD1347****Soundness - Justified**

This is an area of natural beauty and the plan seems designed to ruin it. The plan will place a huge strain on the narrow roads of Cumberworth, be greatly detrimental to the health of the inhabitants and harm the historic environment.

**Council Response**

No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

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Paragraph/Site: **ME2248b**Consultee: **1049403 Mrs Helen Morecroft**

Agent:

Rep ID: **PDLP\_AD563****Soundness - Justified**

Being close to residential areas the developments are likely to have negative impact on health as a result of dust and noise pollution. The site does not "Protect and enhance recreation facilities and areas of open space and encourage their usage.": Site 2248 includes the Eunice Lane Playing Field and numerous public footpaths which would be destroyed. The site does not protect and enhance the character of the landscape": The site ME2248b borders the conservation area of Upper Cumberworth. Much of the area is clearly visible from roadsides, public footpaths and houses, destroying the landscape. There are woodland areas nearby with protected species. The site does not "Secure an effective and safe transport network": Cumberworth Lane, between Upper and Lower Cumberworth, is a narrow road with parts that cannot be widened. It has inadequate footpath provision and passes by the Cumberworth First School. It is therefore unsuitable for a significant increase in large trucks. The site does not "Conserve and enhance Historic environment": The site ME2248a borders houses included in the conversation area, including some more than 300 years old, and is only a few metres from St Nicholas Church and its grounds, a listed building.

**Proposed Change Requested**

Remove site ME2248b from the plan.

**Council Response**

No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

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Paragraph/Site: **ME2248b**Consultee: **1049426 Mrs Laura Clark**

Agent:

Rep ID: **PDLP\_AD597****Soundness - Justified**

Health and Safety: We note that there is a planning notice for Formation of access road to serve existing quarry operations (application 2016/93658). If, as seems likely, access to this site will be through this access road then the residential area of Bromley Park will be significantly affected. 40 tonne trucks will cause noise pollution, as well as safety issues on the residential streets. Noise and dust pollution : from quarrying, the site borders Bromley Park residential area, the prevailing wind will accentuate this impact of dust and noise pollution. Destruction of recreation facilities: The site is crossed by a public right-of-way, this footpath would be destroyed. Negative Impact on the Landscape: Site ME2248b is a large site and a significant increase on existing workings, but it is only a part of what is a massive overall site that includes ME2248a, ME2248b, ME2248c, and ME2314. ME2248b and ME2248c are in immediate risk and if allocated as planned then the impact on the local landscape would be massive and totally out of scale. The character of the landscape would be changed for ever. Impact on Housing in the Immediate Vicinity: Considering all the above, the development would likely cause significant drop in house values in the villages in the immediate vicinity of site ME2248b, especially those of Bromley Park.

**Proposed Change Requested**

Site ME2248b this site should not be considered as a Mineral Extraction Site

**Council Response**

No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

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Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1049426 Mrs Laura Clark</b>	Agent:	Rep ID: <b>PDLP_AD588</b>
<b>Soundness - Justified</b>	Health and Safety: We note that there is a planning notice for Formation of access road to serve existing quarry operations (application 2016/93658). If, as seems likely, access to this site will be through this access road then the residential area of Bromley Park will be significantly affected. 40 tonne trucks will cause noise pollution, as well as safety issues on the residential streets. Noise and dust pollution : from quarrying, the site borders Bromley Park residential area, the prevailing wind will accentuate this impact of dust and noise pollution. Destruction of recreation facilities: The site is crossed by a public right-of-way, this footpath would be destroyed. Negative Impact on the Landscape: Site ME2248b is a large site and a significant increase on existing workings, but it is only a part of what is a massive overall site that includes ME2248a, ME2248b, ME2248c, and ME2314. ME2248b and ME2248c are in immediate risk and if allocated as planned then the impact on the local landscape would be massive and totally out of scale. The character of the landscape would be changed for ever. Impact on Housing in the Immediate Vicinity: Considering all the above, the development would likely cause significant drop in house values in the villages in the immediate vicinity of site ME2248b, especially those of Bromley Park.		
<b>Proposed Change Requested</b>	Site ME2248b this site should not be considered as a Mineral Extraction Site.		
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1049426 Mrs Laura Clark</b>	Agent:	Rep ID: <b>PDLP_AD3589</b>
<b>Soundness - Justified</b>	Will have an impact on recreation facilities and areas of open space - Eunice Lane Playing Field included in boundary. Negative impact on the Historic Environment. Increase in heavy goods vehicles. Increase in noise, dust/air pollution. Negative impact on the landscape Would cause a decrease in house value.		
<b>Proposed Change Requested</b>	Remove site from the plan		
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1049428 Mr Oliver Clark</b>	Agent:	Rep ID: <b>PDLP_AD592</b>
<b>Soundness - Positively Prepared</b>	ME2248b would be in direct contravention to the Council's conservation plan of Upper Cumberworth.		
<b>Soundness - Justified</b>	The site should not be considered because of the effect on health and safety; including access through Bromley Park; highway safety issues on residential streets and the impact of noise and dust pollution. It will destroy recreation facilities, including the public right-of-way that crosses the site, and will have a negative impact on the character of the local landscape, particularly as this site is part of a larger area that includes ME2248a, ME2248b, ME2248c, and ME2314. If ME2248b and ME2248c are allocated as planned, the impact would be massive and totally out of scale. The development would cause significant drop in house values in nearby villages, especially Bromley Park.		
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1049507 Mike Beecroft</b>	Agent:	Rep ID: <b>PDLP_AD1698</b>
<b>Soundness - Justified</b>	Objection to the disruption of quarrying in the Upper/Lower Cumberworth area as the roads and Cumberworth Lane, which is narrow, are not suitable for heavy goods vehicles. There are concerns that the amount of additional traffic and inconsiderate parking will put school children crossing the road in danger. It is not possible to widen around Upper Cumberworth Church where two vehicles cannot pass each other. Huge amounts of money are needed to improve the roads in the area before this scale of development is considered. The effect of pollution from dust and traffic fumes and impact on the environment, including footpaths, wooded areas, wildlife and conservation areas, should be taken into account.		
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1049593 Miss Teresa Briggs</b>	Agent:	Rep ID: <b>PDLP_AD3323</b>
<b>Soundness - Positively Prepared</b>	The landscape, character and historic conservation of Cumberworth would be destroyed and changed forever. The price of property may be affected.		

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<b>Soundness - Justified</b>	Additional amount of vehicles and large trucks - the pavements are narrow, the road is narrow, 2 cars cannot pass. Roads cannot take more traffic. Cumberworth Lane through the village will become a danger. Health and safety concerns.		
<b>Council Response</b>	No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1049599</b>	<b>Mr James George</b>	Agent: Rep ID: <b>PDLP_AD647</b>
<b>Soundness - Justified</b>	The site does not "Improve the health of the local people": Potential for dust and greater noise pollution. Heavy machinery can already be heard at the current Bromley Farm site which will only increase if this further mineral extraction were permitted. This is incongruous with the tranquillity of a rural location. The site does not "Protect and enhance recreation facilities and areas of open space and encourage their usage.": Much of the open space between the villages of Upper and Lower Cumberworth will disappear. This is popular for walkers and public footpaths will be lost. It could also mean the loss of the playing fields at the eastern edge of Upper Cumberworth at Eunice Lane. The site does not "Protect and enhance the character of the landscape": Quarrying for minerals can under no circumstances be viewed as a means of protecting or enhancing the landscape. It will be a complete eyesore. The site does not "Secure an effective and safe transport network": Cumberworth Lane, between Upper and Lower Cumberworth is far too narrow to allow an increase in HGVs. It is currently a bus route and even now, cars struggle to pass buses coming in the opposite direction. It would be virtually impossible for buses and HGVs to pass. There is also a pinch point between buildings near the church in Upper Cumberworth which is only wide enough for one vehicle. An increase in HGV traffic would also increase the risk to vulnerable road users: the footpath is narrow (too narrow for pushchairs at some points) and it is a popular route for cyclists. The site does not "Conserve and enhance Historic environment": The site will border a conservation area, possible damage from heavy plant using the road network through the village and vibrations from extraction.		
<b>Proposed Change Requested</b>	Preferably it should not progress. However if it does, the following would need to apply: access to all sites should be to A635 (Barnsley Road). Quarry vehicles should not be permitted to use Cumberworth Lane or any of the rural roads between the Cumberworths and Shelley. The planned site should be scaled back so it does not come up to the edge of Upper and Lower Cumberworth. The site should not be visible from the road or public footpaths.		
<b>Council Response</b>	No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1050053</b>	<b>Mr Jon Milner</b>	Agent: Rep ID: <b>PDLP_AD771</b>
<b>Soundness - Justified</b>	The site is too close to residential property. Noise and dust will impact the health of local people. Cumberworth Lane is narrow, with a narrow footpath, safe pedestrian passage is limited. When used by large vehicles, use of the road as two lanes is restricted. Road is unsuitable for heavy vehicles. Any proposals to access the site from Bromley park over the narrow railway bridge would increase large vehicular traffic to a family estate. These proposals would not provide a safe and effective transport network, one of the Council's aims.		
<b>Proposed Change Requested</b>	Decline the application/use		
<b>Council Response</b>	No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1050136</b>	<b>Mr Alexander McGregor</b>	Agent: Rep ID: <b>PDLP_AD812</b>
<b>Soundness - Justified</b>	The dust and noise pollution caused by the proposal may be harmful to health. There will be an increase in lorry traffic on local roads and in the vicinity of the school. The road between Upper and Lower Cumberworth is unsuitable for lorry traffic. The proposal may impact on the community if people move away.		
<b>Proposed Change Requested</b>	Delete site ME2248b		
<b>Council Response</b>	No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1058320</b>	<b>Liz Lloyd</b>	Agent: Rep ID: <b>PDLP_AD1114</b>
<b>Soundness - Justified</b>	Cumberworth Lane is a narrow rural lane - highway safety issues, impact on access to playing fields. Impact on St Nicholas Church and its ground, which is a		



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	listed building. Impact on residential amenity.		
<b>Council Response</b>	No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1058409 Mrs June Wagstaff</b>	Agent:	Rep ID: <b>PDLP_AD1144</b>
<b>Soundness - Justified</b>	Small rural villages with a listed church and schools at the centre which will be affected by noise, dirt, traffic and will not be a safe environment for children going to school. The health of local people has to be taken into consideration. Fields, public footpaths and wildlife will be lost.		
<b>Council Response</b>	No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1059233 Sheila Lock</b>	Agent:	Rep ID: <b>PDLP_AD1192</b>
<b>Soundness - Positively Prepared</b>	It has been difficult to download documentation to comment on the proposals in the local plan. Objection to site ME2314 as it contradicts a range of existing policy approaches.		
<b>Soundness - Justified</b>	Objection to site ME2314. As a resident living within Upper Cumberworth Conservation Area I am horrified by the proposals.		
<b>Soundness - Consistent with National Policy</b>	Objection to site ME2314 as it contradicts a range of existing policy approaches.		
<b>Council Response</b>	No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1059404 Maggie Walker</b>	Agent:	Rep ID: <b>PDLP_AD3272</b>
<b>Soundness - Justified</b>	We are particularly concerned at health and safety risks presented to children due to dust pollution, heavy traffic on Cumberworth Lane which is very narrow in parts with no footpath, noise pollution and restricted outdoor learning.		
<b>Council Response</b>	No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1059407 Martin Moonie</b>	Agent:	Rep ID: <b>PDLP_AD1258</b>
<b>Soundness - Justified</b>	Noise -The proposed site is close to the rural residential areas of Upper Cumberworth, Lower Cumberworth and Denby Dale. Quarries work 24 hours per day 365 days of the year when there is a demand for their product. The main noise nuisance to local residents will be from heavy plant /machinery /loading shovels/lorries in particular and the noise from reversing "Bleepers" on the loading shovel & HGVs. Dust - Prevailing westerly winds would blow fine dust particles over both Denby Dale and Lower Cumberworth village. Impact on health of school children caused by dust from the quarry. Increased traffic of Heavy Goods Vehicles in local area - Cumberworth Lane is a minor road too narrow for HGVs to pass. Will cause increased noise, traffic and dangers to pedestrians and cyclists. Will reduce the quality of the road surfaces. Impact on landscape - Quarrying negatively changes the whole landscape. The area around the proposals is mainly rural, visually appealing and is popular with walkers. Effect of quarrying would be clearly visible for the local environment. The proposed quarry borders the conservation area of Upper Cumberworth which has a listed building, St. Nicholas Church and grounds which are only metres away. The location of additional quarrying in such close proximity seems incongruous with maintaining historical villages such as Upper Cumberworth. Economic - Offer no obvious additional economic benefits for local residents and employment opportunities for such mineral extraction are not significant. The proposals appear to offer little benefit for local residents and will have a detrimental impact on tourism. After the mineral extraction the area is likely to be used as an additional Land Fill Site with all its associated problems similar to items above. Future Planning History tells us that once any company starts quarrying they will seek expansion.		
<b>Council Response</b>	No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		

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Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1059419 Allan Siddal</b>	Agent:	Rep ID: <b>PDLP_AD1275</b>
<b>Soundness - Justified</b>	The site is in the green belt and development would destroy the nature of the land/landscape permanently Watercourse running through the site will be contaminated affecting local wildlife Footpaths will be affected Plans will conflict with policies about community health due to dust and noise, affecting health and well being of local residents. Traffic will affect local roads which are unsuitable.		
<b>Proposed Change Requested</b>	If any expansion is permitted, the boundary should be reduced to create a suitable buffer zone from dust and noise. Footpaths should be protected.		
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1059499 Sylvia Sykes</b>	Agent:	Rep ID: <b>PDLP_AD1296</b>
<b>Soundness - Justified</b>	Objection to site ME2248b on the grounds it will affect the countryside, peace and tranquillity and disturb wildlife, including birds and foxes. It is difficult for vehicles to pass each other safely on the road from Upper to Lower Cumberworth due to the width of the road. The amount of dust will affect air quality.		
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1059506 Mr Ian Morecroft</b>	Agent:	Rep ID: <b>PDLP_AD1304</b>
<b>Soundness - Justified</b>	Objects on the grounds of, the impact on the local environment, wildlife, infrastructure and traffic.		
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1059552 Sarah and Sean Barry</b>	Agent:	Rep ID: <b>PDLP_AD1334</b>
<b>Soundness - Justified</b>	The proposal will be damaging to the local environment and the road will become more hazardous due to heavy traffic. Impact on health and residential amenity.		
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1059564 Iain Burton</b>	Agent:	Rep ID: <b>PDLP_AD1362</b>
<b>Soundness - Justified</b>	Close to residential areas. Will have a negative impact on health. Dust and noise pollution. Eunice Lane playing fields and public footpaths will be destroyed. Cumberworth Lane is a narrow road, it has inadequate footpath provision, there are unsighted corners where pedestrians can be forced onto the road. Upper Cumberworth Conservation Area will be irrecoverably impacted by any quarrying activity. The site borders houses included in the conservation area and is only a few metres from St Nicholas Church.		
<b>Council Response</b>	No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.		
Paragraph/Site: <b>ME2248b</b>	Consultee: <b>1059692 Mr Nigel Senior</b>	Agent:	Rep ID: <b>PDLP_AD1443</b>
<b>Soundness - Justified</b>	The close proximity to many residential housing within Upper Cumberworth. The close proximity to Cumberworth First School. The strong prevailing wind would carry the dust decreasing air quality for the school children. Dangerous, especially to young children. The negative impact of disturbance and nuisance by the generation of dust, noise and vibration by the site operations and associated transport. This will have a massive impact on residents within the village and reduce people's health and quality of life. The proposals would be a breach of the Human Rights Act 1998, article 8. Individuals have the right to a peaceful existence in their home. Loss of agricultural land. The village playing fields (Eunice Lane playing field) and numerous public footpaths would be destroyed. We need to protect and enhance recreation facilities to encourage people to visit our village not Cumberworth Lane is a very narrow road with very little pavement. This road is unsuitable for large trucks and would make it dangerous to pedestrians who regularly walk between the villages of Upper		

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and Lower Cumberworth. Cumberworth Lane runs past the village school which would also make the road more dangerous for pupils of the school. There are already too many quarries within this part of Kirklees. The site ME2248a is only a few meters from St Nicholas Church and its grounds which is a listed building. We need to protect the village's historic buildings and unique landscape. The site would cause unacceptable detriment to local visual and residential amenity.

### Proposed Change Requested

After considering the above arguments please remove these sites from the local development plan and find better alternatives if necessary which are situated away from villages and residential areas.

### Council Response

No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

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Paragraph/Site: **ME2248c**

Consultee: **942768**

**Mr Andrew Wood**

Agent:

Rep ID: **PDLP\_AD1781**

### Soundness - Positively Prepared

Taken with ME2248a & ME2314, there is a question over the justification of a large land bank compared to need and potential impacts.

### Council Response

No change. As indicated in paragraph 142 of the NPPF, minerals can only be extracted from where they are found. However, as in both NPPF and NPPG the potential cumulative impact of mineral extraction must be carefully considered. Local Plan policy PLP 36 echoes this guidance and any subsequent planning application would therefore need to be supported by a comprehensive assessment which indicates that such effects would not be detrimental, or could be satisfactorily mitigated. The site was identified in the UDP as a potential mineral reserve. Bearing in mind the previous mineral working in the immediate vicinity it is considered that this site is likely to yield viable quantities of mineral of national and local importance in the manufacture of clay pipes.

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Paragraph/Site: **ME2248c**

Consultee: **942963**

**Mr Richard Brook**

Agent:

Rep ID: **PDLP\_AD1433**

### Soundness - Justified

Site ME2248 is too close to residential areas and would damage people's health and quality of life. It would destroy a valuable children's playground. It would also destroy public rights of way, damaging the area's increasing reputation for outdoor recreation and leisure tourism.

### Council Response

No change. The site appraisal has taken account of Kirklees' aims and objectives including; impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that on balance the benefit of the minerals allocation would outweigh the harm. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. The protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seek to support healthy, active and safe lifestyles. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character.

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Paragraph/Site: **ME2248c**

Consultee: **942968**

**Mrs Carol Brook**

Agent:

Rep ID: **PDLP\_AD1238**

### Soundness - Positively Prepared

Prior to receiving a document through the letter box we were unaware of the quarrying developments around Cumberworth and were suddenly faced with the deadline by which we need to object.

### Soundness - Justified

Objection to site ME2314 due to the proximity of villages and severe impact on communities. There are concerns about general disruption; suitability of the road for heavy traffic and as a route to school and for runners, cyclists and walkers; impact on noise & dirt pollution, including from increased vehicle emissions; impact on peace and quiet and general road safety, especially near the school. The area is special in terms of habitat and wildlife and there are nesting Skylarks on the site which are an endangered species. The fields and woodlands in the area are important habitats which must not be destroyed.

### Council Response

No change. The council's Statement of Community Involvement sets out when, how and with whom it consulted as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Satisfactory

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access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity.

Paragraph/Site: **ME2248c**

Consultee: **943162**

**Mr Frank Dolan**

Agent:

Rep ID: **PDLP\_AD1424**

### **Legally Compliant**

It does not meet the criteria for legal compliance. It is not based on robust and credible evidence. It is not the most appropriate strategy when considered against alternatives. It has not considered cross boundary/inter authority issues. It has not consulted widely and community engagement has been limited.

### **Duty to Co-operate**

Residents in the nearby villages of West Bretton and Calder Grove have not been made aware of the proposals. Both are within the Wakefield MC area and the former is also the home of the internationally recognised Yorkshire Sculpture Park. Traffic exiting the M1 at exits 38 and 39 already chokes these villages especially for 2 to 3 hours in both early morning and early evening.

### **Soundness - Positively Prepared**

The Vision and Objectives Section of the KMC Strategies and Policies Document recognises the natural beauty and heritage of this area, yet these plans would ultimately lead to its destruction. There has been only minimal if any involvement of the local communities. Two information sessions, neither of which was widely publicised, were held in Huddersfield and Dewsbury, a tedious journey, especially for those using public transport. Access to the plans via the Internet is also bad practice being predicated on the flawed assumption that this is available to all and that they have the skills to access and negotiate an unusually difficult and unwelcoming site.

### **Soundness - Justified**

Over 5,000 new houses are planned for Kirklees Rural adding to the many hundreds of houses recently built, or undergoing construction. Infrastructure and the facilities essential for public health are already compromised; the proposals are therefore unsustainable. Notably it does not; Improve the health of local people, Secure an effective transport network, Protect and enhance the character of the landscape. Protect and enhance recreation facilities and areas of open space Provide the housing that meets local demand.

### **Soundness - Consistent with National Policy**

The Plans do not ensure sustainable development for either Kirklees or Kirklees Rural and are therefore unsound, particularly with regard to National Policy, (para 182, NPPF).

### **Council Response**

No change. The DtC statement (SD14) demonstrates how the Council has complied with its duty-to-cooperate and sets out how the relevant agencies and adjoining authorities have taken part and been involved in the Local Plan preparation process from the outset. The Statement also highlights how these bodies have been engaged, what dialogue has taken place, and the key outcomes of any discussions. Kirklees Council met Barnsley Council throughout the Local Plan preparation process (see 4.21 to 4.23 in SD14). Barnsley Council did not comment on this site. In relation to Wakefield Council and the preparation of highways and transport evidence, Wakefield is now satisfied that Kirklees have recognised the impacts upon Wakefield's network. With respect to highway impacts at the A636/A637 roundabout junction, Wakefield Council recognises that the highway network will experience significant congestion in 2030 without the Kirklees Local Plan site allocations, however it is also recognised that the site allocations will add to this issue. However Wakefield Council does acknowledge that there is a reasonable prospect that highway improvements could be provided. As such, Kirklees will work with Wakefield Council over time to discuss cross-boundary infrastructure and traffic impact issues. Wakefield Council did not comment on this site. The council's Statement of Community Involvement sets out when, how and with whom it consulted as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. All comments were considered as part of the pre-submission process and published on the council's website. The impact upon communities, including impact upon schools, recreational activities and residential homes has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. As indicated in paragraph 142 of the NPPF, minerals can only be extracted from where they are found. However, as in both NPPF and NPPG the potential cumulative impact of mineral extraction must be carefully considered. Local Plan policy PLP 36 echoes this guidance and any subsequent planning application would therefore need to be supported by a comprehensive assessment which indicates that such effects would not be detrimental, or could be satisfactorily mitigated. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical

Paper. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. Paragraph 13 of NPPG indicates that one of the principle issues MPAs should address when considering minerals development is the potential loss of the best and most versatile agricultural land. In this instance the land is classed as Grade 4 agricultural land which is not best or most versatile agricultural land. Therefore it is considered that its temporary loss during the course of mineral extraction would be acceptable, bearing in mind that subsequent site restoration could see the reinstatement of the majority of the land back to an agricultural use. The use of screen planting, screen mounds and stand-off areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity. The site appraisal has taken account of Kirklees' aims and objectives including impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that, on balance, the benefit of the minerals allocation would outweigh the harm. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. This site has been assessed through the Sustainability Appraisal (SD5) and is regarded as sustainable.

Paragraph/Site: **ME2248c**

Consultee: **943612**

**Helen France**

Agent:

Rep ID: **PDLP\_AD2027**

**Soundness - Positively Prepared**

- The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.

**Soundness - Justified**

- Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment

**Soundness - Consistent with National Policy**

- These allocations fail to meet the requirements of Paragraph 182 of the NPPF

**Council Response**

No change is acknowledged there would be negative impacts when considered against certain SA criteria, however, as per the technical appraisal for this site the Council has taken account of a range of issues, including impact upon health and wellbeing and the economy. It is felt that the issues identified can be mitigated to satisfactory levels and therefore on balance – when considered against the need for the mineral – there is sufficient justification to allocate the site. Chapter 12 (para 12.4 -12.15) of the Kirklees Local Plan: Publication Draft Sustainability Appraisal Report (SD5) sets out the scoring of the local plan vision and objectives against the SA objectives (table 12.2). This site was identified at the first draft of the local plan and has been consulted upon at each stage. The need for minerals has followed an approach in accordance with NPPF and NPPG. Key considerations for the need of minerals have been assessed against the West Yorkshire Local Aggregate Assessment, the significance of the mineral to the market and the business need for additional reserves by operator. A more detailed explanation behind the rationale to the approach taken in considering the need for minerals is set out in the minerals technical paper. The need for maintaining landbanks and supporting the market has been set out in the minerals technical paper (BP9, paragraphs 5.1-5.47). Policy PLP 37 provides a positive policy framework towards securing appropriate restoration schemes through conditions and / or planning obligations at the planning application stage. NPPF paragraph 90 recognises that minerals extraction is an appropriate use within the green belt. Appropriate levels of mitigation would be sought via the design of the development and through planning conditions/obligations to minimise the impact of any minerals activity and so ensure there is no significant impact upon the openness of the green belt and to local communities. The impact upon communities, including Impact upon schools, recreational activities and residential homes – irrespective of occupancy – has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. The impact upon the health of local people has been considered at the site assessment stage where it was concluded that appropriate levels of mitigation through the provision of buffers, screening, routing of minerals traffic etc. can be secured. Full details of required mitigation measures would be assessed through the planning application process. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include

## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

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excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the enjoyment of the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Subsequently any application will need to be assessed against policy PLP 23. Whilst it is recognised that mineral extraction generates heavy vehicle movements, this type of mineral extraction would involve short periods of activity. The site can be accessed from an existing haul road which has been constructed to a very good standard and with some modification would provide adequate access provision. If considered expedient formal routeing arrangements can be imposed with regard to any subsequent planning application. Based on the technical assessment of the site, no absolute constraints have been identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). The Council is satisfied that the Local Plan has been prepared in accordance with the requirements set out in Paragraph 182 of the NPPF. Namely that it is positively prepared, justified, effective and consistent with national policy. All documents set out in the 'Local Plan Examination Library' collectively help to demonstrate the Council's case in relation to each one of these tests.

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Paragraph/Site: **ME2248c**

Consultee: **943973 Mr David Newby**

Agent:

Rep ID: **PDLP\_AD1014**

### **Soundness - Justified**

The, soon to be implemented, change in the Planning Regulations will mean that, once in the approved Local Plan, these sites will, in effect, have outline Planning Consent. Loss of agricultural land, impact on landscape and removal of disruption of landscape features. Impact on residential amenity. Increased HGV traffic on minor roads.

### **Soundness - Consistent with National Policy**

Large areas of land would be taken out of the Green Belt in direct conflict with the provisions of NPPF para 79 and 80.

### **Council Response**

No change. The allocation of sites within an adopted Local Plan establishes the acceptability, in principle, of the allocated use. However, an allocation does not remove then need to secure planning permission. Paragraph 13 of NPPG indicates that one of the principle issues MPAs should address when considering minerals development is the potential loss of the best and most versatile agricultural land. In this instance the land is classed as Grade 4 agricultural land which is not best or most versatile agricultural land. Therefore it is considered that its temporary loss during the course of mineral extraction would be acceptable, bearing in mind that subsequent site restoration could see the reinstatement of the majority of the land back to an agricultural use. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. NPPF paragraph 90 recognises that minerals extraction is an appropriate use within the green belt. Appropriate levels of mitigation, including final site restoration, would be sought via the design of the development and through planning conditions/obligations to minimise the impact of any minerals activity and so ensure there is no significant impact upon the openness of the green belt.

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Paragraph/Site: **ME2248c**

Consultee: **944053 Mr Stephen Ayre**

Agent:

Rep ID: **PDLP\_AD1283**

### **Soundness - Justified**

The quarrying is too close to residential properties Cumberworth Lane is unsuitable for heavy traffic especially as there is a school on it destroys the character of the area & village recreation facilities & public footpaths.

### **Council Response**

No change. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc - refer to background paper BP29. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. The protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seek to support healthy, active and safe lifestyles. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process.

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**Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations**Paragraph/Site: **ME2248c**Consultee: **965106 Mrs Emily Fenton**

Agent:

Rep ID: **PDLP\_AD281****Soundness - Justified**

The proposals fails to improve the health of the local people, protect and enhance recreation facilities and areas of open space and encourage their usage, protect and enhance the character of the landscape, secure an effective and safe transport network; and conserve and enhance Historic environment

**Proposed Change Requested**

Remove site from the plan.

**Council Response**

No change.The site appraisal has taken account of Kirklees' aims and objectives including; impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that on balance the benefit of the minerals allocation would outweigh the harm. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. The impact upon communities, including Impact upon schools, recreational activities and residential homes has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character.Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village.

Paragraph/Site: **ME2248c**Consultee: **966867 mrs sandra mitchell**

Agent:

Rep ID: **PDLP\_AD239****Soundness - Justified**

Impact on health and wellbeing, amenity and highways

**Proposed Change Requested**

Remove the site from the plan.

**Council Response**

No change.Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc.The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character.The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29.Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre.The council's Statement of Community Involvement sets out when, how and with whom it consulted as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. All comments were considered as part of the pre-submission process and published on the council's website.

Paragraph/Site: **ME2248c**Consultee: **966889 mr paul mitchell**

Agent:

Rep ID: **PDLP\_AD243****Soundness - Justified**

This site would have a detrimental impact on the health and wellbeing of the local community. Impact on the local villages, destroying footpaths, the playing field and impacting on local narrow roads in the area.

**Proposed Change Requested**

Remove the site from the plan.

**Council Response**

No change.Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre.The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels. Refer to background document BP29.Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need.The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process.

Paragraph/Site: **ME2248c**Consultee: **967105 mr kevin hill**

Agent:

Rep ID: **PDLP\_AD789**

**Soundness - Justified**

The site does not "Improve the health of the local people": Being close to residential areas the developments are likely to have negative impact on health as a result of dust and noise pollution. The site does not "Protect and enhance recreation facilities and areas of open space and encourage their usage.": Site 2248 includes the Eunice Lane Playing Field and numerous public footpaths which would be destroyed. The site does not "Protect and enhance the character of the landscape": The site ME2248b borders the conservation area of Upper Cumberworth. Much of the area is clearly visible from roadsides, public footpaths and houses, destroying the landscape. There are woodland areas nearby with protected species. The site does not "Secure an effective and safe transport network": Cumberworth Lane, between Upper and Lower Cumberworth, is a narrow road with parts that cannot be widened. It has inadequate footpath provision and passes by the Cumberworth First School. It is therefore unsuitable for a significant increase in large trucks. The site does not "Conserve and enhance Historic environment": The site ME2248a borders houses included in the conservation area, including some more than 300 years old, and is only a few metres from St Nicholas Church and its grounds, a listed building.

**Council Response**

No change. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. The protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seek to support healthy, active and safe lifestyles. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village.

Paragraph/Site: **ME2248c**

Consultee: **969399**

**Mrs Magdalen Blanshard**

Agent:

Rep ID: **PDLP\_AD1323**

**Soundness - Justified**

These plans would contravene certain stated aims of the Kirklees Sustainability Appraisal, including the requirement to "improve the health of local people". The sites mentioned are extremely close to people's homes and gardens and it is difficult to understand how the health of these residents would be improved by such close proximity to the dust and noise associated with the quarrying of stone or other minerals. A further aspiration is "to protect and enhance recreation facilities and areas of open space and encourage their usage" and to "protect and enhance the character of the landscape". Tourism and walking improvements and investment in the area would be put in jeopardy if these permissions were to be granted having a negative impact on local businesses. Historic sites would be seriously compromised by being so close to large quarries – for example, St. Nicholas church and grounds. The road which joins Upper and Lower Cumberworth is inadequate for buses to pass oncoming vehicles. Large lorries would bring added pressures to the local transport system.

**Council Response**

No change. The site appraisal has taken account of Kirklees' aims and objectives including: impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that on balance the benefit of the minerals allocation would outweigh the harm. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Any minerals application that would affect recreation facilities and / or



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open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35).

Paragraph/Site: **ME2248c**

Consultee: **975281**

**Ben Jones**

Agent:

Rep ID: **PDLP\_AD508**

### Soundness - Justified

Health and Safety: Increase in heavy goods vehicles. If allowed to go ahead, there would undoubtedly be a significant increase in large trucks. Cumberworth Lane is wholly unsuitable for an increase in this type of traffic. The road is extremely narrow in places. The footpath is used regularly by pupils walking to Cumberworth First School and Shelley College, it is already inadequate and the increase in this type of traffic is a significant safety risk. There would be noise and dust pollution caused by the trucks, there would be vibration issues with such close vicinity to residential housing and school. Noise and dust pollution from quarrying, the site is in close vicinity of residential housing. Negative Impact on the Landscape: Site ME2248c is a very large site but is only a part of what is a massive overall site that includes ME2248a, ME2248b, ME2248c, and ME2314. ME2248b and ME2248c are in immediate risk and if allocated as planned then the impact on the local landscape would be massive and totally out of scale. The character of the landscape would be changed for ever. Destruction of recreation facilities: The site is crossed by a public right-of-way, this footpath would be destroyed. Impact on Housing in the Immediate Vicinity: Considering all the above, the development would likely cause significant drop in house values in the villages in the immediate vicinity of site ME2248c, especially those of Lower Cumberworth.

### Proposed Change Requested

The site should be removed as a mineral extraction site.

### Council Response

No change. The protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seek to support healthy, active and safe lifestyles. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets - refer to background paper BP29. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). The allocation has been assessed based on NPPF and NPPG requirements. In particular the need for the mineral has been considered; environmental criteria – consistent with NPPF and NPPG – has been applied when assessing the site. The evidence used is proportionate and sufficient to justify the allocation. More detailed studies would follow at the planning application stage. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. As indicated in paragraph 142 of the NPPF, minerals can only be extracted from where they are found. However, as in both NPPF and NPPG the potential cumulative impact of mineral extraction must be carefully considered. Local Plan policy PLP 36 echoes this guidance and any subsequent planning application would therefore need to be supported by a comprehensive assessment which indicates that such effects would not be detrimental, or could be satisfactorily mitigated.

Paragraph/Site: **ME2248c**

Consultee: **978216**

**Cllr Jim Dodds**

Agent:

Rep ID: **PDLP\_AD1650**

### Soundness - Justified

• These sites are very close to residential areas and are likely to have a negative impact on health as a result of dust and noise pollution. • Site ME2248 includes the Eunice Lane playing fields and numerous public footpaths which will be destroyed. The loss of footpaths across countryside will force walkers onto paths of the main roads and the pollution from the traffic. Surely the Council should be promoting good health and support the local amenities and open spaces which benefit the residents of Kirklees. • The road, Cumberworth Lane, between Upper and Lower Cumberworth is a narrow road with parts which

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cannot be widened. It has inadequate footpath provision, there are unsighted corners where pedestrians can be forced onto the road. The road also goes through a narrowing 'chicane' near the church where a number of properties have blind sight entrances to their drives. Finally, this road passes the very successful Cumberworth First School whose playground area is at the front next to the road. Cumberworth Lane is therefore unsuitable for an increase of large lorries. • Upper Cumberworth has a conservation area. This area will be irrecoverably impacted by any quarrying activity at these sites. We feel that the Council should ensure that their decisions protect and uphold the natural diversity within these conservation areas. • The site ME2248a borders houses included in the conservation area and is only a few metres from St Nicholas Church.

### Proposed Change Requested

The playing fields should be protected to provide a safe open area for the children of the locality to play and exercise.

### Council Response

No change. The site appraisal has taken account of Kirklees' aims and objectives including impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that, on balance, the benefit of the minerals allocation would outweigh the harm. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. The protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seek to support healthy, active and safe lifestyles. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35).

Paragraph/Site: **ME2248c**

Consultee: **1034451 Mr John Clayton**

Agent:

Rep ID: **PDLP\_AD127**

### Soundness - Justified

The site is too close to village housing. Noise, dust and road safety issues on Cumberworth Lane.

### Proposed Change Requested

This part of the Local Plan should be removed and permission should not be given.

### Council Response

No change. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Impact upon nearby residential homes can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage.

Paragraph/Site: **ME2248c**

Consultee: **1043186 Dr Toby Capstick**

Agent:

Rep ID: **PDLP\_AD1978**

### Legally Compliant

No consultation with the local population prior to consideration of the Minerals and Waste Site Options section of the Local Plan affecting Upper Cumberworth. I'm not aware of any attempt of community involvement for this plan as there has been no notification made to local residents, and so cannot be in general accordance with the LPA's Statement of Community Involvement (SCI).

### Soundness - Justified

No consultation with the local population prior to consideration of the Minerals and Waste Site Options section of the Local Plan affecting Upper Cumberworth

### Proposed Change Requested

Local plan should focus only on the existing quarry and not extend it any further towards the conservation area of Upper Cumberworth, or closer to residential areas.

### Council Response

No change. The council's Statement of Community Involvement sets out when, how and with whom it consulted as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. All comments were considered as part of the pre-submission process and published on the council's website. Three early engagement exercises were undertaken to inform the plan prior to consultation on the

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Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication Draft Local Plan. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage.

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Paragraph/Site: **ME2248c**

Consultee: **1044270 Mr Stephen Dearman**

Agent:

Rep ID: **PDLP\_AD553**

### **Soundness - Positively Prepared**

Given the close proximity to a number of heritage buildings, SSIs, residential areas, out-door recreation areas used extensively by local people across the borough and local schools, the huge scale of the proposed changes to land use designation from green belt to mineral extraction completely contradicts many of the other objectives outlined in the local plan. These include the protection and preservation of the integrity of rural communities, preservation of local heritage, nature conservation and the provision of opportunities for recreation to benefit the whole community for generations. It is accepted that there may need to be a review of land usage designations from time to time as the needs and priorities of local people change, however it cannot be argued that the sheer scale of the proposed changes are in the best interest of local people or be considered to be minor in any way.

### **Soundness - Justified**

It is understood that one of the required reports for any organisation or persons wishing to exploit mineral opportunities is how reparation would be achieved, but the sheer volume of material removed from open cast quarrying operation would make it impossible to restore to its current state. This can be seen clearly at other local quarrying operations in the borough.

### **Proposed Change Requested**

Withdraw this proposed change to land use designation or significantly reduce the scale of the proposed changes such that they would not encroach on the villages of Upper and Lower Cumberworth.

### **Council Response**

No change. NPPF paragraph 90 recognises that minerals extraction is an appropriate use within the green belt. Appropriate levels of mitigation, including final site restoration, would be sought via the design of the development and through planning conditions/obligations to minimise the impact of any minerals activity and so ensure there is no significant impact upon the countryside and the openness of the green belt. The impact upon communities, including impact upon schools, recreational activities and residential homes has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). Former SSI – now proposed to be a Local Wildlife Site – has been identified. No objection from West Yorkshire Ecology (WYE) subject to appropriate mitigation. Any minerals application would need to accord with Local Plan policy PLP 30. Mitigation would include buffers – 20 metres recommended by WYE- and restoration to enhance the proposed Local Wildlife Site. Any application for minerals extraction will need to comply with Local Plan policy PLP 37 where the Council will require a satisfactory restoration and management plan of the restored site. Any restoration would need to be sympathetic to the character and setting of the wider area and capable of sustaining an appropriate after-use. As indicated in paragraph 142 of the NPPF, minerals can only be extracted from where they are found. However, as in both NPPF and NPPG the potential cumulative impact of mineral extraction must be carefully considered. Local Plan policy PLP 36 echoes this guidance and any subsequent planning application would therefore need to be supported by a comprehensive assessment which indicates that such effects would not be detrimental, or could be satisfactorily mitigated.

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Paragraph/Site: **ME2248c**

Consultee: **1045821 Mr John McCaughey**

Agent:

Rep ID: **PDLP\_AD1824**

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**Soundness - Justified** - Being close to residential areas the development is likely to have a negative impact on health as a result of dust and noise pollution. - Cumberworth Lane is a narrow road with parts that cannot be widened. It has inadequate footpath provision and passes by Cumberworth First School. It is unsuitable for a significant increase in large trucks.

**Council Response** No change. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Impact upon nearby residential homes can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage.

Paragraph/Site: **ME2248c**

Consultee: **1045830 mr david firth**

Agent:

Rep ID: **PDLP\_AD145**

**Soundness - Justified** It borders on to the village of Denby Dale & will cause pollution (noise & dust) to residents in the three adjacent villages of Upper & Lower Cumberworth & also Denby Dale. It will destroy the local amenity of public footpaths and ancient woodland. It will destroy the habitat of wildlife. It will increase quarry traffic on to roads passing through Denby Dale & Upper Cumberworth with the resultant congestion & road safety risk - especially to children accessing the local schools. The unique landscape and character of the Cumberworth area will be destroyed.

**Proposed Change Requested** Do not designate the land for mineral extraction. Leave the land designated as green belt.

**Council Response** No change. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village.

Paragraph/Site: **ME2248c**

Consultee: **1045833 Ms Rosemary de Csernatony**

Agent:

Rep ID: **PDLP\_AD895**

**Soundness - Positively Prepared** Not in keeping with Kirklees aims: Improving the health of local people, Protect and enhance recreation facilities and areas of open space and encourage their usage, Secure an effective and safe transport network, Protect and enhance the character of the landscape and Conserve and enhance historic environment.

**Soundness - Justified** There will be a considerable impact on health as a result of noise dust and traffic pollution. Cumberworth Lane is a narrow lane which cannot be widened especially near Cumberworth First School & St. Nicholas Church, it has inadequate footpath provision in some areas and is totally unsuitable for a significant increase in the number of large trucks requiring access to the proposed sites. The site borders the Conservation Area at Upper Cumberworth and St. Nicholas Church which is a Listed Building, the development of both sites would indeed destroy and not 'protect or enhance the character' of local unspoilt landscapes.

**Council Response** No change. The council's Statement of Community Involvement sets out when, how and with whom it consulted with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. The site appraisal has taken account of Kirklees' aims and objectives including; impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that on balance the benefit of the minerals allocation would outweigh the harm. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the

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development will need to accord with the Local Plan historic environment policy (policy PLP 35). Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage.

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Paragraph/Site: **ME2248c**

Consultee: **1045911 Mr Roger Pearson**

Agent:

Rep ID: **PDLP\_AD151**

### **Soundness - Justified**

- Impact on the health of the community due to increased noise, air and light pollution - Negative impact on the character of the landscape - Negative impact upon children's play areas, horse riders, cyclists and walkers - Negative impact upon neighbouring conservation areas - Highways do not have the capacity to accommodate HGV movements associated with the proposed minerals operations. The traffic generated would also increase safety issues for pedestrians of all ages - particularly the school children

### **Council Response**

No change. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character and the impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. The protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seek to support healthy, active and safe lifestyles. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). Access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre.

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Paragraph/Site: **ME2248c**

Consultee: **1046684 mr john townsend**

Agent:

Rep ID: **PDLP\_AD1175**

### **Soundness - Positively Prepared**

The proposal is not compliant with the council's core aims and is not sound.

### **Soundness - Justified**

The proposal is not sound. There are concerns about the detriment impact on residential amenity contrary to the right to peaceful enjoyment of property (Protocol 1, Article 1) ECHR; proximity of residential areas and conservation zones and buildings; the impact of noise and dust to resident's health and the loss of a playing field and public footpaths. The transport network is too narrow for large trucks and there are substandard pavements, particularly on Cumberworth Lane which is used by school children and the road from Lower Cumberworth to Shelley College. They are "pinch points" around the adjacent roads, such as at St Nicholas' church in Upper Cumberworth and at the Cumberworth Lane/Top Road junction which have limited width and visibility. The area is at high risk from old mining works. Vibration from quarry operations may lead to disturbance of the ground under adjoining roads and houses causing severe detriment to residents, including subsidence and gas build up and escape. The plan does not indicate this has been addressed or that the Coal Authority has been consulted. The materials to be extracted are abundant in Kirklees at sites further from residential areas with better road infrastructures and less blighted by old coal workings.

### **Council Response**

No change. The site appraisal has taken account of Kirklees' aims and objectives including; impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. The technical appraisal outcomes can be found in background paper BP29. It is considered that on balance the benefit of the minerals allocation would outweigh the harm. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. The council is satisfied that its processes and practices are compatible with the European Convention on Human Rights (ECHR). The planning system by its very nature respects the rights of the individual whilst acting in the interest of the wider community. It is an inherent part of the decision-making process for the council to assess the effects that a proposal will have on individuals and weigh these against the wider public interest. In carrying out this balancing exercise the council will of course wish to be satisfied that it has acted proportionately. Consequently the council consider the decisions made in connection with the Local Plan do not Breach Article 8 and Article 1. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. The

protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seek to support healthy, active and safe lifestyles. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Site appraisal has not identified any coal mine entrances within the allocation, however, it has been noted that part of the site does fall within the coal referral area. This issue would therefore be addressed at the planning application stage through formal consultation with the Coal Authority. Site was identified in the UDP as a potential mineral reserve. Bearing in mind the previous mineral working in the immediate vicinity it is considered that this site is likely to yield viable quantities of mineral of national and local importance in the manufacture of clay pipes.

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Paragraph/Site: **ME2248c**

Consultee: **1046686 Mrs Melanie Crossland**

Agent:

Rep ID: **PDLP\_AD1231**

**Soundness - Positively Prepared** There have been difficulties in viewing and objecting to proposals online. Awareness of the proposals by residents and those overlooking the site has been late in the process the week before Christmas.

**Soundness - Justified** Objection to ME2248c on the grounds of proximity to Upper Cumberworth village and the negative impacts the quarry will have on homes; people's health; noise levels which will be excessive and impact of dust on air quality causing associated respiratory problems. Eunice Lane Recreation Ground, including playing fields and play area, will be lost. There are concerns about the adverse effect on the conservation area and historic houses; loss of agricultural land; visual impact from roadsides, footpaths and houses; and the negative effects on natural vegetation which will lead to the loss of wildlife habitat. The quarry will destroy the beautiful landscape and jeopardise the stability of homes in the area resulting in a decline in house prices. Access roads and Cumberworth Lane are unsuitable to cope with additional HGVs which are narrow in width and have inadequate footpath provision and are used by children walking to the local first school. The amount of debris that would be dragged on the roads from the quarry would potentially be a safety hazard for road users and pedestrians.

**Council Response** No change. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. The protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seek to support healthy, active and safe lifestyles. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). Paragraph 13 of NPPG indicates that one of the principle issues MPAs should address when considering minerals development is the potential loss of the best and most versatile agricultural land. In this instance the land is classed as Grade 4 agricultural land which is not best or most versatile agricultural land. Therefore it is considered that its temporary loss during the course of mineral extraction would be acceptable, bearing in mind that subsequent site restoration could see the reinstatement of the majority of the land back to an agricultural use. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity. Land stability would need to be addressed at the planning application stage and subsequently any proposal would need to accord with Local Plan policy PLP 53. If development is proposed on land identified as being unstable then there will be a requirement for the submission of an appropriate land instability risk assessment. Impact on house prices is not a planning consideration. Prevention of the spread of debris on the road network can be mitigated through conditions/ obligations at the planning application stage. The council's Statement of Community Involvement sets out when, how and with whom it consulted as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. All comments were considered as part of the pre-submission process and published on the council's website.

Paragraph/Site: **ME2248c**

Consultee: **1047137 Dr Neil Denby**

Agent:

Rep ID: **PDLP\_AD458**

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<b>Soundness - Positively Prepared</b>	The proposed quarry fails to protect the local environment and its biodiversity. In particular by allocating large tracts of greenbelt land to mineral extraction which will reduce both ecological benefits and amenity.
<b>Soundness - Justified</b>	The proposed site will lead to: destruction of countryside and wildlife habitat, including Green Belt land, on an unacceptable scale in comparison with the value of minerals extracted. the loss of amenity – sites will produce noise, dust and dirt, be visible for many miles and cause excessive nuisance. Local secondary, primary and first schools will be affected by dust and harmful airborne particulates. Prejudice highway safety owing to the volume and nature of heavy traffic on constricted minor roads and through habitations with already poor access. Cause loss or unacceptable alterations to public rights of way. Cause loss of useful agricultural land.
<b>Soundness - Consistent with National Policy</b>	The site runs counter to the NPPF paragraphs; 7,112,144.
<b>Proposed Change Requested</b>	Remove the site from the Plan.
<b>Council Response</b>	No change.NPPF paragraph 90 recognises that minerals extraction is an appropriate use within the green belt. Appropriate levels of mitigation, including final site restoration, would be sought via the design of the development and through planning conditions/obligations to minimise the impact of any minerals activity and so ensure there is no significant impact upon the countryside and the openness of the green belt.The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character - refer to background paper BP29.The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29.Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village.The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process.Paragraph 13 of NPPG indicates that one of the principle issues MPAs should address when considering minerals development is the potential loss of the best and most versatile agricultural land. In this instance the land is classed as Grade 4 agricultural land which is not best or most versatile agricultural land. Therefore it is considered that its temporary loss during the course of mineral extraction would be acceptable, bearing in mind that subsequent site restoration could see the reinstatement of the majority of the land back to an agricultural use.The allocation has been assessed based on NPPF and NPPG requirements. In particular the need for the mineral has been considered; environmental criteria – consistent with NPPF and NPPG – has been applied when assessing the site. The evidence used is proportionate and sufficient to justify the allocation. More detailed studies would follow at the planning application stage.

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Paragraph/Site: **ME2248c**

Consultee: **1047177 Mr Roy Griffin**

Agent:

Rep ID: **PDLP\_AD1873**

<b>Soundness - Justified</b>	Plans eliminate the only public play area in Upper and Lower Cumberworth. This is an unacceptable reduction in local amenities. Access to ME2248 and ME2414 via Cumberworth Lane is not possible. The road between Lower and Upper Cumberworth is accessible to private cars only, even passing the local bus service requires private cars to mount the pavement in many sections.
<b>Proposed Change Requested</b>	- Eliminate the public play area in Upper Cumberworth from the plans under ME 2248
<b>Council Response</b>	No change.The protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seeks to support healthy, active and safe lifestyles. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need.Access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre.

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Paragraph/Site: **ME2248c**

Consultee: **1047458 mrs julie Seage**

Agent:

Rep ID: **PDLP\_AD1341**

**Soundness - Positively Prepared** The proposals need to take Draft Local Plan Policy 37 (mineral extraction) into consideration.

**Soundness - Justified** Objection to site ME2248c due to the high concentration of quarry sites in the area; the negative effect on residential amenity and health from noise levels, vibration, dust and pollution levels; visual impact of security fences and destruction of the environment. Access is poor. Roads through Cumberworth are

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narrow and would not support the increase in heavy traffic. The existing road to the landfill site is already overused. The infrastructure of the village will decline with the destruction of countryside; the loss of agricultural land; loss of wildlife; loss of public footpaths and recreational areas (playing field/park on Eunice Lane).

### Soundness - Consistent with National Policy

It contravenes many paragraphs of NPPF: 14, 17, 112, 114, 144, 145, 150, 151 and 152.

### Proposed Change Requested Council Response

Reject sites ME2248a/b/c and ME2314 and removed them from the local plan.

No change. As indicated in paragraph 142 of the NPPF, minerals can only be extracted from where they are found. However, as in both NPPF and NPPG the potential cumulative impact of mineral extraction must be carefully considered. Local Plan policy PLP 36 echoes this guidance and any subsequent planning application would therefore need to be supported by a comprehensive assessment which indicates that such effects would not be detrimental, or could be satisfactorily mitigated. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc - refer to background paper BP29. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. NPPF paragraph 90 recognises that minerals extraction is an appropriate use within the green belt. Appropriate levels of mitigation, including final site restoration, would be sought via the design of the development and through planning conditions/obligations to minimise the impact of any minerals activity and so ensure there is no significant impact upon the countryside and the openness of the green belt. Paragraph 13 of NPPG indicates that one of the principle issues MPAs should address when considering minerals development is the potential loss of the best and most versatile agricultural land. In this instance the land is classed as Grade 4 agricultural land which is not best or most versatile agricultural land. Therefore it is considered that its temporary loss during the course of mineral extraction would be acceptable, bearing in mind that subsequent site restoration could see the reinstatement of the majority of the land back to an agricultural use. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. The protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seek to support healthy, active and safe lifestyles.

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Paragraph/Site: **ME2248c**

Consultee: **1048436 Mrs Joan Wood**

Agent:

Rep ID: **PDLP\_AD316**

### Soundness - Justified

The dust and noise pollution caused by the proposal will be harmful to health. The proposal would fail to protect and enhance recreation facilities and open space, fail to secure an effective and safe transport network, fail to protect and enhance the character of the landscape and the peacefulness of Cumberworth and fail to conserve and enhance historic environments.

### Council Response

No change. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. The protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seek to support healthy, active and safe lifestyles. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35).

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Paragraph/Site: **ME2248c**

Consultee: **1048733 Pauline Tyas**

Agent:

Rep ID: **PDLP\_AD1767**

### Soundness - Justified

Noise and dust. Impact on health of local people. Impact on and loss of recreational facilities and open space. Impact on transport network - narrow lanes, poor footpath provision. Impact on the landscape. Impact on the historic environment

### Council Response

No change. The site appraisal has taken account of Kirklees' aims and objectives including impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that, on balance, the benefit of the minerals allocation would outweigh the harm. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative



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transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35).

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Paragraph/Site: **ME2248c**

Consultee: **1048817 Mr Peter Crossley**

Agent:

Rep ID: **PDLP\_AD1367**

### **Soundness - Positively Prepared**

Brownfield sites should be used before greenfield areas.

### **Soundness - Justified**

There are concerns that the locations mapped for mineral searches border residential properties and that future work, within 5 metres of our property, will cause adverse effects from noise pollution and effect health as machinery will be so close. The vibrations from machinery and exploratory work will cause damage to property and will cause distress to domestic and farm animals. The playground on Eunice Lane will be lost, local paths will be disrupted or demolished, all remaining paths will be in a dangerous location and there is a major gas pipeline. Cumberworth Lane is already dangerous due to its narrow width, is unsuitable for HGVs and hazardous for wheelchair and parents with pushchairs as the footpath is too narrow in a number of places. This road is also a route to school and accidents have already occurred.

### **Proposed Change Requested**

The proposal should not proceed further.

### **Council Response**

No change. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. The protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seek to support healthy, active and safe lifestyles. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. The Council is aware of the high pressure gas main which crosses part of this site. However, adequate provision to protect the pipe or secure the pipes diversion could be achieved in accordance with the mining code and under the terms of a subsequent grant of a planning permission. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. Minerals can only be extracted from where they are found. There are no suitable brownfield sites within Kirklees from which minerals could feasibly be extracted.

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Paragraph/Site: **ME2248c**

Consultee: **1048864 Louise Barrowcliffe**

Agent:

Rep ID: **PDLP\_AD1313**

### **Soundness - Justified**

Objection to the allocation of sites ME2248 a, b c & ME2314 for Mineral Extraction in the plan. Our garden borders site ME2248a and a quarry situated at the other side of our garden wall would have an impact on the unspoilt landscape at the rear of our property and the great views from the back of our house. The reasons for objections are:- 1. The close proximity to Cumberworth First School. The strong prevailing wind would carry the dust decreasing air quality for the school children. 2. Dangerous, especially to young children. 3. The negative impact of disturbance and nuisance by the generation of dust, noise and vibration by the site operations and associated transport. This will have a massive impact on residents within the village and reduce people's health and quality of life. 4. The proposals would be a breach of the Human Rights Act 1998, article 8. Individuals have the right to a peaceful existence in their home. 5. Loss of

agricultural land. 6. The village playing fields (Eunice Lane playing field) and numerous public footpaths would be destroyed. We need to protect and enhance recreation facilities to encourage people to visit our village not 7. Cumberworth Lane is a very narrow road with very little pavement. This road is unsuitable for large trucks and would make it dangerous to pedestrians who regularly walk between the villages of Upper and Lower Cumberworth. Cumberworth Lane runs past the village school which would also make the road more dangerous for pupils of the school. 8. There are already too many quarries within this part of Kirklees. 9. Is there necessary demand of the mineral they are wishing to extract considering the detrimental effect this will have on our village and community. 10. The site ME2248a is only a few meters from St Nicholas Church and its grounds which is a listed building. We need to protect the village's historic buildings and unique landscape. 11. The site would cause unacceptable detriment to local visual and residential amenity due to the proximity to housing in Upper Cumberworth.

**Proposed Change Requested**

Remove sites ME2248a, ME2248b, ME2248c & ME2314 for Mineral Extraction from the plan and find better alternatives situated away from villages and residential areas.

**Council Response**

No change. The site appraisal has taken account of Kirklees' aims and objectives including impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that, on balance, the benefit of the minerals allocation would outweigh the harm. The impact upon communities, including impact upon schools, recreational activities and residential homes has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. Paragraph 13 of NPPG indicates that one of the principle issues MPAs should address when considering minerals development is the potential loss of the best and most versatile agricultural land. In this instance the land is classed as Grade 4 agricultural land which is not best or most versatile agricultural land. Therefore it is considered that its temporary loss during the course of mineral extraction would be acceptable, bearing in mind that subsequent site restoration could see the reinstatement of the majority of the land back to an agricultural use. The protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seek to support healthy, active and safe lifestyles. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). The site was identified in the UDP as a potential mineral reserve. Bearing in mind the previous mineral working in the immediate vicinity it is considered that this site is likely to yield viable quantities of mineral of national and local importance in the manufacture of clay pipes. As indicated in paragraph 142 of the NPPF, minerals can only be extracted from where they are found. However, as in both NPPF and NPPG the potential cumulative impact of mineral extraction must be carefully considered. Local Plan policy PLP 36 echoes this guidance and any subsequent planning application would therefore need to be supported by a comprehensive assessment which indicates that such effects would not be detrimental, or could be satisfactorily mitigated. The council is satisfied that its processes and practices are compatible with the European Convention on Human Rights (ECHR). The planning system by its very nature respects the rights of the individual whilst acting in the interest of the wider community. It is an inherent part of the decision-making process for the council to assess the effects that a proposal will have on individuals and weigh these against the wider public interest. In carrying out this balancing exercise the council will, of course, wish to be satisfied that it has acted proportionately. Consequently the council considers that the decisions made in connection with the Local Plan do not Breach Article 8.

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Paragraph/Site: **ME2248c**

Consultee: **1049133 Mrs Susan Ellis**

Agent:

Rep ID: **PDLP\_AD407**

**Soundness - Positively Prepared**

This proposal is contrary to improving the health of local people and having an effective and safe transport network which are aims of the plan.

**Soundness - Justified**

The road through between Upper and Lower Cumberworth is too narrow for the traffic it already carries. Walking up and down between the 2 villages is already a challenge, particularly for disabled and those with pushchairs. This development will create noise and dust and will be too close to local residential areas.

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**Proposed Change Requested**

Remove site ME2248c from the plan.

**Council Response**

No change. The site appraisal has taken account of Kirklees' aims and objectives, including impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport - refer to background paper BP29. It is considered that, on balance, the benefit of the minerals allocation would outweigh the harm. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29.

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Paragraph/Site: **ME2248c**

Consultee: **1049317 Mr Brian Sivour**

Agent:

Rep ID: **PDLP\_AD495**

**Soundness - Justified**

The site is used extensively for exercise and well-being by local people. This includes walking groups, dog-walking and children's play / exercise. These all contribute to the health of inhabitants; outdoor activities are important in offering a convenient and enjoyable means of exercise, which in turn combats ill-health and obesity. Turning the area to industry will deprive the local community of this facility, and encourage inactivity and vehicle journeys. The site therefore fails to meet the council's objective to improve the health of local people. Destruction of footpaths and play areas. Self-evidently this does not support the council's aim of protecting and enhancing the recreation facilities and areas of open space. The local roads are narrow and frequently used. Cumberworth Lane, for instance, would not allow a large quarry or commercial vehicle to pass another car. The footpath is narrow, causing increased risk of injury to pedestrians. The area is used extensively by cyclists; industrial traffic on narrow roads increase risk of injury; it is a well-documented fact that commercial tippers / aggregate lorries contributed disproportionately to cyclist serious injuries and fatalities. Therefore this fails to meet the council's objective to secure an effective and safe transport network. The prominent ridge-top position and visibility from surrounding villages and towns means carrying out quarrying this area will result in the council failing its aim of protecting and enhancing the character of the landscape.

**Proposed Change Requested**

The site should be removed from the Plan.

**Council Response**

No change. The protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seek to support healthy, active and safe lifestyles. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. The site appraisal has taken account of Kirklees' aims and objectives including; impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that on balance the benefit of the minerals allocation would outweigh the harm - refer to background paper BP29. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character.

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Paragraph/Site: **ME2248c**

Consultee: **1049323 Mr Alan Howarth**

Agent:

Rep ID: **PDLP\_AD1348**

**Soundness - Justified**

This is an area of natural beauty and the plan seems designed to ruin it. The plan will place a huge strain on the narrow roads of Cumberworth, be greatly detrimental to the health of the inhabitants and harm the historic environment.

**Council Response**

No change. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. The protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seek to support healthy, active and safe lifestyles. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets - refer to background paper BP29. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35).

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Paragraph/Site: **ME2248c**

Consultee: **1049388 Miss Rooney Kelly**

Agent:

Rep ID: **PDLP\_AD566**

**Soundness - Justified**

This plan will be detrimental to people's health. The prevailing wind will settle dust on Lower Cumberworth and the dust particles will be greater than is

recognised as safe. It is close to the local school and children's health would suffer. The site comes too close to dwellings and dust can cause a problem up to 0.5km. Noise and vibration can also cause a problem. There appear to be no buffer distances. It will become unsafe for children to play outside due to increased dust levels. There will be no green space for the children to safely access. The road between Upper and Lower Cumberworth, already with a narrow footpath will become increasingly more dangerous due to increased traffic, blasting and dust. Buses already struggle to travel from Upper to Lower Cumberworth. More traffic on the Barnsley Road would mean more cars on this road, therefore making it dangerous. There would be more trucks for the quarry and therefore an industry standard of 2.75kg of carbon per gallon for a truck doing 6 miles to the gallon. There would also be more mud on the road making the road more dangerous on another main road which children access for school. Upper Cumberworth is a designated conservation area, the document of which says that the views from the village should be maintained. It states the view from Barnsley Road to Upper Cumberworth and from the road between Upper and Lower Cumberworth. This would be completely destroyed. There are woodland areas close by with protected species of hairy ants, found only in this area. The poor air quality created would have a negative impact. There are many old buildings in Lower and Upper Cumberworth, some as old as 300 years and also St Nicholas Church.

**Council Response**

No change. The site appraisal has taken account of Kirklees' aims and objectives including impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that, on balance, the benefit of the minerals allocation would outweigh the harm. The impact upon communities, including impact upon schools, recreational activities and residential homes has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. Prevention of the spread of debris on the road network can be mitigated through conditions/ obligations at the planning application stage. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29.

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Paragraph/Site: **ME2248c**

Consultee: **1049403 Mrs Helen Morecroft**

Agent:

Rep ID: **PDLP\_AD564**

**Soundness - Justified**

The site does not "Improve the health of the local people": Being close to residential areas the developments are likely to have negative impact on health as a result of dust and noise pollution. The site does not "Protect and enhance recreation facilities and areas of open space and encourage their usage.": Site 2248 includes the Eunice Lane Playing Field and numerous public footpaths which would be destroyed. The site does not "Protect and enhance the character of the landscape": The site ME2248b borders the conservation area of Upper Cumberworth. Much of the area is clearly visible from roadsides, public footpaths and houses, destroying the landscape. There are woodland areas nearby with protected species. The site does not "Secure an effective and safe transport network": Cumberworth Lane, between Upper and Lower Cumberworth, is a narrow road with parts that cannot be widened. It has inadequate footpath provision and passes by the Cumberworth First School. It is therefore unsuitable for a significant increase in large trucks. The site does not "Conserve and enhance Historic environment": The site ME2248a borders houses included in the conservation area, including some more than 300 years old, and is only a few metres from St Nicholas Church and its grounds, a listed building.

**Proposed Change Requested**

Exclude Site ME2248c from the plan.

**Council Response**

No change. The site appraisal has taken account of Kirklees' aims and objectives including; impact upon health and wellbeing, the economy, sport and

recreation, the historic environment and transport. It is considered that on balance the benefit of the minerals allocation would outweigh the harm. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35).

Paragraph/Site: **ME2248c**

Consultee: **1049414 Mr Paul Connolly**

Agent:

Rep ID: **PDLP\_AD601**

**Soundness - Positively Prepared**

No consideration appears to have been given to local inhabitants or the costs involved in work done by Kirklees.

**Soundness - Justified**

No consideration has been given to safety aspects concerning traffic, railway tunnels, old coal workings and the hazards of dust and disturbance to local people. Traffic levels will increase danger to motorists, pedestrians and school children. Transport routes are not suitable for increased traffic flows, especially Cumberworth Lane which has a narrow footpath and is used by school children and parents. Quarrying near to this road would also cause dangerous disturbance to the road surface and foundations. The proposals will mean the loss of public footpaths and Eunice Lane Recreation Ground. The character of the landscape and areas of outstanding beauty will be affected, as well as historic houses in Upper and Lower Cumberworth and St Nicholas church which is listed. Quarrying close to the railway tunnel may cause damage to the tunnel. There are old coalmine workings in the area and older shafts and tunnels that may not be known to the coal board which could prove a real danger to the whole area. There is no prospect of any benefit to the local community via employment, health and safety, transport, conservation, local amenities, exercise, improvement to the environment, or financial help to council budgets. It will only have a negative effect.

**Proposed Change Requested**

Site ME2248c should not go forward in the plan.

**Council Response**

No change. The site appraisal has taken account of Kirklees' aims and objectives including impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that, on balance, the benefit of the minerals allocation would outweigh the harm. All costs associated with the development are expected to be borne by the developer. The impact upon communities, including impact upon schools, recreational activities and residential homes has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. Paragraph 13 of NPPG indicates that one of the principle issues MPAs should address when considering minerals development is the potential loss of the best and most versatile agricultural land. In this instance the land is classed as Grade 4 agricultural land which is not best or most versatile agricultural land. Therefore it is considered that its temporary loss during the course of mineral extraction would be acceptable, bearing in mind that subsequent site restoration could see the reinstatement of the majority of the land back to an agricultural use. The protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seek to support healthy, active and safe lifestyles. Any minerals application that would affect recreation facilities and / or open space provision would need to

be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then its temporary or permanent diversion could be secured through the planning application process. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). Site appraisal has not identified any coal mine entrances within the allocation, however, it has been noted that part of the site does fall within the coal referral area. This issue would therefore be addressed at the planning application stage through formal consultation with the Coal Authority. The site's proximity to a railway tunnel is also noted. This issue would be addressed and, if appropriate, mitigated against at the planning application stage.

Paragraph/Site: **ME2248c**

Consultee: **1049426 Mrs Laura Clark**

Agent:

Rep ID: **PDLP\_AD590**

**Soundness - Positively Prepared**

Until very recently, most residents in the villages around the site were totally unaware of the Local Plan and the potential consequences to area. It is important that as a local resident that our views are heard and taken into consideration.

**Soundness - Justified**

Health and Safety: Increase in heavy goods vehicles. If allowed to go ahead, there would undoubtedly be a significant increase in large trucks • Cumberworth Lane is wholly unsuitable for an increase in this type of traffic. The road is extremely narrow in places. The footpath is used regularly by pupils walking to Cumberworth First School and Shelley College, it is already inadequate and the increase in this type of traffic is a significant safety risk. • There would be noise and dust pollution caused by the trucks, there would be vibration issues with such close vicinity to residential housing and school. Noise and dust pollution: from quarrying, the site is in close vicinity of residential housing. The close proximity to dwellings further increases the likely impact on local residents. As well as physical health, there is a possible negative impact on mental health and wellbeing due to noise and air pollution. This would be particularly significant for people who are retired, working from home, looking after small children and families during school holidays when the impact of work on the sites would very intrusive. Negative Impact on the Landscape: Site ME2248c is a very large site but is only a part of what is a massive overall site that includes ME2248a, ME2248b, ME2248c, and ME2314. ME2248b and ME2248c are in immediate risk and if allocated as planned then the impact on the local landscape would be massive and totally out of scale. The character of the landscape would be changed for ever. Destruction of recreation facilities: The site is crossed by a public right-of-way, this footpath would be destroyed. Impact on Housing in the Immediate Vicinity: Considering all the above, the development would likely cause significant drop in house values in the villages in the immediate vicinity of site ME2248c, especially those of Lower Cumberworth.

**Proposed Change Requested**

Site ME2248c should be removed as a Mineral Extraction Site.

**Council Response**

No change. The council's Statement of Community Involvement sets out when, how and with whom it consulted as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. All comments were considered as part of the pre-submission process and published on the council's website. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. The site appraisal has taken account of Kirklees' aims and objectives including; impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that on balance the benefit of the minerals allocation would outweigh the harm. The impact upon communities, including impact upon schools, recreational activities and residential homes has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the

public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). Impact on house prices is not a planning consideration.

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Paragraph/Site: **ME2248c**

Consultee: **1049426 Mrs Laura Clark**

Agent:

Rep ID: **PDLP\_AD599**

**Soundness - Positively Prepared**

Until very recently, most residents in the villages around the site were totally unaware of the Local Plan and the potential consequences to area. It is important that as a local resident that our views are heard and taken into consideration.

**Soundness - Justified**

Health and Safety: Increase in heavy goods vehicles. If allowed to go ahead, there would undoubtedly be a significant increase in large trucks • Cumberworth Lane is wholly unsuitable for an increase in this type of traffic. The road is extremely narrow in places. The footpath is used regularly by pupils walking to Cumberworth First School and Shelley College, it is already inadequate and the increase in this type of traffic is a significant safety risk. • There would be noise and dust pollution caused by the trucks, there would be vibration issues with such close vicinity to residential housing and school. Noise and dust pollution: from quarrying, the site is in close vicinity of residential housing. The close proximity to dwellings further increases the likely impact on local residents. As well as physical health, there is a possible negative impact on mental health and wellbeing due to noise and air pollution. This would be particularly significant for people who are retired, working from home, looking after small children and families during school holidays when the impact of work on the sites would very intrusive. Negative Impact on the Landscape: Site ME2248c is a very large site but is only a part of what is a massive overall site that includes ME2248a, ME2248b, ME2248c, and ME2314. ME2248b and ME2248c are in immediate risk and if allocated as planned then the impact on the local landscape would be massive and totally out of scale. The character of the landscape would be changed for ever. Destruction of recreation facilities: The site is crossed by a public right-of-way, this footpath would be destroyed. Impact on Housing in the Immediate Vicinity: Considering all the above, the development would likely cause significant drop in house values in the villages in the immediate vicinity of site ME2248c, especially those of Lower Cumberworth.

**Proposed Change Requested**

Site ME2248c should be removed as a Mineral Extraction Site.

**Council Response**

No change. The council's Statement of Community Involvement sets out when, how and with whom it consulted as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. All comments were considered as part of the pre-submission process and published on the council's website. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. The site appraisal has taken account of Kirklees' aims and objectives including; impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that on balance the benefit of the minerals allocation would outweigh the harm. The impact upon communities, including impact upon schools, recreational activities and residential homes has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). Impact on house prices is not a planning consideration.

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**Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations**

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Paragraph/Site: **ME2248c**Consultee: **1049426 Mrs Laura Clark**

Agent:

Rep ID: **PDLP\_AD3590****Soundness - Justified**

Will have an impact on recreation facilities and areas of open space - Eunice Lane Playing Field included in boundary. Negative impact on the Historic Environment. Increase in heavy goods vehicles. Increase in noise, dust/air pollution. Negative impact on the landscape Would cause a decrease in house value.

**Proposed Change Requested**

Remove site from the plan

**Council Response**

No change.The council's Statement of Community Involvement sets out when, how and with whom it consulted as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. All comments were considered as part of the pre-submission process and published on the council's website. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.The site appraisal has taken account of Kirklees' aims and objectives including; impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that on balance the benefit of the minerals allocation would outweigh the harm.The impact upon communities, including impact upon schools, recreational activities and residential homes has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process.The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29.Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village.Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need.The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character.Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35).Impact on house prices is not a planning consideration.

Paragraph/Site: **ME2248c**Consultee: **1049507 Mike Beecroft**

Agent:

Rep ID: **PDLP\_AD1699****Soundness - Justified**

Objection to the disruption of quarrying in the Upper/Lower Cumberworth area as the roads and Cumberworth Lane, which is narrow, are not suitable for heavy goods vehicles. There are concerns that the amount of additional traffic and inconsiderate parking will put school children crossing the road in danger. It is not possible to widen around Upper Cumberworth Church where two vehicles cannot pass each other. Huge amounts of money are needed to improve the roads in the area before this scale of development is considered. The effect of pollution from dust and traffic fumes and impact on the environment, including footpaths, wooded areas, wildlife and conservation areas, should be taken into account.

**Proposed Change Requested**

The proposal should not go ahead.

**Council Response**

No change.Access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process.The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity. Former SSI – now proposed to be a Local Wildlife Site – has been identified. No objection from West Yorkshire Ecology (WYE) subject to appropriate mitigation. Any minerals application would need to accord with Local Plan policy PLP 30. Mitigation would include buffers – 20 metres recommended by WYE- and restoration to enhance the proposed Local Wildlife Site.Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35).



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**Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations**

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Paragraph/Site: **ME2248c**Consultee: **1049593 Miss Teresa Briggs**

Agent:

Rep ID: **PDLP\_AD3324**

**Soundness - Positively Prepared** The landscape, character and historic conservation of Cumberworth would be destroyed and changed forever. The price of property may be affected.

**Soundness - Justified** Additional amount of vehicles and large trucks - the pavements are narrow, the road is narrow, 2 cars cannot pass. Roads cannot take more traffic. Cumberworth Lane through the village will become a danger. Health and safety concerns.

**Council Response** No change.Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village.The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character.Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets - refer to background paper BP29. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35).Impact on house prices is not a planning consideration.

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Paragraph/Site: **ME2248c**Consultee: **1049599 Mr James George**

Agent:

Rep ID: **PDLP\_AD649**

**Soundness - Justified** The site does not "Improve the health of the local people": Potential for dust and greater noise pollution. Heavy machinery can already be heard at the current Bromley Farm site which will only increase if this further mineral extraction were permitted. This is incongruous with the tranquillity of a rural location. The site does not "Protect and enhance recreation facilitates and areas of open space and encourage their usage.": Much of the open space between the villages of Upper and Lower Cumberworth will disappear. This is popular for walkers and public footpaths will be lost. It could also mean the loss of the playing fields at the eastern edge of Upper Cumberworth at Eunice Lane. The site does not "Protect and enhance the character of the landscape": Quarrying for minerals can under no circumstances be viewed as a means of protecting or enhancing the landscape. It will a complete eyesore. The site does not "Secure an effective and safe transport network": Cumberworth Lane, between Upper and Lower Cumberworth is far too narrow to allow an increase in HGVs. It is currently a bus route and even now, cars struggle to pass buses coming in the opposite direction. It would be virtually impossible for buses and HGVs to pass. There is also a pinch point between buildings near the church in Upper Cumberworth which is only wide enough for one vehicle. An increase in HGV traffic would also increase the risk to vulnerable road users: the footpath is narrow (too narrow for pushchairs at some points) and it is a popular route for cyclists. The site does not "Conserve and enhance Historic environment": The site will border a conservation area, possible damage from heavy plant using the road network through the village and vibrations from extraction.

**Council Response** No change.The site appraisal has taken account of Kirklees' aims and objectives including impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that, on balance, the benefit of the minerals allocation would outweigh the harm.The impact upon communities, including impact upon schools, recreational activities and residential homes has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process.The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29.The protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seek to support healthy, active and safe lifestyles.Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need.The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character.Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35).Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village.

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Paragraph/Site: **ME2248c**Consultee: **1050053 Mr Jon Milner**

Agent:

Rep ID: **PDLP\_AD773**

## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

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**Soundness - Justified** The site is too close to residential property. Noise and dust will impact the health of local people. Cumberworth Lane is narrow, with a narrow footpath, safe pedestrian passage is limited. When used by large vehicles, use of the road as two lanes is restricted. Road is unsuitable for heavy vehicles. Any proposals to access the site from Bromley park over the narrow railway bridge would increase large vehicular traffic to a family estate. These proposals would not provide a safe and effective transport network, one of the Council's aims.

**Proposed Change Requested** Decline proposal

**Council Response** No change. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village.

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Paragraph/Site: **ME2248c**

Consultee: **1050136 Mr Alexander McGregor**

Agent:

Rep ID: **PDLP\_AD813**

**Soundness - Justified** The dust and noise pollution caused by the proposal may be harmful to health. There will be an increase in lorry traffic on local roads and in the vicinity of the school. The road between Upper and Lower Cumberworth is unsuitable for lorry traffic. The proposal may impact on the community if people move away.

**Proposed Change Requested** Delete site ME2248c

**Council Response** No change. The impact upon communities, including impact upon schools, recreational activities and residential homes has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village.

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Paragraph/Site: **ME2248c**

Consultee: **1058320 Liz Lloyd**

Agent:

Rep ID: **PDLP\_AD1115**

**Soundness - Justified** Cumberworth Lane is a narrow rural lane - highway safety issues, impact on access to playing fields. Impact on St Nicholas Church and its ground, which is a listed building. Impact on residential amenity.

**Council Response** No change. The protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seek to support healthy, active and safe lifestyles. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels. Impact upon nearby residential homes and the local primary school can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets – refer to background paper BP29. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). Access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process.

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**Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations**Paragraph/Site: **ME2248c**Consultee: **1058409 Mrs June Wagstaff**

Agent:

Rep ID: **PDLP\_AD1145****Soundness - Justified**

Small rural villages with a listed church and schools at the centre which will be affected by noise, dirt, traffic and will not be a safe environment for children going to school. The health of local people has to be taken into consideration. Fields, public footpaths and wildlife will be lost.

**Council Response**

No change. Site was identified in the UDP as a potential mineral reserve. Bearing in mind the previous mineral working in the immediate vicinity it is considered that this site is likely to yield viable quantities of mineral of national and local importance in the manufacture of clay pipes. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets - refer to background paper BP29. Consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). Site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity.

Paragraph/Site: **ME2248c**Consultee: **1059228 Gillian Wallwork**

Agent:

Rep ID: **PDLP\_AD1189****Soundness - Justified**

There are concerns that further mineral extraction proposals in the Lower Cumberworth area will massively impinge on well being, investment and local infrastructure.

**Council Response**

No change. The impact upon communities, including impact upon schools, recreational activities and residential homes has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village.

Paragraph/Site: **ME2248c**Consultee: **1059404 Maggie Walker**

Agent:

Rep ID: **PDLP\_AD3273****Soundness - Justified**

We are particularly concerned at health and safety risks presented to children due to dust pollution, heavy traffic on Cumberworth Lane which is very narrow in parts with no footpath, noise pollution and restricted outdoor learning.

**Council Response**

No change. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village.

Paragraph/Site: **ME2248c**Consultee: **1059407 Martin Moonie**

Agent:

Rep ID: **PDLP\_AD1259****Soundness - Justified**

Noise - The proposed site is close to the rural residential areas of Upper Cumberworth, Lower Cumberworth and Denby Dale. Quarries work 24 hours per day 365 days of the year when there is a demand for their product. The main noise nuisance to local residents will be from heavy plant / machinery / loading shovels / lorries in particular and the noise from reversing "bleepers" on the loading shovel & HGVs. Dust - Prevailing westerly winds would blow fine dust particles over both Denby Dale and Lower Cumberworth village. Impact on health of school children caused by dust from the quarry. Increased traffic of Heavy Goods Vehicles in local area - Cumberworth Lane is a minor road too narrow for HGVs to pass. Will cause increased noise, traffic and dangers to pedestrians and cyclists. Will reduce the quality of the road surfaces. Impact on landscape - Quarrying negatively changes the whole landscape. The area around the proposals is mainly rural, visually appealing and is popular with walkers. Effect of quarrying would be clearly visible for the local environment. The proposed quarry borders the conservation area of Upper Cumberworth which has a listed building, St. Nicholas Church and grounds which are only metres away. The location of additional quarrying in such close proximity seems incongruous with maintaining historical villages such as Upper Cumberworth.

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Economic - Offer no obvious additional economic benefits for local residents and employment opportunities for such mineral extraction are not significant. The proposals appear to offer little benefit for local residents and will have a detrimental impact on tourism. After the mineral extraction the area is likely to be used as an additional Land Fill Site with all its associated problems similar to items above. Future Planning History tells us that once any company starts quarrying they will seek expansion.

### Council Response

No change. The site appraisal has taken account of Kirklees' aims and objectives including impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that, on balance, the benefit of the minerals allocation would outweigh the harm. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35).

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Paragraph/Site: **ME2248c**

Consultee: **1059419 Allan Siddal**

Agent:

Rep ID: **PDLP\_AD1276**

### Soundness - Justified

The site is in the green belt and development would destroy the nature of the land/landscape permanently. Watercourse running through the site will be contaminated affecting local wildlife. Footpaths will be affected. Plans will conflict with policies about community health due to dust and noise, affecting health and well being of local residents. Traffic will affect local roads which are unsuitable.

### Proposed Change Requested

If any expansion is permitted, the boundary should be reduced to create a suitable buffer zone from dust and noise. Footpaths should be protected.

### Council Response

No change. NPPF paragraph 90 recognises that minerals extraction is an appropriate use within the green belt. Appropriate levels of mitigation, including final site restoration, would be sought via the design of the development and through planning conditions/obligations to minimise the impact of any minerals activity and so ensure there is no significant impact upon the countryside and the openness of the green belt. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity. The technical assessment of the site has indicated that this proposal would not have any significant impact on local surface water/ground water regimes. The site appraisal has taken account of Kirklees' aims and objectives including impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that, on balance, the benefit of the minerals allocation would outweigh the harm. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village.

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Paragraph/Site: **ME2248c**

Consultee: **1059499 Sylvia Sykes**

Agent:

Rep ID: **PDLP\_AD1297**

### Soundness - Justified

Objection to site ME2248c on the grounds it will affect the countryside, peace and tranquillity and disturb wildlife, including birds and foxes. It is difficult for

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vehicles to pass each other safely on the road from Upper to Lower Cumberworth due to the width of the road. The amount of dust will affect air quality.

### Council Response

No change. NPPF paragraph 90 recognises that minerals extraction is an appropriate use within the green belt. Appropriate levels of mitigation, including final site restoration, would be sought via the design of the development and through planning conditions/obligations to minimise the impact of any minerals activity and so ensure there is no significant impact upon the countryside and the openness of the green belt. The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity - refer to background paper BP29. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29.

Paragraph/Site: **ME2248c**

Consultee: **1059506 Mr Ian Morecroft**

Agent:

Rep ID: **PDLP\_AD1306**

### Soundness - Justified

Objects on the grounds of the impact it would have on the local environment, wildlife, infrastructure and traffic.

### Council Response

No change. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village.

Paragraph/Site: **ME2248c**

Consultee: **1059552 Sarah and Sean Barry**

Agent:

Rep ID: **PDLP\_AD1335**

### Soundness - Justified

The proposal will be damaging to the local environment and the road will become more hazardous due to heavy traffic. Impact on health and residential amenity.

### Council Response

No change. The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity. The site assessment has also concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc.

Paragraph/Site: **ME2248c**

Consultee: **1059564 Iain Burton**

Agent:

Rep ID: **PDLP\_AD1363**

### Soundness - Justified

Close to residential areas. Will have a negative impact on health. Dust and noise pollution. Eunice Lane playing fields and public footpaths will be destroyed. Cumberworth Lane is a narrow road, it has inadequate footpath provision, there are unsighted corners where pedestrians can be forced onto the road. Upper Cumberworth Conservation Area will be irrecoverably impacted by any quarrying activity. The site borders houses included in the conservation area and is only a few metres from St Nicholas Church.

### Council Response

No change. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc - refer to background paper BP29. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels. The protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seek to support healthy, active and safe lifestyles. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the

impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35).

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Paragraph/Site: **ME2248c**

Consultee: **1059692 Mr Nigel Senior**

Agent:

Rep ID: **PDLP\_AD1444**

**Soundness - Justified**

The close proximity to many residential housing within Upper Cumberworth. The close proximity to Cumberworth First School. The strong prevailing wind would carry the dust decreasing air quality for the school children. Dangerous, especially to young children. The negative impact of disturbance and nuisance by the generation of dust, noise and vibration by the site operations and associated transport. This will have a massive impact on residents within the village and reduce people's health and quality of life. The proposals would be a breach of the Human Rights Act 1998, article 8. Individuals have the right to a peaceful existence in their home. Loss of agricultural land. The village playing fields (Eunice Lane playing field) and numerous public footpaths would be destroyed. We need to protect and enhance recreation facilities to encourage people to visit our village not Cumberworth Lane is a very narrow road with very little pavement. This road is unsuitable for large trucks and would make it dangerous to pedestrians who regularly walk between the villages of Upper and Lower Cumberworth. Cumberworth Lane runs past the village school which would also make the road more dangerous for pupils of the school. There are already too many quarries within this part of Kirklees. The site ME2248a is only a few meters from St Nicholas Church and its grounds which is a listed building. We need to protect the village's historic buildings and unique landscape. The site would cause unacceptable detriment to local visual and residential amenity.

**Proposed Change Requested**

After considering the above arguments please remove these sites from the local development plan and find better alternatives if necessary which are situated away from villages and residential areas.

**Council Response**

No change. The site appraisal has taken account of Kirklees' aims and objectives including impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that, on balance, the benefit of the minerals allocation would outweigh the harm. The impact upon communities, including impact upon schools, recreational activities and residential homes – irrespective of occupancy – has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Satisfactory access can be achieved from the A635 Barnsley Road via the existing entrance to the household waste recycling centre. This would avoid the need to go through the village. The protection of the play area / playing field would be sought in line with national policy, NPPF paragraph 74, and Local Plan policy PLP 47 where the Council seek to support healthy, active and safe lifestyles. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). Paragraph 13 of NPPG indicates that one of the principle issues MPAs should address when considering minerals development is the potential loss of the best and most versatile agricultural land. In this instance the land is classed as Grade 4 agricultural land which is not best or most versatile agricultural land. Therefore it is considered that its temporary loss during the course of mineral extraction would be acceptable, bearing in mind that subsequent site restoration could see the reinstatement of the majority of the land back to an agricultural use. As indicated in paragraph 142 of the NPPF, minerals can only be extracted from where they are found. However, as in both NPPF and NPPG the potential cumulative impact of mineral extraction must be carefully considered. Local Plan policy PLP 36 echoes this guidance and any subsequent planning application would therefore need to be supported by a comprehensive assessment which indicates that such effects would not be detrimental, or could be satisfactorily mitigated. The council is satisfied that its processes and practices are compatible with the European Convention on Human Rights (ECHR). The planning system by its very nature respects the rights of the individual whilst acting in the interest of the wider community. It is an inherent part of the decision-making process for the council to assess the effects that a proposal will have on individuals and weigh these against the wider public interest. In carrying out this balancing exercise the council will, of course, wish to be satisfied that it has acted proportionately. Consequently the

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council considers that the decisions made in connection with the Local Plan do not Breach Article 8.

Paragraph/Site: **ME2249**

Consultee: **943612 Helen France**

Agent:

Rep ID: **PDLP\_AD2028**

**Soundness - Positively Prepared** - The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.

**Soundness - Justified** - Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment

**Soundness - Consistent with National Policy** - These allocations fail to meet the requirements of Paragraph 182 of the NPPF

**Council Response** No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

Paragraph/Site: **ME2249**

Consultee: **943973 Mr David Newby**

Agent:

Rep ID: **PDLP\_AD1006**

**Soundness - Justified** The, soon to be implemented, change in the Planning Regulations will mean that, once in the approved Local Plan, these sites will, in effect, have outline Planning Consent. Loss of agricultural land, impact on landscape and removal of disruption of landscape features. Impact on residential amenity. Increased HGV traffic on minor roads.

**Soundness - Consistent with National Policy** Large areas of land would be taken out of the Green Belt in direct conflict with the provisions of NPPF para 79 and 80.

**Council Response** No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

Paragraph/Site: **ME2250**

Consultee: **943612 Helen France**

Agent:

Rep ID: **PDLP\_AD2029**

**Soundness - Positively Prepared** - The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.

**Soundness - Justified** - Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment

**Soundness - Consistent with National Policy** - These allocations fail to meet the requirements of Paragraph 182 of the NPPF

**Council Response** No change.Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

Paragraph/Site: **ME2251**

Consultee: **943612 Helen France**

Agent:

Rep ID: **PDLP\_AD2030**

**Soundness - Positively Prepared** - The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long

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term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.

**Soundness - Justified** - Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment

**Soundness - Consistent with National Policy** - These allocations fail to meet the requirements of Paragraph 182 of the NPPF

**Council Response** No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

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Paragraph/Site: **ME2251** Consultee: **953144** **Mr S Berry** Agent: **953142** **Mr Jonathan Standen** Rep ID: **PDLP\_AD211**

**Council Response** No change. Support noted.

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Paragraph/Site: **ME2252** Consultee: **943612** **Helen France** Agent: Rep ID: **PDLP\_AD2031**

**Soundness - Positively Prepared** - The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.

**Soundness - Justified** - Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment

**Soundness - Consistent with National Policy** - These allocations fail to meet the requirements of Paragraph 182 of the NPPF

**Council Response** No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

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Paragraph/Site: **ME2253** Consultee: **943612** **Helen France** Agent: Rep ID: **PDLP\_AD2032**

**Soundness - Positively Prepared** - The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.

**Soundness - Justified** - Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment

**Soundness - Consistent with National Policy** - These allocations fail to meet the requirements of Paragraph 182 of the NPPF

**Council Response** No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.

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Paragraph/Site: <b>ME2253</b>	Consultee: <b>943973</b>	<b>Mr David Newby</b>	Agent:	Rep ID: <b>PDLP_AD1007</b>
<b>Soundness - Justified</b>	The, soon to be implemented, change in the Planning Regulations will mean that, once in the approved Local Plan, these sites will, in effect, have outline Planning Consent. Loss of agricultural land, impact on landscape and removal of disruption of landscape features. Impact on residential amenity. Increased HGV traffic on minor roads.			
<b>Soundness - Consistent with National Policy</b>	Large areas of land would be taken out of the Green Belt in direct conflict with the provisions of NPPF para 79 and 80.			
<b>Council Response</b>	No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.			

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Paragraph/Site: <b>ME2254</b>	Consultee: <b>943612</b>	<b>Helen France</b>	Agent:	Rep ID: <b>PDLP_AD2033</b>
<b>Soundness - Positively Prepared</b>	- The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.			
<b>Soundness - Justified</b>	- Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment			
<b>Soundness - Consistent with National Policy</b>	- These allocations fail to meet the requirements of Paragraph 182 of the NPPF			
<b>Council Response</b>	No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and/or planning obligations.			

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Paragraph/Site: <b>ME2255</b>	Consultee: <b>943612</b>	<b>Helen France</b>	Agent:	Rep ID: <b>PDLP_AD2034</b>
<b>Soundness - Positively Prepared</b>	- The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.			
<b>Soundness - Justified</b>	- Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment			
<b>Soundness - Consistent with National Policy</b>	- These allocations fail to meet the requirements of Paragraph 182 of the NPPF			
<b>Council Response</b>	No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.			

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Paragraph/Site: <b>ME2255</b>	Consultee: <b>1035351</b>	<b>Mr Robert Kersey</b>	Agent:	Rep ID: <b>PDLP_AD1029</b>
<b>Soundness - Justified</b>	The quarry will be very close to the hamlet of Wellhouses. If the quarry expands to the edge of Cartworth Moor Road then noise from diggers / peckers etc. is going to become a major issue. Noise from diggers is extremely loud and can be heard even inside the houses. Obviously if the border moves right up to Cartworth Moor Road this is going to be a lot worse particularly in the early stages when digging is at surface level or just below.			

## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

**Proposed Change Requested** Noise limiting steps, such as constructing earth banks planted with shrubs and fast growing trees, to lessen any impact have to take place before quarrying starts.

**Council Response** No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.

Paragraph/Site: **ME2256**

Consultee: **943612**

**Helen France**

Agent:

Rep ID: **PDLP\_AD2035**

**Soundness - Positively Prepared** - The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.

**Soundness - Justified** - Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment

**Soundness - Consistent with National Policy** - These allocations fail to meet the requirements of Paragraph 182 of the NPPF

**Council Response** No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.

Paragraph/Site: **ME2257**

Consultee: **943612**

**Helen France**

Agent:

Rep ID: **PDLP\_AD2036**

**Soundness - Positively Prepared** - The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.

**Soundness - Justified** - Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment

**Soundness - Consistent with National Policy** - These allocations fail to meet the requirements of Paragraph 182 of the NPPF

**Council Response** No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.

Paragraph/Site: **ME2258**

Consultee: **943612**

**Helen France**

Agent:

Rep ID: **PDLP\_AD2037**

**Soundness - Positively Prepared** - The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.

**Soundness - Justified** - Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment

## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

**Soundness - Consistent with National Policy** - These allocations fail to meet the requirements of Paragraph 182 of the NPPF

**Council Response** No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.

Paragraph/Site: **ME2263**

Consultee: **942768**

**Mr Andrew Wood**

Agent:

Rep ID: **PDLP\_AD1779**

**Soundness - Justified** Unclear whether this is an existing permission.

**Council Response** No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.

Paragraph/Site: **ME2263**

Consultee: **943612**

**Helen France**

Agent:

Rep ID: **PDLP\_AD2038**

**Soundness - Positively Prepared** - The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.

**Soundness - Justified** - Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment

**Soundness - Consistent with National Policy** - These allocations fail to meet the requirements of Paragraph 182 of the NPPF

**Council Response** No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.

Paragraph/Site: **ME2263**

Consultee: **943973**

**Mr David Newby**

Agent:

Rep ID: **PDLP\_AD1008**

**Soundness - Justified** The, soon to be implemented, change in the Planning Regulations will mean that, once in the approved Local Plan, these sites will, in effect, have outline Planning Consent. Loss of agricultural land, impact on landscape and removal of disruption of landscape features. Impact on residential amenity. Increased HGV traffic on minor roads.

**Soundness - Consistent with National Policy** Large areas of land would be taken out of the Green Belt in direct conflict with the provisions of NPPF para 79 and 80.

**Council Response** No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.

Paragraph/Site: **ME2263**

Consultee: **944135**

**Mr Anthony Clifton**

Agent:

Rep ID: **PDLP\_AD1090**

**Soundness - Justified** These sites are extensions of existing workings and difficult to object to, other than they will generate traffic from very heavy vehicles which cause much damage to the roads and kerb edges.

**Council Response** No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.

Paragraph/Site: **ME2263**

Consultee: **947700**

**Mr G Maxwell**

Agent:

Rep ID: **PDLP\_AD734**

**Soundness - Justified** The reports/commentary section about sites ME2243 and ME2263 states "Operational site that will be expected to continue to conform with the planning

## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

permission associated conditions and agreed site restoration and after care plan". Kirklees Planners must ensure that owners/developers adhere to the conditions that are placed on them and not allow them to repeatedly seek extensions to time limited approvals. An extension to time limit should be treated as a new application. Both quarries are at the time of writing inactive. The Council must start to put the needs of local residents ahead of those of developers and they must enforce their original decisions.

### Proposed Change Requested

Council have considered an extension to Appleton Quarry by putting forward site ME1965a as a new site close to the quarry. The council's own LP states that a new quarry should not be considered until an old quarry is exhausted. Removal of Site ME1965a will make the plan sound

### Council Response

No change. Comments noted, however this is an active mineral working. All associated impacts have been assessed via planning applications and mitigation measures considered and secured through conditions and / or planning obligations.

Paragraph/Site: **ME2265**

Consultee: **943612**

**Helen France**

Agent:

Rep ID: **PDLP\_AD2039**

### Soundness - Positively Prepared

- The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.

### Soundness - Justified

- Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment

### Soundness - Consistent with National Policy

- These allocations fail to meet the requirements of Paragraph 182 of the NPPF

### Council Response

No change. It is acknowledged there would be negative impacts when considered against certain SA criteria, however, as per the technical appraisal for this site the Council has taken account of a range of issues, including impact upon health and wellbeing and the economy. It is felt that the issues identified can be mitigated to satisfactory levels and therefore on balance – when considered against the need for the mineral – there is sufficient justification to allocate the site. Chapter 12 (para 12.4 -12.15) of the Kirklees Local Plan: Publication Draft Sustainability Appraisal Report (SD5) sets out the scoring of the local plan vision and objectives against the SA objectives (table 12.2). This site was identified at the first draft of the local plan and has been consulted upon at each stage. The need for minerals has followed an approach in accordance with NPPF and NPPG. Key considerations for the need of minerals have been assessed against the West Yorkshire Local Aggregate Assessment, the significance of the mineral to the market and the business need for additional reserves by operator. A more detailed explanation behind the rationale to the approach taken in considering the need for minerals is set out in the minerals technical paper. The need for maintaining landbanks and supporting the market has been set out in the minerals technical paper (BP9, paragraphs 5.1-5.47). Policy PLP 37 provides a positive policy framework towards securing appropriate restoration schemes through conditions and / or planning obligations at the planning application stage. NPPF paragraph 90 recognises that minerals extraction is an appropriate use within the green belt. Appropriate levels of mitigation would be sought via the design of the development and through planning conditions/obligations to minimise the impact of any minerals activity and so ensure there is no significant impact upon the openness of the green belt and to local communities. The impact upon communities, including impact upon schools, recreational activities and residential homes – irrespective of occupancy – has been assessed and concluded that satisfactory mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. The impact upon the health of local people has been considered at the site assessment stage where it was concluded that appropriate levels of mitigation through the provision of buffers, screening, routing of minerals traffic etc. can be secured. Full details of required mitigation measures would be assessed through the planning application process. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the enjoyment of the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process.

## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

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Subsequently any application will need to be assessed against policy PLP 23. Whilst it is recognised that mineral extraction generates heavy vehicle movements, this type of mineral extraction would involve short periods of activity. The site can be accessed from an existing haul road and with some modification could provide adequate access provision. If considered expedient formal routeing arrangements can be imposed with regard to any subsequent planning application. Any subsequent planning permission would be subject to the provision of wheel washing facilities. Based on the technical assessment of the site, no absolute constraints have been identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). The Council is satisfied that the Local Plan has been prepared in accordance with the requirements set out in Paragraph 182 of the NPPF. Namely that it is positively prepared, justified, effective and consistent with national policy. All documents set out in the 'Local Plan Examination Library' collectively help to demonstrate the Council's case in relation to each one of these tests.

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Paragraph/Site: **ME2265**

Consultee: **943973 Mr David Newby**

Agent:

Rep ID: **PDLP\_AD1009**

### **Soundness - Justified**

The, soon to be implemented, change in the Planning Regulations will mean that, once in the approved Local Plan, these sites will, in effect, have outline Planning Consent. Loss of agricultural land, impact on landscape and removal of disruption of landscape features. Impact on residential amenity. Increased HGV traffic on minor roads.

### **Soundness - Consistent with National Policy**

Large areas of land would be taken out of the Green Belt in direct conflict with the provisions of NPPF para 79 and 80.

### **Council Response**

No change. NPPF paragraph 90 recognises that minerals extraction is an appropriate use within the green belt. Appropriate levels of mitigation, including final site restoration, would be sought via the design of the development and through planning conditions/obligations to minimise the impact of any minerals activity and so ensure there is no significant impact upon the countryside and the openness of the green belt. Paragraph 13 of NPPG (Minerals) indicates that one of the principal issues MPAs should address when considering minerals development is the 'impact on best and most versatile agricultural land'. In this instance the land is classified as Grade 3 agricultural land, defined by Natural England as 'Good to Moderate'. It is considered that the temporary loss of this agricultural land during the course of mineral extraction would be acceptable. If considered appropriate, subsequent site restoration could aim to restore the majority of the site back to agricultural use in a condition that is either equivalent, or better, than its original classification. Any application for minerals extraction will need to comply with Local Plan policy PLP 37 where the Council will require a satisfactory restoration and management plan of the restored site. Any restoration would need to be sympathetic to the character and setting of the wider area and capable of sustaining an appropriate after-use. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. The allocation of sites within an adopted Local Plan establishes the acceptability, in principle, of the allocated use. However, an allocation does not remove the need to secure planning permission.

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Paragraph/Site: **ME2568**

Consultee: **942768 Mr Andrew Wood**

Agent:

Rep ID: **PDLP\_AD1775**

### **Soundness - Justified**

This is a large site in open countryside with potentially significant landscape/visual amenity impacts.

### **Council Response**

No change. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage. Impact upon PROW: The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Visual amenity / impact on landscape: Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity

and landscape character.

Paragraph/Site: ME2568

Consultee: 943612 Helen France

Agent:

Rep ID: PDLP\_AD2040

**Soundness - Positively Prepared**

- The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.

**Soundness - Justified**

- Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment

**Soundness - Consistent with National Policy**

- These allocations fail to meet the requirements of Paragraph 182 of the NPPF

**Council Response**

No change. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage. Not in compliance with the Kirklees' aims and objectives: The site appraisal has taken account of Kirklees' aims and objectives including; impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that on balance the benefit of the minerals allocation would outweigh the harm. Challenge to approach taken to consultation: The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Green belt: NPPF paragraph 90 recognises that minerals extraction is an appropriate use within the green belt. Appropriate levels of mitigation, including final site restoration, would be sought via the design of the development and through planning conditions/obligations to minimise the impact of any minerals activity and so ensure there is no significant impact upon the countryside and the openness of the green belt. Impact of noise, dust and light pollution: The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Proximity to residential: Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges – The impact upon communities, including Impact upon schools, recreational activities and residential homes – irrespective of occupancy – has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. Impact upon recreation facilities and areas of open space – Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. Impact upon PROW: The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Visual amenity / impact on landscape: Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Cumulative traffic impacts: The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. Heritage: Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). Consistent with National Policy : The allocation has been assessed based on NPPF and NPPG requirements. In particular the need for the mineral has been considered, environmental criteria – consistent with NPPF and NPPG – has been applied when assessing the site. The evidence used is proportionate and sufficient to justify the allocation. More detailed studies would follow at the planning application stage.

**Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations**Paragraph/Site: **ME2568**Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3781****Soundness - Justified**

At its narrowest, this site lies only 130 metres from the boundary of the South Crosland Conservation Area. Minerals extraction from this site could also affect a number of Listed Buildings in the settlement. There are also views of Castle Hill across this site. Mineral extraction from this site could harm elements which contribute to the significance of these assets. By allocating this site for mineral extraction, the Council is accepting that the principle of the loss of this currently-open area and its subsequent development is acceptable. However, there has been no evaluation of what contribution this site makes to the character or appearance of the Conservation Area, or to the special architectural or historic interest of the Listed Buildings, or what harm might result to those elements which contribute to the significance of these designated assets by its eventual development.

**Soundness - Consistent with National Policy**

Paragraph 126 of the NPPF requires Local Plans to set out a positive strategy for the conservation and enjoyment of the historic environment. In addition, the Council has a statutory duty under the provisions of S72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990 to pay “special attention” to “the desirability of preserving or enhancing the character or appearance” of its Conservation Areas. The NPPF makes it clear that the significance of heritage assets, such as Conservation Areas, can be harmed through development within their setting.

**Proposed Change Requested**

Before identifying this site as an allocation an assessment needs to be undertaken of the contribution which this site makes to those elements which contribute towards the significance of the heritage assets in its vicinity and what impact the proposed development might have upon their significance

**Council Response**

No change. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage. Heritage: Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). Consistent with National Policy: The allocation has been assessed based on NPPF and NPPG requirements. In particular the need for the mineral has been considered, environmental criteria – consistent with NPPF and NPPG – has been applied when assessing the site. The evidence used is proportionate and sufficient to justify the allocation. More detailed studies would follow at the planning application stage.

Paragraph/Site: **ME2568**Consultee: **944411 Mr A McGowan**

Agent:

Rep ID: **PDLP\_AD2342****Soundness - Positively Prepared**

I have not heard or had any correspondence from any parties involved. There has been a lack of information and no time to gather any before the deadline. Allocation of the site in the Local Plan and deadline for objections was not mentioned at Johnsons Wellfield Quarries public exhibition on 20th Oct 2016. Pressure to produce the plan could mean that various planning proposals are being rushed through that would have been given more consideration at other times and that South Crosland village could be saddled with the outcome for 20 years.

**Soundness - Justified**

My partner and I object to site ME2568 as I have many concerns about the proposed quarry, especially the proximity to South Crosland village and several wells and watercourses that run through my land.

**Council Response**

No change. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage. Challenge to approach taken to consultation: The council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Proximity to residential: Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Impact upon watercourse: The technical assessment of the site has indicated that this proposal would not have any significant impact on local surface water/ground water regimes.

Paragraph/Site: **ME2568**Consultee: **944994 Susan Carter**

Agent:

Rep ID: **PDLP\_AD3321****Soundness - Positively Prepared**

This was entered into the plan at a very late date, long after the original publication of the plan as a whole, giving little time for objections.

**Soundness - Justified**

South Crosland is a Conservation Area. Quarry is too close to houses. Noise, dust and air pollution. Access - Arborary Lane is narrow and busy with fast traffic and unsuitable for quarry traffic. Will cause a reuction in house prices. This is productive farmland of high visual amenity. Impact on wildlife and biodiversity, including Plover and Skylark nesting. Watercourse will be polluted or destroyed.

**Council Response**

No change. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage. Challenge to approach taken to consultation: The council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the

## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Impact of noise, dust and light pollution: The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Proximity to residential: Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Highways: Access can be achieved via Nopper Lane which would provide an acceptable link to Blackmoorfoot Road. Impact upon PROW: The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Visual amenity / impact on landscape: Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Loss of house price: Impact on house prices is not a planning consideration. Impact on wildlife: The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity. Impact upon watercourse: The technical assessment of the site has indicated that this proposal would not have any significant impact on local surface water/ground water regimes. Heritage: Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35).

Paragraph/Site: **ME2568**

Consultee: **953144 Mr S Berry**

Agent: **953142 Mr Jonathan Standen**

Rep ID: **PDLP\_AD203**

### Council Response

No change. Support Noted.

Paragraph/Site: **ME2568**

Consultee: **963361 Mrs Jacey Bedford**

Agent:

Rep ID: **PDLP\_AD3643**

### Soundness - Positively Prepared

- In the new Local Plan only two blockstone quarries have been put forward: ME1965a and site ME2568 which was not even put forward in the consulted upon Local Plan in November 2015 - Site option does not comply with Local Plan policy PLP 36

### Soundness - Justified

- Neither site was included in the 2012 version of the LDP. What has changed since the intervening period? - An examination of the WYLAA and KMC's own Minerals Technical Paper (MTP) does not support the need to increase reserve over the period of the plan. - Impact on the green belt

### Soundness - Consistent with National Policy

- This shows that the analysis is flawed and does not meet the needs of the NPPF or LP to have relevant and accurate information to inform decision makers.

### Council Response

No change. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage. Challenge to approach taken to consultation: The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Not in compliance with Local Plan policies: Based on all the potential impacts identified it has been concluded that on balance the benefits outweigh the harm. These have been considered and justified as part of the technical appraisal and take account of the various considerations set out in the Local Plan including policies PLP1 and PLP36. Although these policy tests would need to be examined in greater detail at the planning application stage, the Council is satisfied that there is a reasonable prospect of planning permission being granted during the plan period in compliance with paragraph 8 of NPPG. Green belt: NPPF paragraph 90 recognises that minerals extraction is an appropriate use within the green belt. Appropriate levels of mitigation, including final site restoration, would be sought via the design of the development and through planning conditions/obligations to minimise the impact of any minerals activity and so ensure there is no significant impact upon the countryside and the openness of the green belt. Consistent with National Policy: The allocation has been assessed based on NPPF and NPPG requirements. In particular the need for the mineral has been considered, environmental criteria – consistent with NPPF and NPPG – has been applied when assessing the site. The evidence used is proportionate and sufficient to justify the allocation. More detailed studies would follow at the planning application stage.

Paragraph/Site: **ME2568**

Consultee: **1041285 mr simon rodgers**

Agent:

Rep ID: **PDLP\_AD241**

### Legally Compliant

Site ME2568 has been included in the local plan at the last minute and residents had the opportunity to be properly consulted.

### Soundness - Justified

The development will have an inappropriate impact on South Crosland Conservation Area and listed buildings. Noise, dust and air pollution from HGV traffic will affect local residents. Water courses feeding Dean Wood (ancient woodland) will be irreparably damaged and there are many species of protected



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wildlife in the area. Access to the site on narrow country lanes is unsuitable for 50 HGV movements a day. There are dangerous crossroads and no footpaths. Development will adversely affect house prices. The need for mineral extraction on the scale proposed over a prolonged time has not been proven.

### Proposed Change Requested

Remove ME2568 from the plan.

### Council Response

No change. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage. Consultation process is flawed: The council's Statement of Community Involvement sets out when, how and with whom it consulted as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. All comments were considered as part of the pre-submission process and published on the council's website. There should have been a separate consultation for residents in the area: Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. Impact of noise, dust and light pollution: The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Impact upon watercourse: The technical assessment of the site has indicated that this proposal would not have any significant impact on local surface water/ground water regimes. Impact on wildlife: The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity. Highways: Access can be achieved via Nopper Lane which would provide an acceptable link to Blackmoorfoot Road. Loss of house price: Impact on house prices is not a planning consideration. Heritage: Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). The mineral is not rare or there is no need / demand for the mineral — The site promoter has indicated a business need to identify additional areas of mineral extraction during the plan period. This need has been considered against their existing permitted reserve and the potential for the retention of and / or growth in local jobs. This approach is in compliance with NPPG paragraph 7. It is also acknowledged that the target mineral – block stone – is of national importance which also needs to be given significant weight. This is in accordance with NPPF paragraph 143.

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Paragraph/Site: **ME2568**

Consultee: **1044948 Mrs Theresa Flacks**

Agent:

Rep ID: **PDLP\_AD1251**

### Council Response

No change required. Support for site ME2568 is noted.

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Paragraph/Site: **ME2568**

Consultee: **1045622 Mr Paul Barker**

Agent:

Rep ID: **PDLP\_AD240**

### Legally Compliant

The late addition to the local plan of this proposal is a concern as it did not appear on the plan until November 2016 giving minimal time for adequate consultations to take place.

### Soundness - Justified

Concerns about the long term effects of the proposal, including impact on the environment (wildlife, air quality and noise pollution), water courses and road safety issues associated with heavy goods vehicles accessing the site and the suitability of existing local roads. There will be a potential reduction in property values, a negative impact on South Crosland Conservation Area and concerns about visual impact. The area is agricultural land, green belt and sub divided by dry stone walls and should be reinstated as close as possible to the existing state.

### Proposed Change Requested

Remove site ME2568 from the plan.

### Council Response

No change. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage. Consultation process is flawed: The council's Statement of Community Involvement sets out when, how and with whom it consulted as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. All comments were considered as part of the pre-submission process and published on the council's website. There should have been a separate consultation for residents in the area: Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. Impact of noise, dust and light pollution: The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Impact on wildlife: The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local

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biodiversity. Impact upon watercourse: The technical assessment of the site has indicated that this proposal would not have any significant impact on local surface water/ground water regimes. Cumulative impact: As indicated in paragraph 142 of the NPPF, minerals can only be extracted from where they are found. However, as in both NPPF and NPPG the potential cumulative impact of mineral extraction must be carefully considered. Local Plan policy PLP 36 echoes this guidance and any subsequent planning application would therefore need to be supported by a comprehensive assessment which indicates that such effects would not be detrimental, or could be satisfactorily mitigated. Impact upon PROW: The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Visual amenity / impact on landscape: Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Heritage: Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). Agricultural land: Paragraph 13 of NPPG indicates that one of the principle issues MPAs should address when considering minerals development is the potential loss of the best and most versatile agricultural land. In this instance the land is classed as Grade 4 agricultural land which is not best or most versatile agricultural land. Therefore it is considered that its temporary loss during the course of mineral extraction would be acceptable, bearing in mind that subsequent site restoration could see the reinstatement of the majority of the land back to an agricultural use. Loss of house price: Impact on house prices is not a planning consideration. Highways: Access can be achieved via Nopper Lane which would provide an acceptable link to Blackmoorfoot Road. Restoration: Any application for minerals extraction will need to comply with Local Plan policy PLP 37 where the Council will require a satisfactory restoration and management plan of the restored site. Any restoration would need to be sympathetic to the character and setting of the wider area and is capable of sustaining an appropriate after-use.

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Paragraph/Site: **ME2568**

Consultee: **1048346 Mr Philip Toase**

Agent:

Rep ID: **PDLP\_AD924**

### **Soundness - Justified**

The potential impact on the environment including wildlife, water courses, air quality and noise pollution, the suitability of the local road infrastructure, impact on property prices and impact on conservation area.

### **Council Response**

No change. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage. Impact of noise, dust and light pollution: The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Impact upon watercourse: The technical assessment of the site has indicated that this proposal would not have any significant impact on local surface water/ground water regimes. Impact on wildlife: The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity. Loss of house price: Impact on house prices is not a planning consideration. Heritage: Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). Cumulative traffic impacts: The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper.

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Paragraph/Site: **ME2568**

Consultee: **1048687 A & P Cruickshank**

Agent:

Rep ID: **PDLP\_AD2454**

### **Soundness - Justified**

The proposed plans would have a devastating effect on South Crosland village due to the use of heavy vehicles on already busy roads; impact from noise and pollution; aesthetic impact of stripping back fields in a rural area; contamination of springs, streams and watercourses and impact on air quality from dust causing health issues. School Hill Lane is not suitable for heavy vehicles. Living next to a building site for 20 years is unacceptable.

### **Proposed Change Requested**

Reject site ME2568.

### **Council Response**

No change. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage. Impact of noise, dust and light pollution: The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to

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background paper BP29.Highways: Access can be achieved via Nopper Lane which would provide an acceptable link to Blackmoorfoot Road.Cumulative traffic impacts: The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper.Impact upon watercourse: The technical assessment of the site has indicated that this proposal would not have any significant impact on local surface water/ground water regimes.Impact upon PROW: The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Visual amenity / impact on landscape: Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character.

Paragraph/Site: **ME2568**

Consultee: **1048836**

**John Griffiths & Fiona Hartley**

Agent:

Rep ID: **PDLP\_AD3638**

### **Legally Compliant**

The plan is not compliant because of the lack of opportunity to comment on new proposals ME2568 and ME3324 introduced into the plan at a late stage. There has been no previous opportunity to make representations on these proposals and many residents were unaware of the revised plan. There has been no publicity about the plan in the village. Limiting representations to 'compliance' and 'soundness' is not suited to making comments on new sites. The complexity and volume of information on the Council's website and the limited time to respond has made making a response on new proposals difficult and challenging. Restricting comments to the form constrains the expression of opinion and the process is designed to prevent input from the public. ME2568 and ME3324 were introduced as new sites at the same time a major site at Honley has been withdrawn but there is no mention of the inclusion of these sites in the Consultation Summary Leaflet or that they can be seen from Castle Hill and the Peak Park (one of the reasons why the Honley sites were rejected). This shows a lack of transparency.

### **Soundness - Positively Prepared**

The inclusion of ME2568 and ME3324 in the plan is unsound in terms of whether it is the most appropriate strategy when considered against other alternatives. The proposals do not meet the proposed policy PLP36. There is concern about whether documents in the public domain made the case for the allocation of these sites. The Preferred site ME1975 is adjacent to these sites and could be regarded as part of the area. There is other land adjacent to Johnson's present operation on Sandy Lane and has the suitability of this been assessed? The considerations in policy PLP36 and Chapter 15 must be fully considered now before allocating the sites rather than at the time of a planning application, including cumulative impact and total impact on South Crosland and surrounding communities. Various criteria in Chapter 15 and PLP36 would be compromised, e.g. release of sites related to demonstrable need, a new permission will granted only when existing reserves are nearing exhaustion, number of planning consents.

### **Soundness - Justified**

The inclusion of ME2568 and ME3324 is unsound in terms of evidence and the information in the public domain has not demonstrated need or the case for allocation of these sites.The issues raised in the extension of quarrying across Intake Road have not been adequately considered in the plan. Extension of workings across Intake Road into an open area of farmed green belt is of such environmental significance that a higher standard of evidence of need must be available than is currently provided. Evidence and information about business need, quantity, quality and viability is not in the public domain. If there is evidence about insufficient provision and no more suitable land, this information should be released or the only reason ME2568 is coming forward now is that there is a willing owner. Such a major intrusion into an open Green Belt area, so close to the South Crosland village is not acceptable and should not be permitted just on the basis that the land owner is willing to make it available but other owners of more suitable sites are not. ME2568 and ME3324 must be looked at as one as many issues relate to the whole of the plateau area and the whole needs to be taken into account in the evaluation of impact. A full analysis of reserves in these areas has not been made publicly available. The total impact on South Crosland and the surrounding area is major. All access to the village will be through or adjacent to quarrying. The environment of the village will become industrialised. The schedule relating to ME2568 of the Allocations Reports suggests an environment assessment might be required but surely one must be? Quarrying will dominate the landscape and be visible from the Peak District National Park and other ridge locations. This has been ignored but was a reason for excluding minerals sites in Honley. Bunds will be intrusive in an open landscape. Noise and dust will be issues as much of the village is 240 metres from the workings. Traffic is already a major concern with fast moving traffic on narrow lanes. Arborary Lane is not wide enough for heavy vehicles and is already an accident blackspot. There are concerns about the impact on Dean Brook and Dean Wood (a Local Wildlife Site) and impact on residential amenity and heritage assets.

### **Proposed Change Requested**

The allocation of sites ME2568 and ME3324 should be deleted from the plan and the sites should remain designated Green Belt. If the Council is to allocate

these sites, further information about need and in Chapter 15 should be made available for independent public inspection. The sites must be evaluated on a comprehensive basis in conjunction with the whole area of workings on the Crosland Moor plateau and this made publicly available. There should be a publicly available restoration plan for the whole area with clear timescales uses etc. which is monitored and progress published. The necessity to restore for agricultural use should be explored and the practicality of restoration with some form of public leisure use in whole or part explored.

**Council Response**

No change. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage. Consultation process is flawed: The council's Statement of Community Involvement sets out when, how and with whom it consulted as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. All comments were considered as part of the pre-submission process and published on the council's website. There should have been a separate consultation for residents in the area: Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. 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Although these policy tests would need to be examined in greater detail at the planning application stage, the Council is satisfied that there is a reasonable prospect of planning permission being granted during the plan period in compliance with paragraph 8 of NPPG. Not in compliance with the Kirklees' aims and objectives: The site appraisal has taken account of Kirklees' aims and objectives including; impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that on balance the benefit of the minerals allocation would outweigh the harm. Green belt: NPPF paragraph 90 recognises that minerals extraction is an appropriate use within the green belt. Appropriate levels of mitigation, including final site restoration, would be sought via the design of the development and through planning conditions/obligations to minimise the impact of any minerals activity and so ensure there is no significant impact upon the countryside and the openness of the green belt. Impact of noise, dust and light pollution: The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Proximity to residential: Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges – The impact upon communities, including Impact upon schools, recreational activities and residential homes – irrespective of occupancy – has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. Highways: Access can be achieved via Nopper Lane which would provide an acceptable link to Blackmoorfoot Road. Cumulative traffic impacts: The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. Impact upon recreation facilities and areas of open space – Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. Impact upon PROW: The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Visual amenity / impact on landscape: Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Heritage: Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). Agricultural land: Paragraph 13 of NPPG indicates that one of the principle issues MPAs should address when considering minerals development is the potential loss of the best and most versatile agricultural land.

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In this instance the land is classed as Grade 4 agricultural land which is not best or most versatile agricultural land. Therefore it is considered that its temporary loss during the course of mineral extraction would be acceptable, bearing in mind that subsequent site restoration could see the reinstatement of the majority of the land back to an agricultural use. Impact on wildlife: The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity. Impact upon watercourse: The technical assessment of the site has indicated that this proposal would not have any significant impact on local surface water/ground water regimes.

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Paragraph/Site: **ME2568**

Consultee: **1049311 Mr Robin Stewart**

Agent:

Rep ID: **PDLP\_AD489**

**Soundness - Positively Prepared** The 'last minute' nature of this proposal, only appearing in the past month, has not given adequate time for residents to either be informed or consulted properly.

**Soundness - Justified** Traffic impact – at present, all heavy quarry traffic uses a series of private roadways and tunnels to move stone around the existing quarries. The current proposals would put, according to Johnsons, 20-25 lorries onto the road per day i.e 40-50 (assuming they make a return journey & don't just store lorries in the quarry). These are planned to access the site via Nopper Road and Arborary Lane, which are both narrow for normal traffic, and cross a junction with Intake & Black Lane which has very poor visibility and is already a site of regular traffic accidents. To propose to move some 50 lorries a day down this road for the proposed period of 20 years seems a reckless and dangerous proposal. Impact from noise and dust – given the site of the quarry and the direction of prevailing winds. The proposed quarry will be situated in Green Belt land, adjacent to a Conservation Area, and is was not designated for quarrying in the proposed local plan until November 2016. It is hard to see how this proposal could be given the go-ahead in the light of the negative impact of this. Visual impact – to support their proposals, Johnsons produced a number of computer generated images of the site, which were all taken from locations downhill of the quarry, showing the workings to be invisible. They appeared not to have taken any from the Nopper Road side, from which the quarry workings would be fully visible. Effect on house prices and quality of life. This will obviously have an impact on the price of our houses, whilst the quarrying will be of no benefit to anyone in the village. The 'jump' in quarrying – expansion of the quarry around the airfield at Crosland Hill at the turn of the century was at least continuous from old workings and appeared logical, this proposal seems rather random & represents a change in scale of quarrying activity.

### Council Response

No change. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage. Consultation process is flawed: The council's Statement of Community Involvement sets out when, how and with whom it consulted as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. All comments were considered as part of the pre-submission process and published on the council's website. There should have been a separate consultation for residents in the area: Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. Highways: Access can be achieved via Nopper Lane which would provide an acceptable link to Blackmoorfoot Road. Cumulative traffic impacts: The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. Impact of noise, dust and light pollution: The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Loss of house price: Impact on house prices is not a planning consideration. Impact upon PROW: The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Visual amenity / impact on landscape: Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Heritage: Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35).

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Paragraph/Site: **ME2568**

Consultee: **1057501 Mr Tony Wilson**

Agent:

Rep ID: **PDLP\_AD941**

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<b>Soundness - Justified</b>	The site would cause unacceptable levels of noise and dust to the residents of South Crosland. Further evidence is required as to the biodiversity and geodiversity of the site.			
<b>Proposed Change Requested</b>	Remove the site.			
<b>Council Response</b>	No change. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage. Impact of noise, dust and light pollution: The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Impact on wildlife: The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity. Heritage: Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). Agricultural land: Paragraph 13 of NPPG indicates that one of the principle issues MPAs should address when considering minerals development is the potential loss of the best and most versatile agricultural land. In this instance the land is classed as Grade 4 agricultural land which is not best or most versatile agricultural land. Therefore it is considered that its temporary loss during the course of mineral extraction would be acceptable, bearing in mind that subsequent site restoration could see the reinstatement of the majority of the land back to an agricultural use.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1057802</b>	<b>Mr Paul Bradley</b>	Agent:	Rep ID: <b>PDLP_AD976</b>
<b>Council Response</b>	No change. Support noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1057906</b>	<b>Mr Chris Smith</b>	Agent:	Rep ID: <b>PDLP_AD994</b>
<b>Council Response</b>	No change. Support noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1058012</b>	<b>Miss Anna Hay</b>	Agent:	Rep ID: <b>PDLP_AD1047</b>
<b>Soundness - Justified</b>	Impact on residential amenity, including from prevailing wind. Detrimental impact on landscape and field patterns. The quarry will not provide benefit to the local community. Impact on conservation area.			
<b>Council Response</b>	No change. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage. Impact of noise, dust and light pollution: The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Proximity to residential: Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges – The impact upon communities, including Impact upon schools, recreational activities and residential homes – irrespective of occupancy – has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. Cumulative traffic impacts: The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. Impact upon PROW: The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Visual amenity / impact on landscape: Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Heritage: Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35).			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1058396</b>	<b>Mr Darren Roberts</b>	Agent:	Rep ID: <b>PDLP_AD1121</b>

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<b>Council Response</b>	No change. Support noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1058449</b>	<b>Chris Holt</b>	Agent:	Rep ID: <b>PDLP_AD1152</b>
<b>Council Response</b>	No change. Support noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1058458</b>	<b>Mr Adam Mullan</b>	Agent:	Rep ID: <b>PDLP_AD1153</b>
<b>Council Response</b>	No change. Support noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1058462</b>	<b>Mr James Berry</b>	Agent:	Rep ID: <b>PDLP_AD1158</b>
<b>Council Response</b>	No change. Support noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1058616</b>	<b>Marie Cowe</b>	Agent:	Rep ID: <b>PDLP_AD1168</b>
<b>Council Response</b>	SUPPORT - No change required. Support for allocation ME2568 noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1058745</b>	<b>Mr Matthew Mosses</b>	Agent:	Rep ID: <b>PDLP_AD1173</b>
<b>Council Response</b>	SUPPORT - No change required, support for allocation ME2568 noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1059076</b>	<b>Mr Nick Holloway</b>	Agent:	Rep ID: <b>PDLP_AD1184</b>
<b>Soundness - Positively Prepared</b>	The consultation with local residents has been poor.			
<b>Soundness - Justified</b>	Severe impact on local environment arising from noise pollution, negative impact on residential amenity and air quality arising from prevailing wind, traffic and landscape.			
<b>Council Response</b>	<p>No change. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage. Consultation process is flawed: The council's Statement of Community Involvement sets out when, how and with whom it consulted as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. All comments were considered as part of the pre-submission process and published on the council's website. There should have been a separate consultation for residents in the area: Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. Impact of noise, dust and light pollution: The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges – The impact upon communities, including impact upon schools, recreational activities and residential homes – irrespective of occupancy – has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. Cumulative traffic impacts: The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. Impact upon PROW: The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Visual amenity / impact on landscape: Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character.</p>			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1059249</b>	<b>Neil Hindle</b>	Agent:	Rep ID: <b>PDLP_AD1195</b>

## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

<b>Council Response</b>	No change; support noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1059258</b>	<b>Paul Jennings</b>	Agent:	Rep ID: <b>PDLP_AD1198</b>
<b>Council Response</b>	No change required. Support for site ME2568 is noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1059260</b>	<b>Mark Wilkinson</b>	Agent:	Rep ID: <b>PDLP_AD1199</b>
<b>Council Response</b>	No change required. Support for site ME2568 is noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1059268</b>	<b>Jason Masterson</b>	Agent:	Rep ID: <b>PDLP_AD1205</b>
<b>Soundness - Justified</b>	It is essential to continue extracting stone at Johnsons Wellfield for the continuation of local employment. The stone off Intake Road could keep people in valued employment for many years and the stone will be used to supply top quality architectural and masonry products locally and nationwide. The allocation of ME2658 will ensure the future of Johnsons Wellfield allowing the company to continue to put back into the community. 350 people work within the company and a lot of local suppliers rely on them. Johnsons Wellfield has an excellent track record in working within environmental permits and compliance within health and safety laws and legislation. The company are a responsible operator, employer and neighbour and has a proven record when it comes to the restoration of land. Allocation of this site will go a long way to ensure and safeguard many families income.			
<b>Council Response</b>	No change required. Support for site ME2568 is noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1059270</b>	<b>Nicola Bullas</b>	Agent:	Rep ID: <b>PDLP_AD1208</b>
<b>Council Response</b>	No change required. Support for site ME2568 is noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1059274</b>	<b>Nick Wood</b>	Agent:	Rep ID: <b>PDLP_AD1209</b>
<b>Council Response</b>	No change required. Support for site ME2568 is noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1059278</b>	<b>Andrew Garwood</b>	Agent:	Rep ID: <b>PDLP_AD1212</b>
<b>Council Response</b>	No change. Support noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1059285</b>	<b>Andrew Beaumont</b>	Agent:	Rep ID: <b>PDLP_AD1215</b>
<b>Council Response</b>	No change required. Support for site ME2568 is noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1059302</b>	<b>Matthew Brown</b>	Agent:	Rep ID: <b>PDLP_AD1217</b>
<b>Council Response</b>	No change. Support noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1059312</b>	<b>Carl Marriott</b>	Agent:	Rep ID: <b>PDLP_AD1226</b>
<b>Council Response</b>	No change required. Support for site ME2568 is noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1059313</b>	<b>Maxine Donnelly</b>	Agent:	Rep ID: <b>PDLP_AD1228</b>
<b>Council Response</b>	No change required. Support for site ME2568 is noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1059324</b>	<b>Elizabeth Randall</b>	Agent:	Rep ID: <b>PDLP_AD1233</b>
<b>Council Response</b>	No change required. Support for site ME2568 is noted.			
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1059375</b>	<b>Shaun and Jackie Berry</b>	Agent:	Rep ID: <b>PDLP_AD1240</b>



**Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations**

**Proposed Change Requested** No change required. Support for site ME2568 is noted.

**Council Response** No change. Support noted.

Paragraph/Site: **ME2568** Consultee: **1059392** **Kyle Woodcock** Agent: Rep ID: **PDLP\_AD1250**

**Council Response** No change. Support noted.

Paragraph/Site: **ME2568** Consultee: **1059508** **Robbie Jennings** Agent: Rep ID: **PDLP\_AD1308**

**Council Response** No change required. Support for site ME2568 is noted.

Paragraph/Site: **ME2568** Consultee: **1059524** **Maria Wallace** Agent: Rep ID: **PDLP\_AD1320**

**Soundness - Positively Prepared** This site as added to the Local Plan at the last minute, providing little opportunity for people to make comments.

**Soundness - Justified** The site is Green Belt land, it will use prime agricultural land. The proposal is close to South Crosland Conservation Area and would have a detrimental impact on it. There would be an impact on residential amenity. Large vehicles associated with quarrying are inappropriate with local road network

**Council Response** No change. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage. Consultation process is flawed: The council's Statement of Community Involvement sets out when, how and with whom it consulted as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. All comments were considered as part of the pre-submission process and published on the council's website. Challenge to approach taken to consultation: The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges – The impact upon communities, including Impact upon schools, recreational activities and residential homes – irrespective of occupancy – has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. Agricultural land: Paragraph 13 of NPPG indicates that one of the principle issues MPAs should address when considering minerals development is the potential loss of the best and most versatile agricultural land. In this instance the land is classed as Grade 4 agricultural land which is not best or most versatile agricultural land. Therefore it is considered that its temporary loss during the course of mineral extraction would be acceptable, bearing in mind that subsequent site restoration could see the reinstatement of the majority of the land back to an agricultural use. Cumulative traffic impacts: The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. Heritage: Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35).

Paragraph/Site: **ME2568** Consultee: **1059535** **Neil Mallinson** Agent: Rep ID: **PDLP\_AD1326**

**Council Response** No change required. Support for site ME2568 is noted.

Paragraph/Site: **ME2568** Consultee: **1059595** **Jason Weston** Agent: Rep ID: **PDLP\_AD1387**

**Proposed Change Requested** No change required. Support for site ME2568 is noted.

**Council Response** No change. Support noted.

Paragraph/Site: **ME2568** Consultee: **1059632** **Mr Andrew Wade** Agent: Rep ID: **PDLP\_AD1394**

## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

<b>Council Response</b>	SUPPORT - No change required. Support for allocation ME2586 noted.		
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1059662 Jenny Silverman</b>	Agent:	Rep ID: <b>PDLP_AD1412</b>
<b>Council Response</b>	No change. Support noted.		
Paragraph/Site: <b>ME2568</b>	Consultee: <b>1061435 Ms Elizabeth Turner</b>	Agent:	Rep ID: <b>PDLP_AD2341</b>
<b>Soundness - Positively Prepared</b>	Lack of information made available for local residents about the proposed quarry.		
<b>Soundness - Justified</b>	South Crosland is a historic village and has a conservation area. The effect on the village of noise and pollution. Arborary Lane and other local roads are unsuitable for heavy vehicles. Rubbish would be dumped in the area. The area is farmland with wildlife present. Lack of information for local people about the proposed quarry.		
<b>Council Response</b>	No change. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage.Challenge to approach taken to consultation: The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Impact of noise, dust and light pollution: The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29.Highways: Access can be achieved via Nopper Lane which would provide an acceptable link to Blackmoorfoot Road.Cumulative traffic impacts: The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper.Heritage: Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35).Impact on wildlife: The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity.		
Paragraph/Site: <b>ME1966</b>	Consultee: <b>943612 Helen France</b>	Agent:	Rep ID: <b>PDLP_AD2041</b>
<b>Soundness - Positively Prepared</b>	- The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.		
<b>Soundness - Justified</b>	- Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment		
<b>Soundness - Consistent with National Policy</b>	- These allocations fail to meet the requirements of Paragraph 182 of the NPPF		
<b>Council Response</b>	No changeIt is acknowledged there would be negative impacts when considered against certain SA criteria; however, as per the technical appraisal for this site the Council has taken account of a range of issues, including impact upon health and wellbeing and the economy. It is felt that the issues identified can be mitigated to satisfactory levels and therefore on balance – when considered against the need for the mineral – there is sufficient justification to allocate the site. Chapter 12 (para 12.4 -12.15) of the Kirklees Local Plan: Publication Draft Sustainability Appraisal Report (SD5) sets out the scoring of the local plan vision and objectives against the SA objectives (table 12.2).This site was identified at the first draft of the local plan and has been consulted upon at each stage. The need for minerals has followed an approach in accordance with NPPF and NPPG. Key considerations for the need of minerals have been assessed against the West Yorkshire Local Aggregate Assessment, the significance of the mineral to the market and the business need for additional reserves by operator. A more		

detailed explanation behind the rationale to the approach taken in considering the need for minerals is set out in the minerals technical paper. The need for maintaining landbanks and supporting the market has been set out in the minerals technical paper (BP9, paragraphs 5.1-5.47). Policy PLP 37 provides a positive policy framework towards securing appropriate restoration schemes through conditions and / or planning obligations at the planning application stage. NPPF paragraph 90 recognises that minerals extraction is an appropriate use within the green belt. Appropriate levels of mitigation would be sought via the design of the development and through planning conditions/obligations to minimise the impact of any minerals activity and so ensure there is no significant impact upon the openness of the green belt and to local communities. The impact upon communities, including impact upon schools, recreational activities and residential homes – irrespective of occupancy – has been assessed and concluded that satisfactory mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. The impact upon the health of local people has been considered at the site assessment stage where it was concluded that appropriate levels of mitigation through the provision of buffers, screening, routing of minerals traffic etc. can be secured. Full details of required mitigation measures would be assessed through the planning application process. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the enjoyment of the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Subsequently any application will need to be assessed against policy PLP 23. Whilst it is recognised that mineral extraction generates heavy vehicle movements, the existing quarry does not involve significant numbers of HGV movements. The site can be accessed from an existing haul road off Cartworth Moor Road which has been constructed to a good standard and with some modification could provide adequate access provision. If considered expedient formal routing arrangements can be imposed with regard to any subsequent planning application. Based on the technical assessment of the site, no absolute constraints have been identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). The Council is satisfied that the Local Plan has been prepared in accordance with the requirements set out in Paragraph 182 of the NPPF. Namely that it is positively prepared, justified, effective and consistent with national policy. All documents set out in the 'Local Plan Examination Library' collectively help to demonstrate the Council's case in relation to each one of these tests.

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Paragraph/Site: **ME1966**

Consultee: **969134**

**Mr Merlin Ash**

Agent:

Rep ID: **PDLP\_AD3837**

**Legally Compliant**

With regards to the assessment of allocations H288A and ME1966 we do not consider that sufficient evidence has been provided in order to rule out adverse effects on integrity from the loss of these sites. Natural England does not consider that data from the Huddersfield Birdwatchers Group alone is sufficient to determine that these allocations will not affect habitat that is vital for SPA birds. We advise that data from the ecological data centre should be considered along with the 2014 South Pennine Moors Phase 2 breeding bird review survey carried out by Brown and Shepherd. Unfortunately similar bird survey work for the Peak District Moors (South Pennine Moors Phase 1) will not be undertaken until 2017. With regards to the availability of similar habitat in proximity to these sites we advise that this should only be considered a mitigating factor where there is sufficient evidence to rule out significant functional linkage to the SPA. For instance where surveys have been undertaken which show only intermittent use of the site by a small number of birds. Natural England advise that, unless robust evidence can be found which clearly demonstrates that the allocations are in areas that are not used by South Pennine Moors Phase 2 Special Protection Area (SPA) and Peak District Moors (South Pennine Moors Phase 1) SPA birds, then bird surveys will need to be undertaken at all of the sites considered in table 4.4 of the Habitats Regulations Assessment report. For further correspondence relating to this representation see Core Document 'Correspondence received from Statutory Consultees after the Regulation 19 Publication Draft Local Plan Consultation'.

**Soundness - Justified**

With regards to the assessment of allocations H288A and ME1966 we do not consider that sufficient evidence has been provided in order to rule out adverse effects on integrity from the loss of these sites. Natural England does not consider that data from the Huddersfield Birdwatchers Group alone is sufficient to determine that these allocations will not affect habitat that is vital for SPA birds. We advise that data from the ecological data centre should be considered along with the 2014 South Pennine Moors Phase 2 breeding bird review survey carried out by Brown and Shepherd. Unfortunately similar bird survey work for the Peak District Moors (South Pennine Moors Phase 1) will not be undertaken until 2017. With regards to the availability of similar habitat in proximity to these sites we advise that this should only be considered a mitigating factor where there is sufficient evidence to rule out significant functional linkage to the SPA.

## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

For instance where surveys have been undertaken which show only intermittent use of the site by a small number of birds. Natural England advise that, unless robust evidence can be found which clearly demonstrates that the allocations are in areas that are not used by South Pennine Moors Phase 2 Special Protection Area (SPA) and Peak District Moors (South Pennine Moors Phase 1) SPA birds, then bird surveys will need to be undertaken at all of the sites considered in table 4.4 of the Habitats Regulations Assessment report. For further correspondence relating to this representation see Core Document 'Correspondence received from Statutory Consultees after the Regulation 19 Publication Draft Local Plan Consultation'.

### Council Response

No change required. Following the Regulation 19 Publication Draft Local Plan Consultation which closed on 19th December 2016, further engagement has taken place between the council and Natural England and these issues have now been resolved. NE now consider the HRA is legally compliant. Further details are set out in Correspondence Received from Statutory Consultees after the Regulation 19 Publication Draft Local Plan Consultation April 2017 (BP28) Appendix B, and the revised Publication Draft Local Plan Habitats Regulation Assessment March 2017 (SD10), including Appendix 1 of the report setting out a schedule of comments and responses. In summary, Natural England's revised response welcomes the clarifications made in the Habitats Regulations Assessment March 2017 and the modification to the supporting text of policy PLP 30. Natural England is content with the conclusions of the HRA, i.e. that the plan will not have adverse effects on the integrity of the South Pennine Moors Phase 2 Special Protection Area (SPA) or the Peak District Moors (South Pennine Moors Phase 1) SPA as a result of the loss of functionally connected land for SPA birds. The revised wording to paragraph 13.10 agreed with Natural England is set out in the proposed minor modification SP-MM25 in document Proposed Modifications to the Local Plan (SD4).

Paragraph/Site: **ME1966**

Consultee: **1047995 Mr Chris Ballam**

Agent: **1047886 Mr Chris Ballam**

Rep ID: **PDLP\_AD254**

### Council Response

No change. Support noted.

Paragraph/Site: **ME1975**

Consultee: **943612 Helen France**

Agent:

Rep ID: **PDLP\_AD2042**

### Soundness - Positively Prepared

- The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.

### Soundness - Justified

- Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment

### Soundness - Consistent with National Policy

- These allocations fail to meet the requirements of Paragraph 182 of the NPPF

### Council Response

No change is acknowledged there would be negative impacts when considered against certain SA criteria; however, as per the technical appraisal for this site the Council has taken account of a range of issues, including impact upon health and wellbeing and the economy. It is felt that the issues identified can be mitigated to satisfactory levels and therefore on balance – when considered against the need for the mineral – there is sufficient justification to allocate the site. Chapter 12 (para 12.4 -12.15) of the Kirklees Local Plan: Publication Draft Sustainability Appraisal Report (SD5) sets out the scoring of the local plan vision and objectives against the SA objectives (table 12.2). This site was identified at the first draft of the local plan and has been consulted upon at each stage. The need for minerals has followed an approach in accordance with NPPF and NPPG. Key considerations for the need of minerals have been assessed against the West Yorkshire Local Aggregate Assessment, the significance of the mineral to the market and the business need for additional reserves by operator. A more detailed explanation behind the rationale to the approach taken in considering the need for minerals is set out in the minerals technical paper. The need for maintaining landbanks and supporting the market has been set out in the minerals technical paper (BP9, paragraphs 5.1-5.47). Policy PLP 37 provides a positive policy framework towards securing appropriate restoration schemes through conditions and / or planning obligations at the planning application stage. NPPF paragraph 90 recognises that minerals extraction is an appropriate use within the green belt. Appropriate levels of mitigation would be sought via the design of the development and through planning conditions/obligations to minimise the impact of any minerals activity and so ensure there is no significant impact upon the openness of the green belt and to local communities. The impact upon communities, including Impact upon schools, recreational

activities and residential homes – irrespective of occupancy – has been assessed and concluded that satisfactory mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. The impact upon the health of local people has been considered at the site assessment stage where it was concluded that appropriate levels of mitigation through the provision of buffers, screening, routing of minerals traffic etc. can be secured. Full details of required mitigation measures would be assessed through the planning application process. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the enjoyment of the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Subsequently any application will need to be assessed against policy PLP 23. Access can be achieved and no significant constraints have been identified. Nopper Road is a narrow road measuring between 4m and 5m with signage stating that this road is unsuitable for HGVs. Passing places or carriageway widening will be required along its length between Blackmoorfoot Road and the site access. Visibility splays are substandard to the right of the junction where Nopper Road meets Blackmoorfoot Road. Based on the technical assessment of the site, no absolute constraints have been identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). The Council is satisfied that the Local Plan has been prepared in accordance with the requirements set out in Paragraph 182 of the NPPF. Namely that it is positively prepared, justified, effective and consistent with national policy. All documents set out in the 'Local Plan Examination Library' collectively help to demonstrate the Council's case in relation to each one of these tests.

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Paragraph/Site: **ME1975**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3782**

**Soundness - Justified**

This area lies 350 metres from the edge of the South Crossland Conservation Area. Mineral extraction could harm elements which contribute towards the significance of this area. By identifying this site as a Preferred Area, the Council is accepting that the principle of the loss of this currently-open area and its subsequent development is acceptable. However, there has been no evaluation of what contribution this site makes to the character or appearance of the Conservation Area or what harm might result to those elements which contribute to the significance of this designated area by its eventual development.

**Soundness - Consistent with National Policy**

Paragraph 126 of the NPPF requires Local Plans to set out a positive strategy for the conservation and enjoyment of the historic environment. In addition, the Council has a statutory duty under the provisions of S72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990 to pay "special attention" to "the desirability of preserving or enhancing the character or appearance" of its Conservation Areas. The NPPF makes it clear that the significance of heritage assets, such as Conservation Areas, can be harmed through development within their setting.

**Proposed Change Requested**

Before identifying this site as a Preferred Area an assessment needs to be undertaken of the contribution which this site makes to the elements which contribute towards the significance of the Conservation Area and what impact the proposed development might have upon those significances

**Council Response**

No change. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). At a meeting on 2nd February 2017 Historic England and the Council discussed whether assurances could be put in place to ensure that a Heritage Impact Assessment would be required in the event of an application being received on a safeguarded land site. It is important to note that the Council is not proposing that Safeguarded land sites are allocated for development at this present time. Planning permission for the permanent development of safeguarded land should only be granted following a subsequent Local Plan review which proposes the development. At the meeting on 2nd February 2017 Historic England and the Council agreed that safeguarded land should not be allocated for development within the plan period unless a plan review is subsequently undertaken. Nevertheless, should a proposed safeguarded land site (i.e. one identified as having an 'amber' impact upon the historic environment within BP29) be allocated for development following a subsequent local plan review, then a heritage impact assessment will be undertaken by the Council to provide the necessary degree of evaluation to inform both the reviewed Plan itself and its associated Sustainability Appraisal with respect to the likely effects upon the historic environment of developing that site. The Council considers that in the event that an application is made for development upon a 'safeguarded land' site then Policy PLP35 will provide appropriate mitigation. Furthermore, a heritage impact assessment would be required for safeguarded land sites identified as having an 'amber' impact upon the historic environment within BP29.

**Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations**

Paragraph/Site: <b>ME1975</b>	Consultee: <b>953144</b>	<b>Mr S Berry</b>	Agent: <b>953142</b>	<b>Mr Jonathan Standen</b>	Rep ID: <b>PDLP_AD210</b>
<b>Council Response</b>	No change.Support for site ME1975 noted.				
Paragraph/Site: <b>ME1975</b>	Consultee: <b>1057906</b>	<b>Mr Chris Smith</b>	Agent:		Rep ID: <b>PDLP_AD998</b>
<b>Council Response</b>	No change.Support noted.				
Paragraph/Site: <b>ME1975</b>	Consultee: <b>1058458</b>	<b>Mr Adam Mullan</b>	Agent:		Rep ID: <b>PDLP_AD1155</b>
<b>Council Response</b>	No change.Support noted.				
Paragraph/Site: <b>ME1975</b>	Consultee: <b>1058462</b>	<b>Mr James Berry</b>	Agent:		Rep ID: <b>PDLP_AD1156</b>
<b>Council Response</b>	No change.Support noted.				
Paragraph/Site: <b>ME1975</b>	Consultee: <b>1059260</b>	<b>Mark Wilkinson</b>	Agent:		Rep ID: <b>PDLP_AD1201</b>
<b>Council Response</b>	No change required. Support for site ME1975 is noted.				
Paragraph/Site: <b>ME1975</b>	Consultee: <b>1059278</b>	<b>Andrew Garwood</b>	Agent:		Rep ID: <b>PDLP_AD1214</b>
<b>Council Response</b>	No change required. Support for site ME1975 is noted.				
Paragraph/Site: <b>ME1975</b>	Consultee: <b>1059535</b>	<b>Neil Mallinson</b>	Agent:		Rep ID: <b>PDLP_AD1328</b>
<b>Council Response</b>	No change required. Support for site ME1975 is noted.				
Paragraph/Site: <b>ME1975</b>	Consultee: <b>1059595</b>	<b>Jason Weston</b>	Agent:		Rep ID: <b>PDLP_AD1389</b>
<b>Council Response</b>	No change required.Support for site ME1975 is noted.				
Paragraph/Site: <b>ME1975</b>	Consultee: <b>1059662</b>	<b>Jenny Silverman</b>	Agent:		Rep ID: <b>PDLP_AD1414</b>
<b>Council Response</b>	No change.Support noted.				
Paragraph/Site: <b>ME3324</b>	Consultee: <b>943612</b>	<b>Helen France</b>	Agent:		Rep ID: <b>PDLP_AD2043</b>
<b>Soundness - Positively Prepared</b>	- The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.				
<b>Soundness - Justified</b>	- Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to illustrate the impact on local communities very close and in some cases immediately alongside proposed quarry edges. - Impact upon the health of local people - Impact upon recreation facilities and areas of open space - Impact upon PROWS - Road infrastructure is inappropriate and cannot accommodate the safe movement of HGV's - Impact upon the landscape - Impact upon the historic environment				
<b>Soundness - Consistent with National Policy</b>	- These allocations fail to meet the requirements of Paragraph 182 of the NPPF				
<b>Council Response</b>	No changeIt is acknowledged there would be negative impacts when considered against certain SA criteria; however, as per the technical appraisal for this site the Council has taken account of a range of issues, including impact upon health and wellbeing and the economy. It is felt that the issues identified can be mitigated to satisfactory levels and therefore on balance – when considered against the need for the mineral – there is sufficient justification to allocate the				

site. Chapter 12 (para 12.4 -12.15) of the Kirklees Local Plan: Publication Draft Sustainability Appraisal Report (SD5) sets out the scoring of the local plan vision and objectives against the SA objectives (table 12.2). The inclusion of site ME3324 in the publication draft Local Plan is as a result of consultation, the changes are identified in SD12, Statement of Pre-Submission Consultation. The Publication Draft Local Plan is subject to a representations period in accordance with Regulation 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The need for maintaining landbanks and supporting the market has been set out in the minerals technical paper (BP9, paragraphs 5.1-5.47). Policy PLP 37 provides a positive policy framework towards securing appropriate restoration schemes through conditions and / or planning obligations at the planning application stage. NPPF paragraph 90 recognises that minerals extraction is an appropriate use within the green belt. Appropriate levels of mitigation would be sought via the design of the development and through planning conditions/obligations to minimise the impact of any minerals activity and so ensure there is no significant impact upon the openness of the green belt and to local communities. The impact upon communities, including impact upon schools, recreational activities and residential homes – irrespective of occupancy – has been assessed and concluded that satisfactory mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. The impact upon the health of local people has been considered at the site assessment stage where it was concluded that appropriate levels of mitigation through the provision of buffers, screening, routing of minerals traffic etc. can be secured. Full details of required mitigation measures would be assessed through the planning application process. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the enjoyment of the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Subsequently any application will need to be assessed against policy PLP 23. Access can be achieved via Nopper Lane subject to highway improvements to accommodate HGV traffic. Based on the technical assessment of the site, no absolute constraints have been identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). The Council is satisfied that the Local Plan has been prepared in accordance with the requirements set out in Paragraph 182 of the NPPF. Namely that it is positively prepared, justified, effective and consistent with national policy. All documents set out in the ‘Local Plan Examination Library’ collectively help to demonstrate the Council’s case in relation to each one of these tests.

Paragraph/Site: **ME3324**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3783**

**Soundness - Justified**

At its narrowest, this site lies only 60 metres from the boundary of the South Crosland Conservation Area. Minerals extraction from this site could also affect a number of Listed Buildings in the settlement. There are also views of Castle Hill across this site. Mineral extraction from this site could harm elements which contribute to the significance of these assets. By identifying this site as a Preferred Area, the Council is accepting that the principle of the loss of this currently-open area and its subsequent development is acceptable. However, there has been no evaluation of what contribution this site makes to the character or appearance of the Conservation Area, or to the special architectural or historic interest of the Listed Buildings, or what harm might result to those elements which contribute to the significance of these designated assets by its eventual development.

**Soundness - Consistent with National Policy**

Paragraph 126 of the NPPF requires Local Plans to set out a positive strategy for the conservation and enjoyment of the historic environment. In addition, the Council has a statutory duty under the provisions of S72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990 to pay “special attention” to “the desirability of preserving or enhancing the character or appearance” of its Conservation Areas. The NPPF makes it clear that the significance of heritage assets, such as Conservation Areas, can be harmed through development within their setting.

**Proposed Change Requested**

Before identifying this site as a Preferred Area an assessment needs to be undertaken of the contribution which this site makes to those elements which contribute towards the significance of the heritage assets in its vicinity and what impact the proposed development might have upon their significance.

**Council Response**

No change. Correspondence within BP28 (dated 24th February 2017) clarifies Historic England’s current position with respect to these earlier comments, specifically that Historic England no longer consider that there has been no evaluation of the impact of any of the sites upon the historic environment. Historic England now fully acknowledge that the selection of sites which have been put forward as allocations in the Plan have been arrived at following a series of evaluations by the Council of the potential impacts that of all the sites might have upon the historic environment. Historic England endorse the process undertaken to arrive at the selection of sites included in the Plan and this has involved full consultation with, and considerable input from, Historic England

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throughout. Historic England have also confirmed that the Plan does not include any sites whose development will result in substantial harm to a designated heritage asset (and whose allocation, therefore, would be likely to conflict with national policy guidance).

Paragraph/Site: **ME3324**

Consultee: **953144 Mr S Berry**

Agent: **953142 Mr Jonathan Standen**

Rep ID: **PDLP\_AD209**

### Council Response

No change. Support for Site ME3324 noted.

Paragraph/Site: **ME3324**

Consultee: **1048836 John Griffiths & Fiona Hartley**

Agent:

Rep ID: **PDLP\_AD3642**

### Legally Compliant

The plan is not compliant because of the lack of opportunity to comment on new proposals ME2568 and ME3324 introduced into the plan at a late stage. There has been no previous opportunity to make representations on these proposals and many residents were unaware of the revised plan. There has been no publicity about the plan in the village. Limiting representations to 'compliance' and 'soundness' is not suited to making comments on new sites. The complexity and volume of information on the Council's website and the limited time to respond has made making a response on new proposals difficult and challenging. Restricting comments to the form constrains the expression of opinion and the process is designed to prevent input from the public. ME2568 and ME3324 were introduced as new sites at the same time a major site at Honley has been withdrawn but there is no mention of the inclusion of these sites in the Consultation Summary Leaflet or that they can be seen from Castle Hill and the Peak Park (one of the reasons why the Honley sites were rejected). This shows a lack of transparency.

### Soundness - Positively Prepared

The inclusion of ME2568 and ME3324 in the plan is unsound in terms of whether it is the most appropriate strategy when considered against other alternatives. The proposals do not meet the proposed policy PLP36. There is concern about whether documents in the public domain made the case for the allocation of these sites. The Preferred site ME1975 is adjacent to these sites and could be regarded as part of the area. There is other land adjacent to Johnson's present operation on Sandy Lane and has the suitability of this been assessed? The considerations in policy PLP36 and Chapter 15 must be fully considered now before allocating the sites rather than at the time of a planning application, including cumulative impact and total impact on South Crosland and surrounding communities. Various criteria in Chapter 15 and PLP36 would be compromised, e.g. release of sites related to demonstrable need, a new permission will be granted only when existing reserves are nearing exhaustion, number of planning consents.

### Soundness - Justified

The inclusion of ME2568 and ME3324 is unsound in terms of evidence and the information in the public domain has not demonstrated need or the case for allocation of these sites. The issues raised in the extension of quarrying across Intake Road have not been adequately considered in the plan. Extension of workings across Intake Road into an open area of farmed green belt is of such environmental significance that a higher standard of evidence of need must be available than is currently provided. Evidence and information about business need, quantity, quality and viability is not in the public domain. If there is evidence about insufficient provision and no more suitable land, this information should be released or the only reason ME2568 is coming forward now is that there is a willing owner. Such a major intrusion into an open Green Belt area, so close to the South Crosland village is not acceptable and should not be permitted just on the basis that the land owner is willing to make it available but other owners of more suitable sites are not. ME2568 and ME3324 must be looked at as one as many issues relate to the whole of the plateau area and the whole needs to be taken into account in the evaluation of impact. A full analysis of reserves in these areas has not been made publicly available. The total impact on South Crosland and the surrounding area is major. All access to the village will be through or adjacent to quarrying. The environment of the village will become industrialised. The schedule relating to ME2568 of the Allocations Reports suggests an environment assessment might be required but surely one must be? Quarrying will dominate the landscape and be visible from the Peak District National Park and other ridge locations. This has been ignored but was a reason for excluding minerals sites in Honley. Bunds will be intrusive in an open landscape. Noise and dust will be issues as much of the village is 240 metres from the workings. Traffic is already a major concern with fast moving traffic on narrow lanes. The appraisal of ME3324 recognises a need for junction improvements but surely a comprehensive approach is required. There are concerns about the impact on Dean Brook and Dean Wood (a Local Wildlife Site) and impact on residential amenity and heritage assets.

### Proposed Change Requested

The allocation of sites ME2568 and ME3324 should be deleted from the plan and the sites should remain designated Green Belt. If the Council is to allocate these sites, further information about need and in Chapter 15 should be made available for independent public inspection. The sites must be evaluated on a comprehensive basis in conjunction with the whole area of workings on the Crosland Moor plateau and this made publicly available. There should be a publicly available restoration plan for the whole area with clear timescales uses etc. which is monitored and progress published. The necessity to restore for agricultural use should be explored and the practicality of restoration with some form of public leisure use in whole or part explored.

### Council Response

No change. The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage. The council's



Statement of Community Involvement sets out when, how and with whom it consulted as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. All comments were considered as part of the pre-submission process and published on the council's website. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Based on all the potential impacts identified it has been concluded that on balance the benefits outweigh the harm. These have been considered and justified as part of the technical appraisal and take account of the various considerations set out in the Local Plan including policies PLP1 and PLP36. Although these policy tests would need to be examined in greater detail at the planning application stage, the Council is satisfied that there is a reasonable prospect of planning permission being granted during the plan period in compliance with paragraph 8 of NPPG. The site appraisal has taken account of Kirklees' aims and objectives including; impact upon health and wellbeing, the economy, sport and recreation, the historic environment and transport. It is considered that on balance the benefit of the minerals allocation would outweigh the harm. NPPF paragraph 90 recognises that minerals extraction is an appropriate use within the green belt. Appropriate levels of mitigation, including final site restoration, would be sought via the design of the development and through planning conditions/obligations to minimise the impact of any minerals activity and so ensure there is no significant impact upon the countryside and the openness of the green belt. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. Impact upon nearby residential homes and their amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. The impact upon communities, including Impact upon schools, recreational activities and residential homes – irrespective of occupancy – has been assessed and concluded that satisfactorily mitigation can be secured through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. Access can be achieved via Nopper Lane which would provide an acceptable link to Blackmoorfoot Road. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. Any minerals application that would affect recreation facilities and / or open space provision would need to be considered against and address the criteria set out in policies PLP 61 – 62. Potential mitigation could include excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on the public rights of way network. If the PROW was to be directly affected then the temporary or permanent diversion can be secured through the planning application process. Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. Based on the technical assessment of the site, no absolute constraints were identified in relation to the impact on nearby heritage assets. Further consideration will be given to the impact on the historic environment at the planning application stage and the development will need to accord with the Local Plan historic environment policy (policy PLP 35). Paragraph 13 of NPPG indicates that one of the principle issues MPAs should address when considering minerals development is the potential loss of the best and most versatile agricultural land. In this instance the land is classed as Grade 4 agricultural land which is not best or most versatile agricultural land. Therefore it is considered that its temporary loss during the course of mineral extraction would be acceptable, bearing in mind that subsequent site restoration could see the reinstatement of the majority of the land back to an agricultural use. The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity. The technical assessment of the site has indicated that this proposal would not have any significant impact on local surface water/ground water regimes.

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Paragraph/Site: **ME3324**

Consultee: **1049311 Mr Robin Stewart**

Agent:

Rep ID: **PDLP\_AD492**

**Soundness - Positively Prepared** The 'last minute' nature of this proposal, only appearing in the past month, has not given adequate time for residents to either be informed or consulted properly.

**Soundness - Justified** Traffic impact – at present, all heavy quarry traffic uses a series of private roadways and tunnels to move stone around the existing quarries. The current

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proposals would put, according to Johnsons, 20-25 lorries onto the road per day i.e 40-50 (assuming they make a return journey & don't just store lorries in the quarry). These are planned to access the site via Nopper Road and Arborary Lane, which are both narrow for normal traffic, and cross a junction with Intake & Black Lane which has very poor visibility and is already a site of regular traffic accidents. To propose to move some 50 lorries a day down this road for the proposed period of 20 years seems a reckless and dangerous proposal. Impact from noise and dust – given the site of the quarry and the direction of prevailing winds. The proposed quarry will be situated in Green Belt land, adjacent to a Conservation Area, and is was not designated for quarrying in the proposed local plan until November 2016. It is hard to see how this proposal could be given the go-ahead in the light of the negative impact of this. Visual impact – to support their proposals, Johnsons produced a number of computer generated images of the site, which were all taken from locations downhill of the quarry, showing the workings to be invisible. They appeared not to have taken any from the Nopper Road side, from which the quarry workings would be fully visible. Effect on house prices and quality of life. This will obviously have an impact on the price of our houses, whilst the quarrying will be of no benefit to anyone in the village. The 'jump' in quarrying – expansion of the quarry around the airfield at Crosland Hill at the turn of the century was at least continuous from old workings and appeared logical, this proposal seems rather random & represents a change in scale of quarrying activity.

### Proposed Change Requested

Removal of the proposal.

### Council Response

No change. The council's Statement of Community Involvement sets out when, how and with whom it consulted as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. The use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character.

Paragraph/Site: **ME3324**

Consultee: **1057906 Mr Chris Smith**

Agent:

Rep ID: **PDLP\_AD997**

### Council Response

No change. Support noted.

Paragraph/Site: **ME3324**

Consultee: **1058458 Mr Adam Mullan**

Agent:

Rep ID: **PDLP\_AD1154**

### Council Response

No change. Support noted.

Paragraph/Site: **ME3324**

Consultee: **1058462 Mr James Berry**

Agent:

Rep ID: **PDLP\_AD1157**

### Council Response

No change. Support noted.

Paragraph/Site: **ME3324**

Consultee: **1059260 Mark Wilkinson**

Agent:

Rep ID: **PDLP\_AD1200**

### Council Response

No change required. Support for site ME3324 is noted.

Paragraph/Site: **ME3324**

Consultee: **1059278 Andrew Garwood**

Agent:

Rep ID: **PDLP\_AD1213**

### Council Response

No change required. Support for site ME3324 is noted.

Paragraph/Site: **ME3324**

Consultee: **1059535 Neil Mallinson**

Agent:

Rep ID: **PDLP\_AD1327**

### Council Response

No change required. Support for site ME3324 is noted.

Paragraph/Site: **ME3324**

Consultee: **1059595 Jason Weston**

Agent:

Rep ID: **PDLP\_AD1388**

### Council Response

No change required. Support for site ME3324 is noted.

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Paragraph/Site: **ME3324** Consultee: **1059662 Jenny Silverman** Agent: Rep ID: **PDLP\_AD1413**

**Council Response** No change.Support noted.

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Paragraph/Site: **MI3398** Consultee: **972220** Agent: **941908 Mr Andrew Rose** Rep ID: **PDLP\_AD3312**

**Soundness - Justified** Designation of large areas of Minerals Infrastructure adjacent to Dewsbury Riverside and within Dewsbury and Ravensthorpe where strategic inward investment will be secured to deliver a potential new strategic highway, open up the river frontage and seek to create attractive neighbourhoods and economic growth. The concept of retaining and safeguarding all Minerals Infrastructure Sites in this area is incompatible with the Vision for this area.

**Proposed Change Requested** Remove the allocation of MI3359, MI3404 and MI3398 as protected mineral infrastructure sites and replace with a positive allocation encouraging regeneration and alternative uses in accordance with the Vision for Dewsbury.

**Council Response** No changeThe policy approach is in conformity with NPPF paragraph 143 (bullet 4). Local Plan policy PLP 39 and 40 seek to protect minerals infrastructure, however, PLP 40 is considered to be sufficiently flexible to accommodate alternative development on the area safeguarded if it can be justified.

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Paragraph/Site: **MI3399** Consultee: **972220** Agent: **941908 Mr Andrew Rose** Rep ID: **PDLP\_AD3310**

**Soundness - Justified** Designation of large areas of Minerals Infrastructure adjacent to Dewsbury Riverside and within Dewsbury and Ravensthorpe where strategic inward investment will be secured to deliver a potential new strategic highway, open up the river frontage and seek to create attractive neighbourhoods and economic growth. The concept of retaining and safeguarding all Minerals Infrastructure Sites in this area is incompatible with the Vision for this area.

**Proposed Change Requested** Remove the allocation of MI3359, MI3404 and MI3398 as protected mineral infrastructure sites and replace with a positive allocation encouraging regeneration and alternative uses in accordance with the Vision for Dewsbury.

**Council Response** No changeThe policy approach is in conformity with NPPF paragraph 143 (bullet 4). Local Plan policy PLP 39 and 40 seek to protect minerals infrastructure, however, PLP 40 is considered to be sufficiently flexible to accommodate alternative development on the area safeguarded if it can be justified.

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Paragraph/Site: **MI3403** Consultee: **978569 Tony Rivero** Agent: Rep ID: **PDLP\_AD1401**

**Soundness - Justified** The allocation of Hillhouses Yard as safeguarded mineral infrastructure is not supported. It is not clear from the justification as to why the whole site has been given over to possible aggregates use given there has been no dialogue between any potential aggregates user and Network Rail. The status of the yard is one of a strategic freight site (one protected on privatisation in the 1993 Railways Act for freight use, subject to periodic review) but not exclusively for the minerals industry. It further should be noted there is no extant connection off the main line. Note is taken of policy PLP 40 which set out criteria by which the site could be developed for alternative uses but there is no justification put forward why the site should be retained as being safeguarded for mineral use. There is a reference to allocations on the basis of the minerals background paper (which makes no mention of facilities) and "discussions with users" Bearing in mind it is considered to be operational railway land in any event (save for the lone waste recovery facility on part of the site) other railway uses can be re-introduced into the yard without the need for consent and indeed it is likely to be needed for works associated with the Trans Pennine Upgrade and electrification by 2023. However in order to retain flexibility of uses on the site in planning terms the preference would be for the designation to be removed, leaving the site unallocated, which would be in line with previous discussions made by Network Rail to the Council prior to the publication of the Draft Plan

**Proposed Change Requested** Modification: removal of safeguarding minerals infrastructure designation from Alder Street sidings.

**Council Response** No changeThe policy approach is in conformity with NPPF paragraph 143 (bullet 4). Local Plan policy PLP 39 and 40 seek to protect minerals infrastructure, however, PLP 40 is considered to be sufficiently flexible to accommodate alternative development on the area safeguarded if it can be justified.

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Paragraph/Site: **MI3404** Consultee: **972220** Agent: **941908 Mr Andrew Rose** Rep ID: **PDLP\_AD3311**

**Soundness - Justified** Designation of large areas of Minerals Infrastructure adjacent to Dewsbury Riverside and within Dewsbury and Ravensthorpe where strategic inward investment will be secured to deliver a potential new strategic highway, open up the river frontage and seek to create attractive neighbourhoods and economic growth. The concept of retaining and safeguarding all Minerals Infrastructure Sites in this area is incompatible with the Vision for this area.

**Proposed Change Requested** Remove the allocation of MI3359, MI3404 and MI3398 as protected mineral infrastructure sites and replace with a positive allocation encouraging

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	regeneration and alternative uses in accordance with the Vision for Dewsbury.
<b>Council Response</b>	No changeThe policy approach is in conformity with NPPF paragraph 143 (bullet 4). Local Plan policy PLP 39 and 40 seek to protect minerals infrastructure, however, PLP 40 is considered to be sufficiently flexible to accommodate alternative development on the area safeguarded if it can be justified.
Paragraph/Site: <b>11.1</b>	Consultee: <b>943894 Mrs Beverley Lambert</b> Agent: Rep ID: <b>PDLP_AD2355</b>
<b>Council Response</b>	Support noted
Paragraph/Site: <b>WS24</b>	Consultee: <b>964133 Max Rathmell</b> Agent: Rep ID: <b>PDLP_AD3816</b>
<b>Soundness - Justified</b>	- Inclusion of cobbled area is not part of the scarp yard
<b>Proposed Change Requested</b>	Removal of the cobbled area from the boundary of WS24
<b>Council Response</b>	No change.Allocation WS24 captures the boundaries of Rawsons Scrapyard and the access / parking fronting the site.
Paragraph/Site: <b>WS27</b>	Consultee: <b>972220</b> Agent: <b>941908 Mr Andrew Rose</b> Rep ID: <b>PDLP_AD3313</b>
<b>Soundness - Justified</b>	The designation of large areas of Waste Sites in the heart of Dewsbury and Ravensthorpe is incompatible with the Vision for the South Dewsbury area. Safeguarded waste management facilities along the River Calder in Dewsbury and Ravensthorpe should be re-designated to accord with the aims and objectives of the Plan and Vision for the area. Particular concerns with WS33, WS36 and WS27.
<b>Proposed Change Requested</b>	Remove the allocation of WS27, WS33, WS34, WS36 as safeguarded waste management facilities and replace with a positive allocation encouraging regeneration and alternative uses in accordance with the Vision for Dewsbury.
<b>Council Response</b>	No changeThe safeguarding of waste management facilities helps to ensure the Council can effectively manage the waste capacity in the district and monitor its performance as it works towards becoming net self-sufficient. However, policy PLP 45 provides sufficient flexibility to allow the change of use / loss of waste management facilities where it can be demonstrated there no longer a need for the facility or where alternative capacity can be found elsewhere.
Paragraph/Site: <b>WS33</b>	Consultee: <b>972220</b> Agent: <b>941908 Mr Andrew Rose</b> Rep ID: <b>PDLP_AD3690</b>
<b>Soundness - Justified</b>	The designation of large areas of Waste Sites in the heart of Dewsbury and Ravensthorpe is incompatible with the Vision for the South Dewsbury area. Safeguarded waste management facilities along the River Calder in Dewsbury and Ravensthorpe should be re-designated to accord with the aims and objectives of the Plan and Vision for the area. Particular concerns with WS33, WS36 and WS27.
<b>Proposed Change Requested</b>	Remove the allocation of WS27, WS33, WS34, WS36 as safeguarded waste management facilities and replace with a positive allocation encouraging regeneration and alternative uses in accordance with the Vision for Dewsbury.
<b>Council Response</b>	No changeThe safeguarding of waste management facilities helps to ensure the Council can effectively manage the waste capacity in the district and monitor its performance as it works towards becoming net self-sufficient. However, policy PLP 45 provides sufficient flexibility to allow the change of use / loss of waste management facilities where it can be demonstrated there no longer a need for the facility or where alternative capacity can be found elsewhere
Paragraph/Site: <b>WS33</b>	Consultee: <b>972220</b> Agent: <b>941908 Mr Andrew Rose</b> Rep ID: <b>PDLP_AD3694</b>
<b>Soundness - Justified</b>	The designation of large areas of Waste Sites in the heart of Dewsbury and Ravensthorpe is incompatible with the Vision for the South Dewsbury area. Safeguarded waste management facilities along the River Calder in Dewsbury and Ravensthorpe should be re-designated to accord with the aims and objectives of the Plan and Vision for the area. Particular concerns with WS33, WS36 and WS27.
<b>Proposed Change Requested</b>	Remove the allocation of WS27, WS33, WS34, WS36 as safeguarded waste management facilities and replace with a positive allocation encouraging regeneration and alternative uses in accordance with the Vision for Dewsbury.
<b>Council Response</b>	No changeThe safeguarding of waste management facilities helps to ensure the Council can effectively manage the waste capacity in the district and monitor its performance as it works towards becoming net self-sufficient. However, policy PLP 45 provides sufficient flexibility to allow the change of use / loss of waste management facilities where it can be demonstrated there no longer a need for the facility or where alternative capacity can be found elsewhere

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Paragraph/Site: <b>WS34</b>	Consultee: <b>972220</b>	Agent: <b>941908</b>	<b>Mr Andrew Rose</b>	Rep ID: <b>PDLP_AD3691</b>
<b>Soundness - Justified</b>	The designation of large areas of Waste Sites in the heart of Dewsbury and Ravensthorpe is incompatible with the Vision for the South Dewsbury area. Safeguarded waste management facilities along the River Calder in Dewsbury and Ravensthorpe should be re-designated to accord with the aims and objectives of the Plan and Vision for the area. Particular concerns with WS33, WS36 and WS27.			
<b>Proposed Change Requested</b>	Remove the allocation of WS27, WS33, WS34, WS36 as safeguarded waste management facilities and replace with a positive allocation encouraging regeneration and alternative uses in accordance with the Vision for Dewsbury.			
<b>Council Response</b>	No changeThe safeguarding of waste management facilities helps to ensure the Council can effectively manage the waste capacity in the district and monitor its performance as it works towards becoming net self-sufficient. However, policy PLP 45 provides sufficient flexibility to allow the change of use / loss of waste management facilities where it can be demonstrated there no longer a need for the facility or where alternative capacity can be found elsewhere			
Paragraph/Site: <b>WS36</b>	Consultee: <b>972220</b>	Agent: <b>941908</b>	<b>Mr Andrew Rose</b>	Rep ID: <b>PDLP_AD3693</b>
<b>Soundness - Justified</b>	The designation of large areas of Waste Sites in the heart of Dewsbury and Ravensthorpe is incompatible with the Vision for the South Dewsbury area. Safeguarded waste management facilities along the River Calder in Dewsbury and Ravensthorpe should be re-designated to accord with the aims and objectives of the Plan and Vision for the area. Particular concerns with WS33, WS36 and WS27.			
<b>Proposed Change Requested</b>	Remove the allocation of WS27, WS33, WS34, WS36 as safeguarded waste management facilities and replace with a positive allocation encouraging regeneration and alternative uses in accordance with the Vision for Dewsbury.			
<b>Council Response</b>	No changeThe safeguarding of waste management facilities helps to ensure the Council can effectively manage the waste capacity in the district and monitor its performance as it works towards becoming net self-sufficient. However, policy PLP 45 provides sufficient flexibility to allow the change of use / loss of waste management facilities where it can be demonstrated there no longer a need for the facility or where alternative capacity can be found elsewhere			
Paragraph/Site: <b>WS36</b>	Consultee: <b>972220</b>	Agent: <b>941908</b>	<b>Mr Andrew Rose</b>	Rep ID: <b>PDLP_AD3692</b>
<b>Soundness - Justified</b>	The designation of large areas of Waste Sites in the heart of Dewsbury and Ravensthorpe is incompatible with the Vision for the South Dewsbury area. Safeguarded waste management facilities along the River Calder in Dewsbury and Ravensthorpe should be re-designated to accord with the aims and objectives of the Plan and Vision for the area. Particular concerns with WS33, WS36 and WS27.			
<b>Proposed Change Requested</b>	Remove the allocation of WS27, WS33, WS34, WS36 as safeguarded waste management facilities and replace with a positive allocation encouraging regeneration and alternative uses in accordance with the Vision for Dewsbury.			
<b>Council Response</b>	No changeThe safeguarding of waste management facilities helps to ensure the Council can effectively manage the waste capacity in the district and monitor its performance as it works towards becoming net self-sufficient. However, policy PLP 45 provides sufficient flexibility to allow the change of use / loss of waste management facilities where it can be demonstrated there no longer a need for the facility or where alternative capacity can be found elsewhere			
Paragraph/Site: <b>WS14</b>	Consultee: <b>942738</b>	<b>Mr Ian Whitworth</b>	Agent:	Rep ID: <b>PDLP_AD179</b>
<b>Soundness - Justified</b>	A large area is shown as being safeguarded waste management that is not currently used for waste management. Of the area to the south of the viaduct shown safeguarded, only a quarter is used for waste management. The map includes several other businesses and an access road to these.			
<b>Proposed Change Requested</b>	The safeguarded area should cover the area being used for waste management only - ie the yard used by JC Bower			
<b>Council Response</b>	No change.Allocation WS14 follows the planning permission boundaries for waste transfer stations (91/01635 & 97/92053). The boundary has also been extended to reflect the local circumstances on the ground capturing compatible operations / use classes.			
Paragraph/Site: <b>WS16</b>	Consultee: <b>968632</b>	<b>Mrs Dawn Gemmell</b>	Agent:	Rep ID: <b>PDLP_AD3594</b>
<b>Duty to Co-operate</b>	- Kirklees have not considered cross boundary and inter authority issues on waste.			
<b>Soundness - Positively Prepared</b>	Policy PLP46 would sterilise the farm in perpetuity for waste purposes only. The existing business is not a waste site - it is a renewable energy anaerobic digestion (AD) biogas plant, which is farm diversification. Policy PLP45 would have an impact on future planning applications for the adjoining land - this area			

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is currently green belt and a working farm. It would be restricted to employment and like businesses. This would result in a loss of agricultural land and restrict future plans of the farming business. This biogas plant does not currently process any waste from Kirklees, the Waste Needs Assessment and Growth Forecasts and Assessment for Future Needs do not mention this site, as being existing capacity or needed for future use. The local plan does not include sound policies to support the rural economy. There is no tourism policy in the Local Plan to support local resources and support the rural economy. This is a renewable energy resource, not just a waste site. There is no mention of this site in Kirklees' renewable policy, yet Kirklees has a shortfall in meeting its renewable energy target.

### Soundness - Justified

The landowner does not agree to this designation. The size of the proposed allocation is double the area of the existing planning permission. The entire site is currently green belt and designated area that is not currently AD Plant is in agricultural use and used for storage of equipment - no other farms have been allocated in this way. The proposed allocation is located within 50m of residential housing. The immediate vicinity has historical importance, with barns dating to 1653. The site is a haven for wildlife and migratory birds, the environment and biodiversity would be damaged by this allocation and associated policies. Tourism in the area will be damaged, this is a tourism hub, it is a gateway to Denby Dale and Holmfirth. It is located close to the Art Triangle, Cannon Hall, Kirklees Light Railway, Bretton and National Coal Mining Museum. It will have an impact on the landscape, due to its prominent visibility and proximity to land allocated as Country Park.

### Soundness - Effective

The waste safeguarding criteria effectively changes the planning permission secured for this site. The safeguarding may prevent the farm business developing and effect the viability of the farm.

### Soundness - Consistent with National Policy

- The National Policy for Waste does not require local authorities to 'safeguard' sites, only to identify opportunities to meet identified needs for the management of waste. The safeguarding policy would endow Kirklees with powers which are beyond those envisaged by National Planning Policy. It should enable Kirklees to plan effectively and to meet changes in waste management - this can be achieved by monitoring methods. - The entire site is currently green belt and this designation contravenes national green belt policies, by eroding the green spaces between communities.

### Proposed Change Requested

Remove WS16 from the Local Plan.

### Council Response

No change The boundary reflects the planning permissions and subsequent grant of agricultural notifications in association with the bio-digesters and effluent lagoonsKirklees Council is working towards a net self-sufficient approach towards waste treatment/management, therefore monitoring of all facilities that accept and manage waste is a key component of this process to fully understand the capacity within the districtThe Kirklees Waste Needs Assessment has included the waste capacity of Clayton Hall Farms Bioenergy Plant and accounted for an annual treatment capacity of 5009 tonnes in its modellingAlthough it is recognised that waste treatment/management facilities accept waste from outside of the district, the Council must plan to manage waste both generated within and/or imported to the district for the duration of the plan period. This helps the Council's objective of being net self-sufficient.Policy PLP 45 does not prevent established operations from continuing. The policy affects the waste facilities within the designation only, therefore any current and future farm operations would remain unaffectedThe waste safeguarding designation and associated policy do not change the planning status already affecting this sitePolicy PLP 45 would not prevent the development of the farm, particularly if such developments had no impact upon the established bio-digesters and associated infrastructure. However, the policy is flexible and would allow a change of use from the facilities safeguarded if it can be justified.Any impact on the green belt, landscape, nearby residents and heritage assets have already been established and dealt with through the planning application process. The designation is to safeguard the facilities that already exist.Policy PLP 10 provides a positive policy approach towards tourism and the rural economy DTC Response:SD14 (Duty to Co-operate Statement) sets out how the council has discharged its duty to co-operate in relation to 'waste' (please see paragraphs 5.35 to 5.38).

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Paragraph/Site: **WS16**

Consultee: **971556**

**D S and N S Gemmell**

Agent:

Rep ID: **PDLP\_AD276**

### Legally Compliant

- KC have simply drawn a line with no understanding or consultation on site.

### Soundness - Justified

- Need for monitoring of waste facilities is not a justified reason for designating this site - The facility has not been identified in any of the waste studies carried out - The facility does not accept any waste from within Kirklees

### Soundness - Effective

- The waste safeguarding designation covers farm operations that are completely unrelated and would affect the operation of the farm - The waste safeguarding criteria effectively changes the planning permission secured for this site - The safeguarding may prevent the farm business developing

### Proposed Change Requested

Removal of site WS16.

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**Council Response** No changeThe boundary reflects the planning permissions and subsequent grant of agricultural notifications in association with the bio-digestors and effluent lagoonsKirklees Council is working towards a net self-sufficient approach towards waste treatment/management, therefore monitoring of all facilities that accept and manage waste is a key component of this process to fully understand the capacity within the districtThe Kirklees Waste Needs Assessment has included the waste capacity of Clayton Hall Farms Bioenergy Plant and accounted for an annual treatment capacity of 5009 tonnes in its modellingAlthough it is recognised that waste treatment/management facilities accept waste from outside of the district, the Council must plan to manage waste both generated within and/or imported to the district for the duration of the plan period. This helps the Council's objective of being net self-sufficient.Policy PLP 45 does not prevent established operations from continuing. The policy affects the waste facilities within the designation only, therefore any current and future farm operations would remain unaffectedThe waste safeguarding designation and associated policy do not change the planning status already affecting this sitePoicy PLP 45 would not prevent the development of the farm, particularly if such developments had no impact upon the established bio-digestors and associated infrastructure. However, the policy is flexible and would allow a change of use from the facilities safeguarded if it can be justified.

Paragraph/Site: **WS16**

Consultee: **978257**

**Cllr Michael Watson**

Agent:

Rep ID: **PDLP\_AD3071**

**Soundness - Positively Prepared** The adoption of policy PLP45 would sterilise the site in perpetuity for waste purposes only. The existing business is not a waste site in the conventional sense, but a renewable energy biogas plant, connected to the adjoining working farm. The future needs of the business may not be in renewable energy, but PLP45 would restrict future operations to waste only, unless it can be demonstrated that there is no longer a need for the facility or where capacity can be met elsewhere in the district.

**Soundness - Justified** - This is a privately owned, working farm and that is predominantly the activity undertaken on site - This is not a waste facility and it is wholly inappropriate to classify it as such. It is a private facility serving the farm. - The size and extent of the proposed area is more extensive than the existing planning permission for the biogas plant, the slurry lagoons belong to the farm - The location of the site in greenbelt is not suitable for a waste site and never would be due to its effect on the landscape - Any waste facility in this location would be prominent and visible for many miles around. The site is close to land allocated as country park and historic parkland, being within sight of Bretton Hall and the Yorkshire Sculpture Park - The proposed site is situated within 50m of residential housing, and therefore unsuitable due to the proximity to people - The site has historical importance, with barns dating to at least 1653

**Proposed Change Requested** This allocation should be removed from the plan.

**Council Response** No changeThe boundary reflects the planning permissions and subsequent grant of agricultural notifications in association with the bio-digestors and effluent lagoonsKirklees Council is working towards a net self-sufficient approach towards waste treatment/management, therefore monitoring of all facilities that accept and manage waste is a key component of this process to fully understand the capacity within the districtThe Kirklees Waste Needs Assessment has included the waste capacity of Clayton Hall Farms Bioenergy Plant and accounted for an annual treatment capacity of 5009 tonnes in its modellingAlthough it is recognised that waste treatment/management facilities accept waste from outside of the district, the Council must plan to manage waste both generated within and/or imported to the district for the duration of the plan period. This helps the Council's objective of being net self-sufficient.Policy PLP 45 does not prevent established operations from continuing. The policy affects the waste facilities within the designation only, therefore any current and future farm operations would remain unaffectedThe waste safeguarding designation and associated policy do not change the planning status already affecting this sitePoicy PLP 45 would not prevent the development of the farm, particularly if such developments had no impact upon the established bio-digestors and associated infrastructure. However, the policy is flexible and would allow a change of use from the facilities safeguarded if it can be justified.Any impact on the green belt, nearby residents and heritage assets have already been established and dealt with through the planning application process. The designation is to safeguard the facilities that already exist.

Paragraph/Site: **WS16**

Consultee: **1050033**

**Mr Adam Gemmell**

Agent:

Rep ID: **PDLP\_AD761**

**Soundness - Positively Prepared** Policy PLP46 would sterilise the farm in perpetuity for waste purposes only. The existing business is not a waste site - it is a renewable energy anaerobic digestion (AD) biogas plant, which is farm diversification. Policy PLP45 would have an impact on future planning applications for the adjoining land - this area is currently green belt and a working farm. It would be restricted to employment and like businesses. This would result in a loss of agricultural land and restrict future plans of the farming business. This biogas plant does not currently process any waste from Kirklees, the Waste Needs Assessment and Growth Forecasts and Assessment for Future Needs do not mention this site, as being existing capacity or needed for future use. The local plan does not include sound policies to support the rural economy. There is no tourism policy in the Local Plan to support local resources and support the rural economy. This is a

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renewable energy resource, not just a waste site. There is no mention of this site in Kirklees' renewable policy, yet Kirklees has a shortfall in meeting its renewable energy target.

### Soundness - Justified

The size of the proposed area is double the area of the footprint of the existing planning permission for the biogas plant. Slurry lagoons and lanes have been included, which are owned and operated by the farm. The landowner does not agree to this designation. The entire site is currently green belt and designated area that is not currently AD Plant is in agricultural use and used for storage of equipment - no other farms have been allocated in this way. The proposed allocation is located within 50m of residential housing. The immediate vicinity has historical importance, with barns dating to 1653. The site is a haven for wildlife and migratory birds, the environment and biodiversity would be damaged by this allocation and associated policies. Tourism in the area will be damaged, this is a tourism hub, it is a gateway to Denby Dale and Holmfirth. It is located close to the Art Triangle, Cannon Hall, Kirklees Light Railway, Bretton and National Coal Mining Museum. It will have an impact on the landscape, due to its prominent visibility and proximity to land allocated as Country Park.

### Soundness - Effective

The waste safeguarding criteria effectively changes the planning permission secured for this site. The safeguarding may prevent the farm business developing and effect the viability of the farm.

### Soundness - Consistent with National Policy

-The National Policy for Waste does not require local authorities to 'safeguard' sites, only to identify opportunities to meet identified needs for the management of waste. The safeguarding policy would endow Kirklees with powers which are beyond those envisaged by National Planning Policy. It should enable Kirklees to plan effectively and to meet changes in waste management - this can be achieved by monitoring methods. - The entire site is currently green belt and this designation contravenes national green belt policies, by eroding the green spaces between communities.

### Council Response

No changeThe boundary reflects the planning permissions and subsequent grant of agricultural notifications in association with the bio-digesters and effluent lagoonsKirklees Council is working towards a net self-sufficient approach towards waste treatment/management, therefore monitoring of all facilities that accept and manage waste is a key component of this process to fully understand the capacity within the districtThe Kirklees Waste Needs Assessment has included the waste capacity of Clayton Hall Farms Bioenergy Plant and accounted for an annual treatment capacity of 5009 tonnes in its modellingAlthough it is recognised that waste treatment/management facilities accept waste from outside of the district, the Council must plan to manage waste both generated within and/or imported to the district for the duration of the plan period. This helps the Council's objective of being net self-sufficient.Policy PLP 45 does not prevent established operations from continuing. The policy affects the waste facilities within the designation only, therefore any current and future farm operations would remain unaffectedThe waste safeguarding designation and associated policy do not change the planning status already affecting this sitePolicy PLP 45 would not prevent the development of the farm, particularly if such developments had no impact upon the established bio-digesters and associated infrastructure. However, the policy is flexible and would allow a change of use from the facilities safeguarded if it can be justified.Any impact on the green belt, landscape, nearby residents and heritage assets have already been established and dealt with through the planning application process. The designation is to safeguard the facilities that already exist.Policy PLP 10 provides a positive policy approach towards tourism and the rural economy

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Paragraph/Site: 12.1

Consultee: 968958

Mr Matthew Mills

Agent:

Rep ID: PDLP\_AD3621

### Soundness - Positively Prepared

- Should be explicit reference to and consideration of student housing needs. Preference affordable town centre accommodation close to campus. Long term, believe decline in popularity of student halls which require commuting to campus. - Need to provide affordable accommodation but maintain high quality stock. Wish to see further growth in halls in immediate vicinity of campus to provide increased choice, improve market competition to reduce costs. - Growth in additional hall places would have additional benefit of potentially freeing up housing stock for families. - Recent graduates require access to affordable accommodation for rent and purchase.

### Proposed Change Requested

- Should be explicit consideration of and reference to Student Housing needs.- Should prioritise provision of affordable starter homes for recent graduates, homes suitable for 'empty nesters' ready to trade down, Housing Association and social landlord provision.

### Council Response

No change. Policy PLP 11 (SD1, Strategy and Policies, page 68) refers to meeting a wide range of needs. The SHMA (SD18) and associated documents include a consideration of student housing needs. The policy also refers to affordable housing including Starter Homes which could be accessed by graduates where they meet the criteria for such housing provision.

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Paragraph/Site: 12.2

Consultee: 943894

Mrs Beverley Lambert

Agent:

Rep ID: PDLP\_AD2356

### Council Response

No change. Support noted