

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

Paragraph/Site: SM00475	Consultee: 971556	D S and N S Gemmell	Agent:	Rep ID: PDLP_AD214
Soundness - Justified	- SM00475 is not the accurate area as marked on the plan for this Historic monument. SM00475 is described on the Historic England website as List Entry Number 1005786 , this was re-assessed on 31st March 2016 and the correct area is on the website.			
Proposed Change Requested	Relocate SMM00475 to the correct area			
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: CA57, CA30	Consultee: 978303	Cllr Andrew Palfreeman	Agent:	Rep ID: PDLP_AD2520
Council Response	No ChangeSupport noted.			
Paragraph/Site: AS906/2, AS97/2.	Consultee: 978303	Cllr Andrew Palfreeman	Agent:	Rep ID: PDLP_AD2519
Council Response	No changeSupport noted			
Paragraph/Site: Table Batley & Spen	Consultee: 943910	Mr Ian Sanderson	Agent:	Rep ID: PDLP_AD336
Proposed Change Requested	Additional text should be included with the list of archaeological sites to indicate that the list is not exhaustive but contains those sites believed to be of such potential significant regional archaeological importance as to warrant preservation. It would be helpful to add that details of these sites & all other known archaeological sites are held in the West Yorkshire Historic Environment Record which is maintained by the West Yorkshire Archaeology Advisory Service (WYAAS) and is available for consultation.			
Council Response	No ChangeThe inclusion of additional text is not considered to be a soundness issue. However the council may give further consideration at a later stage to include a minor amendment if necessary.			
Paragraph/Site: 10.1	Consultee: 943894	Mrs Beverley Lambert	Agent:	Rep ID: PDLP_AD2354
Council Response	Support for minerals areas of search noted			
Paragraph/Site: ME1965b	Consultee: 942768	Mr Andrew Wood	Agent:	Rep ID: PDLP_AD1784
Soundness - Positively Prepared	Question justification of need.			
Council Response	No change.The justification for additional minerals to be worked in Kirklees is set out in the 'Minerals Technical Paper' at paragraphs 5.1-5.47.			
Paragraph/Site: ME1965b	Consultee: 943612	Helen France	Agent:	Rep ID: PDLP_AD2054
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			

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

	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 differences between the draft and publication draft Local Plan design policy are 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
Paragraph/Site: ME1965b	Consultee: 944135 Mr Anthony Clifton Agent: Rep ID: PDLP_AD1092
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.Detail of trip generation from the potential extension to the established Appleton Quarry would be addressed through planning conditions / obligations at the detailed planning application stage.
Paragraph/Site: ME2248a	Consultee: 942768 Mr Andrew Wood Agent: Rep ID: PDLP_AD1782
Soundness - Positively Prepared	Appears excessive compared to need over plan period and compared to potential impacts.
Council Response	No change. 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.
Paragraph/Site: ME2248a	Consultee: 942963 Mr Richard Brook Agent: Rep ID: PDLP_AD1431
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.
Paragraph/Site: ME2248a	Consultee: 942968 Mrs Carol Brook Agent: Rep ID: PDLP_AD1236
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

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

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 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: ME2248a

Consultee: 943162

Mr Frank Dolan

Agent:

Rep ID: PDLP_AD1421

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

ME2248 and ME2314. Quarrying encompassing mainly agricultural land between the villages of Upper Cumberworth, Lower Cumberworth and Denby Dale. The character of this beautiful landscape will be permanently altered. Valuable farmland will be lost, along with flora and fauna. The health of local residents will be adversely affected by noise, dust and traffic generated pollution. The narrow minor road linking the villages is unsuitable for HGV's. The A636 is already very busy and access via Clayton West, Scissett and Denby Dale will add to the considerable hazards experienced by residents. 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.

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 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 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: **ME2248a**

Consultee: **943612**

Helen France

Agent:

Rep ID: **PDLP_AD2053**

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

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

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 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. 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 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: **ME2248a**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP_AD3776**

Council Response

Historic England support of the policy requirement for a Heritage Impact Assessment on this site has been noted.

Paragraph/Site: **ME2248a**

Consultee: **943973 Mr David Newby**

Agent:

Rep ID: **PDLP_AD1012**

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.

Paragraph/Site: **ME2248a**

Consultee: **944053 Mr Stephen Ayre**

Agent:

Rep ID: **PDLP_AD1281**

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.

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

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.

Paragraph/Site: **ME2248a**

Consultee: **951075 MISS LYNNE CARROLL**

Agent:

Rep ID: **PDLP_AD631**

Soundness - Justified

The site is close to housing. Noise pollution from the vehicles and added traffic on and off the site will add to local pollution levels. This will affect the health of local people. Access is difficult for buses/delivery vehicles as Cumberworth Lane is narrow in places, not suitable for large trucks visiting the site. Footpaths are narrow, and well used so parents children, runners and the elderly will all be at risk to have large trucks on the road. It would not be a safe and effective transport network. The character of our area 'Yorkshire' our 'green and pleasant land' will be destroyed with possible effects to our habitats and woodlands nearby

Proposed Change Requested

Remove ME2248a from the local 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 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. 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.

Paragraph/Site: **ME2248a**

Consultee: **966867 mrs sandra mitchell**

Agent:

Rep ID: **PDLP_AD236**

Soundness - Justified

Impact on amenity, health, watercourses 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 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 technical assessment of the site has indicated that this proposal would not have any significant impact on local surface water/ground water regimes. Refer to background document 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: **ME2248a**

Consultee: **966889 mr paul mitchell**

Agent:

Rep ID: **PDLP_AD244**

Soundness - Justified

There is an over abundance of quarrying in this area of Kirklees as it is. The roads are too narrow for the large lorries needed and there would be noise and

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

dust pollution.

Proposed Change Requested

Remove the site from the plan.

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. 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. 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: **ME2248a**

Consultee: **969399**

Mrs Magdalen Blanshard

Agent:

Rep ID: **PDLP_AD1321**

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 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: **ME2248a**

Consultee: **975281**

Ben Jones

Agent:

Rep ID: **PDLP_AD484**

Soundness - Justified

Destruction of recreation facilities: Eunice Lane Playing Field, a recreation area which has had government money spent on it providing facilities is included in this area. It is not possible to check details in a short time but I would assume there are covenants on this land that protect it for the use of recreation, so there could well be legal issues here. The site is crossed with footpaths Negative Impact on Historic Environment: This directly contravenes National Planning Policy Framework. Kirklees clearly state that the Local Plan sets out a positive strategy for the conservation of the historic environment, yet this site is

immediately in the vicinity of: the Conservation area of Upper Cumberworth, including 300+ year buildings a listed building, St Nicholas Church The potential of having quarrying work in the immediate vicinity will have a major negative impact. This is not sustaining and enhancing the significance of heritage as Kirklees official documentation clearly states. Health and Safety Increase in heavy goods vehicles. If allowed to go ahead, there would undoubtedly be a significant increase in large trucks. The site is close to Cumberworth First School and increases of unsuitable traffic would endanger the safety of children. The narrow roads and inadequate footpaths in the immediate area are totally unsuitable. They would cause noise and dust pollution, there would be vibration issues with such close vicinity to residential housing and school. Noise and dust pollution from quarrying, the site is in immediate vicinity of housing and a school. Negative Impact on the Landscape Site ME2248a is only a part of a massive overall site that includes ME2248a, ME2248b, ME2248c, and ME2314. If quarrying was allowed to take place on each of these sites, the impact on the local landscape would be massive and totally out of scale. The visible impact would be clear from miles around and character of the landscape would be changed for ever.

Proposed Change Requested

The site should be removed from the plan. It can never be suitable to be used as a site for mineral extraction so it should not be designated mineral area of search.

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: **ME2248a**

Consultee: **978216**

Cllr Jim Dodds

Agent:

Rep ID: **PDLP_AD1647**

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.
- 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.

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

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

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: **ME2248a**

Consultee: **1034451 Mr John Clayton**

Agent:

Rep ID: **PDLP_AD129**

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: **ME2248a**

Consultee: **1043186 Dr Toby Capstick**

Agent:

Rep ID: **PDLP_AD1975**

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 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.

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

Paragraph/Site: ME2248a

Consultee: 1044270 Mr Stephen Dearman

Agent:

Rep ID: PDLP_AD547

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 or the housing development at Bromley Park in Denby Dale. 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. 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 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.

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 - 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). 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 meters recommended by WYE- and restoration to enhance the proposed Local Wildlife Site. 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 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. 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 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. 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.

Paragraph/Site: ME2248a

Consultee: 1044270 Mr Stephen Dearman

Agent:

Rep ID: PDLP_AD548

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

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

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 altogether.

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 - 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). 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 meters recommended by WYE- and restoration to enhance the proposed Local Wildlife Site. 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 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. 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 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. 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.

Paragraph/Site: **ME2248a**

Consultee: **1045821 Mr John McCaughey**

Agent:

Rep ID: **PDLP_AD1823**

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. - The site borders the conservation area of Upper Cumberworth. Much of the area is clearly visible roadside, public footpath and houses, destroying the landscape. - The site borders houses included in the conservation area, including some more than 300 years old and is only a few metres from St Nicolas Church and its grounds, a listed building.

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 use of screen planting, screen mounds and standoff areas can effectively screen a minerals site and therefore reduce its impact on nearby heritage assets, public rights of way or recreation grounds. 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). The detail of required mitigation measures would be secured through conditions / obligations at the planning application stage.

Paragraph/Site: **ME2248a**

Consultee: **1045830 mr david firth**

Agent:

Rep ID: **PDLP_AD143**

Soundness - Positively Prepared

It will destroy a local village amenity (Eunice Lane Playing Field).

Soundness - Justified

It will border immediately on to the residents of Upper Cumberworth causing noise & pollution. It will border on to a historic conservation area & destroy the setting. It is within a couple of hundred metres of St Nicholas Church (a listed building) and its grounds border the site. It will destroy local footpaths. It is sited near a local primary school (Upper Cumberworth CE) & will cause risk to young children (noise, pollution, additional traffic, risk of playing near quarry workings, etc).

Proposed Change Requested

The area should not be designated as mineral search & should remain as green belt.

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

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 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. 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.

Paragraph/Site: **ME2248a**

Consultee: **1045833**

Ms Rosemary de Csernatony

Agent:

Rep ID: **PDLP_AD893**

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 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.

Paragraph/Site: **ME2248a**

Consultee: **1045895**

Mr David Tyman

Agent:

Rep ID: **PDLP_AD149**

Soundness - Justified Considering the size and scale of the mineral extraction development site proposed within the Green Belt designated land of high agricultural land classification, a full environmental Impact Assessment should be carried out including full consultation with all neighbour properties within 250m of the proposed development site. The proposed development is totally inappropriate in relation to size, scale, closeness to residential areas, negative impacts on the surrounding road infrastructure, associated health, safety, welfare and environmental hazards and risks, increased visual impact, loss of existing amenities.

Soundness - Consistent with National Policy The inclusion of this site in the local plan would lead to a direct contradiction with the golden rule laid down in National Planning Policy Framework in relation 9. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to) ... moving from a net loss of bio-diversity to achieving net gains for nature; ... improving the conditions in which people live, work, travel and take leisure...'

Proposed Change Requested Remove site from the local plan in the first instance. Carry out full Environmental Impact Assessment including full consultation with surrounding residents and local communities affected by the proposed development in designated Green Belt land.

Council Response No change. 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. Paragraph 13 of NPPG indicates that one of the principle issues MPAs should address when

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

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. A full Environmental Impact Assessment would be required at the planning application stage, this requirement has been written into the allocation. Impact upon nearby residential homes can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic etc. 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: **ME2248a**

Consultee: **1045911 Mr Roger Pearson**

Agent:

Rep ID: **PDLP_AD153**

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.

Paragraph/Site: **ME2248a**

Consultee: **1046684 mr john townsend**

Agent:

Rep ID: **PDLP_AD1133**

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.

Paragraph/Site: **ME2248a**

Consultee: **1046686 Mrs Melanie Crossland**

Agent:

Rep ID: **PDLP_AD1229**

Soundness - Positively Prepared 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.

Soundness - Justified 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.

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

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

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: **ME2248a**

Consultee: **1047137 Dr Neil Denby**

Agent:

Rep ID: **PDLP_AD459**

Soundness - Positively Prepared 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.

Soundness - Justified 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.

Soundness - Consistent with National Policy The site runs counter to the NPPF paragraphs; 7,112,144.

Proposed Change Requested Remove this ME Site from the Plan

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. 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.

Paragraph/Site: **ME2248a**

Consultee: **1047177 Mr Roy Griffin**

Agent:

Rep ID: **PDLP_AD1857**

Soundness - Justified - 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.

Proposed Change Requested - Eliminate the public play area in Upper Cumberworth from the plans under ME 2248

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 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.

Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & DesignationsParagraph/Site: **ME2248a**Consultee: **1047458 mrs julie Seage**

Agent:

Rep ID: **PDLP_AD1337****Soundness - Positively Prepared** The proposals need to take Draft Local Plan Policy 37 (mineral extraction) into consideration.**Soundness - Justified**

Objection to site ME2248a 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 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

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

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. 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.

Paragraph/Site: **ME2248a**Consultee: **1048436 Mrs Joan Wood**

Agent:

Rep ID: **PDLP_AD313****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).

Paragraph/Site: **ME2248a**Consultee: **1048733 Pauline Tyas**

Agent:

Rep ID: **PDLP_AD1765****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 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).

Paragraph/Site: **ME2248a**

Consultee: **1048793 Cllr Graham Turner**

Agent:

Rep ID: **PDLP_AD3281**

Soundness - Justified

The site's western boundary is too close to residents and would result in destruction of playground and well-used footpath network. Impact on residential amenity. The current road network is not suitable for use by large HGVs.

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 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. 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: **ME2248a**

Consultee: **1048816 Mrs Rita Crossley**

Agent:

Rep ID: **PDLP_AD1253**

Soundness - Justified

Objection to site ME2248a as it is close to housing and would seriously affect our lives and home from noise, visibility, vibration and atmospheric pollution. The recreation area on Eunice Lane is the only safe area in the village for children, over toddler age, to play. The footpaths from the village to Denby Dale would be seriously affected. The road between Upper and Lower Cumberworth is not suitable for current traffic and would become highly dangerous should there be any increase in large lorries. It is a route to school and there are already serious safety concerns as the pavement is not wide enough for a push chair or wheel chair. A major gas pipeline runs across part of this land and previous plans for housing have been refused on safety grounds being too near to this. The area is green belt, of which there is far too little.

Proposed Change Requested

Keep this site clear from development.

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

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

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. 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. 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.

Paragraph/Site: **ME2248a**

Consultee: **1048817 Mr Peter Crossley**

Agent:

Rep ID: **PDLP_AD1365**

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 This 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.

Paragraph/Site: **ME2248a**

Consultee: **1048864 Louise Barrowcliffe**

Agent:

Rep ID: **PDLP_AD1311**

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.

Paragraph/Site: **ME2248a**

Consultee: **1049133 Mrs Susan Ellis**

Agent:

Rep ID: **PDLP_AD405**

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 be too close to local residential areas.

Proposed Change Requested

Remove site ME2248a 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.

Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & DesignationsParagraph/Site: **ME2248a**Consultee: **1049317 Mr Brian Sivyour**

Agent:

Rep ID: **PDLP_AD496****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.

Paragraph/Site: **ME2248a**Consultee: **1049323 Mr Alan Howarth**

Agent:

Rep ID: **PDLP_AD1345****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).

Paragraph/Site: **ME2248a**Consultee: **1049330 Mrs Nicola Butcher**

Agent:

Rep ID: **PDLP_AD501****Soundness - Justified**

It would appear that if this search led to further quarrying, this would have a negative impact on the health of those of us living in Cumberworth because of the increase in dust and noise pollution. If this quarrying was allowed it could also have a great environmental impact on the wildlife living near the proposed site; and well used footpaths would be lost. We already have a lot of traffic coming to the Waste Recycling Site and increased pollution from the traffic would be detrimental to people's health. The roads in and around Cumberworth are very busy and in places footpath provision is narrow; and further development of this site would increase the number of large vehicles, making it even more dangerous. The site borders a conservation area and is close to listed buildings (Church & Grounds) and the Eunice Lane Playing Fields used by the Community.

Proposed Change Requested

The plan would be best if there was no quarrying allowed so near to the village.

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

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

BP29. 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 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). 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.

Paragraph/Site: **ME2248a**

Consultee: **1049397 mr michael carter**

Agent:

Rep ID: **PDLP_AD561**

Soundness - Justified

The proposal will destroy the areas in the vicinity of St. Nicholas Church; Cumberworth Lane & Eunice Lane which appears to be contrary to the principles of Kirklees Sustainability Appraisal. This is on the grounds that road access is unsuitable for more heavy vehicles; noise & dust generated in the vicinity of residential villages; diesel polluting traffic running past the Upper Cumberworth Primary School; loss of the only peaceful, green, safe play area (Eunice Lane Recreation Ground); loss of footpaths; loss of valuable green landscape and wildlife habitat.

Proposed Change Requested

Do not permit mineral extraction or exploration in this area. Leave the land designated as green belt.

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 (including St. Nicholas Church). 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). 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). 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. 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. 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.

Paragraph/Site: **ME2248a**

Consultee: **1049426 Mrs Laura Clark**

Agent:

Rep ID: **PDLP_AD586**

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

Impact on recreation facilities and areas of open space and their usage: Eunice Lane Playing Field, a recreation area is included in this site and could therefore be lost / destroyed. There are no good alternatives for children in the local area. Furthermore, the site is crossed with public footpaths which would be lost. Negative Impact on Historic Environment: This directly contravenes National Planning Policy Framework. Kirklees clearly state that the Local Plan sets out a positive strategy for the conservation of the historic environment, yet this site is immediately in the vicinity of: • the Conservation area of Upper Cumberworth, including 300+ year buildings • a listed building, St Nicholas Church The potential of having quarrying work in the immediate vicinity will have a major negative impact. This is not sustaining and enhancing the significance of heritage as Kirklees official documentation clearly states. Health and Safety:

Increase in heavy goods vehicles. If allowed to go ahead, there would undoubtedly be a significant increase in large trucks. • The site is close to Cumberworth First School and increases of unsuitable traffic could endanger the safety of children. The narrow roads and inadequate footpaths in the immediate area are totally unsuitable. We would also question the quality of the road to sustain more traffic / heavy good vehicles. • They would cause noise and dust pollution; there would be vibration issues with such close vicinity to residential housing and school. Noise (sound) and dust (air) pollution from quarrying, the site is in immediate vicinity of housing and a school. 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 ME2248a is only a part of a massive overall site that includes ME2248a, ME2248b, ME2248c, and ME2314. If quarrying was allowed to take place on each of these sites, the impact on the local landscape would be massive and totally out of scale. The visible impact would be clear from miles around and character of the landscape would be changed forever. Impact on Housing in the Immediate Vicinity: Considering all the above, the development would likely cause significant drop in house values in the houses in the immediate vicinity of site ME2248a.

Proposed Change Requested

ME2248a should never be considered 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).

Paragraph/Site: **ME2248a**

Consultee: **1049426 Mrs Laura Clark**

Agent:

Rep ID: **PDLP_AD594**

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

Impact on recreation facilities and areas of open space and their usage: Eunice Lane Playing Field, a recreation area is included in this site and could therefore be lost / destroyed. There are no good alternatives for children in the local area. Furthermore, the site is crossed with public footpaths which would be lost. Negative Impact on Historic Environment: This directly contravenes National Planning Policy Framework. Kirklees clearly state that the Local Plan sets out a positive strategy for the conservation of the historic environment, yet this site is immediately in the vicinity of: • the Conservation area of Upper Cumberworth, including 300+ year buildings • a listed building, St Nicholas Church The potential of having quarrying work in the immediate vicinity will have a major negative impact. This is not sustaining and enhancing the significance of heritage as Kirklees official documentation clearly states. Health and Safety: Increase in heavy goods vehicles. If allowed to go ahead, there would undoubtedly be a significant increase in large trucks. • The site is close to Cumberworth

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

First School and increases of unsuitable traffic could endanger the safety of children. The narrow roads and inadequate footpaths in the immediate area are totally unsuitable. We would also question the quality of the road to sustain more traffic / heavy good vehicles. • They would cause noise and dust pollution; there would be vibration issues with such close vicinity to residential housing and school. Noise (sound) and dust (air) pollution from quarrying, the site is in immediate vicinity of housing and a school. 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 ME2248a is only a part of a massive overall site that includes ME2248a, ME2248b, ME2248c, and ME2314. If quarrying was allowed to take place on each of these sites, the impact on the local landscape would be massive and totally out of scale. The visible impact would be clear from miles around and character of the landscape would be changed forever. Impact on Housing in the Immediate Vicinity: Considering all the above, the development would likely cause significant drop in house values in the houses in the immediate vicinity of site ME2248a.

Proposed Change Requested

ME2248a should never be considered 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).

Paragraph/Site: **ME2248a**

Consultee: **1049426 Mrs Laura Clark**

Agent:

Rep ID: **PDLP_AD3584**

Soundness - Positively Prepared

Community unaware of the Local Plan process and development in area.

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 ME2248a 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: **ME2248a**

Consultee: **1049428 Mr Oliver Clark**

Agent:

Rep ID: **PDLP_AD585**

Soundness - Positively Prepared

The proposal is not sound and is in direct conflict with the Council's conservation policy and associated documentation for the same area.

Soundness - Justified

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 impact on the housing in the vicinity likely to cause significant drop in house values in the villages nearby, especially Bromley Park.

Proposed Change Requested

This should not be considered as a Mineral Extraction Site. Protect this area from quarry development.

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). Impact on house prices is not a planning consideration.

Paragraph/Site: **ME2248a**

Consultee: **1049507 Mike Beecroft**

Agent:

Rep ID: **PDLP_AD1696**

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

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

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.

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).

Paragraph/Site: **ME2248a**

Consultee: **1049593 Miss Teresa Briggs**

Agent:

Rep ID: **PDLP_AD3322**

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. The landscape, character and historic conservation of Cumberworth would be destroyed and changed forever. The price of property maybe affected.

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.

Paragraph/Site: **ME2248a**

Consultee: **1049599 Mr James George**

Agent:

Rep ID: **PDLP_AD653**

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 particular site will be far too close to the village. 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.

Proposed Change Requested

Permission for this site should not be given.

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.

Paragraph/Site: **ME2248a**

Consultee: **1049599 Mr James George**

Agent:

Rep ID: **PDLP_AD650**

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 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.

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.

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

Paragraph/Site: **ME2248a**Consultee: **1050115 Mr Richard Walker**

Agent:

Rep ID: **PDLP_AD799****Soundness - Justified**

The road between Lower and Upper Cumerworth is narrow and busy and is unsuitable for HGVs, with no potential for widening. Cumerworth First School and St Nicholas Church is located at the top of Cumerworth Lane, a narrow busy road with vulnerable pedestrians, unsuitable for HGVs. The proposal would mean the loss of the recreation ground off Eunace Lane with no proposal to replace this valuable community space; -The proposed site borders a number of historic listed buildings, including St Nicholas Church; The proposed site would compromise the beautiful area of Cumerworth and would likely destroy a number of important/protected habitats; The proposed site borders a range of houses and would create dust, noise, air pollution, significant impact on the health safety and well being of the local community, including the children attending the school. It would also impact the safety of the already constrained road network through the inevitable deposit of mud from the site as can be seen from other quarrying activity in the local area i.e Sovereign Crossroads

Proposed Change Requested

Respect the green belt.

Council Response

No change.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.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 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.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: **ME2248a**Consultee: **1058320 Liz Lloyd**

Agent:

Rep ID: **PDLP_AD1113****Soundness - Justified**

Cumerworth 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.

Paragraph/Site: **ME2248a**Consultee: **1058409 Mrs June Wagstaff**

Agent:

Rep ID: **PDLP_AD1142****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

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

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. 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: **ME2248a**

Consultee: **1059233** **Sheila Lock**

Agent:

Rep ID: **PDLP_AD1191**

Soundness - Positively Prepared

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.

Soundness - Justified

Objection to site ME2314. As a resident living within Upper Cumberworth Conservation Area I am horrified by the proposals.

Soundness - Consistent with National Policy

Objection to site ME2314 as it contradicts a range of existing policy approaches.

Council Response

No change. 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 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. 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: **ME2248a**

Consultee: **1059404** **Maggie Walker**

Agent:

Rep ID: **PDLP_AD1255**

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: **ME2248a**

Consultee: **1059407** **Martin Moonie**

Agent:

Rep ID: **PDLP_AD1257**

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. 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).

Paragraph/Site: **ME2248a**

Consultee: **1059419 Allan Siddal**

Agent:

Rep ID: **PDLP_AD1274**

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

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

household waste recycling centre. This would avoid the need to go through the village.

Paragraph/Site: **ME2248a**

Consultee: **1059499 Sylvia Sykes**

Agent:

Rep ID: **PDLP_AD1294**

Soundness - Justified

Objection to site ME2248a 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.

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: **ME2248a**

Consultee: **1059552 Sarah and Sean Barry**

Agent:

Rep ID: **PDLP_AD1331**

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: **ME2248a**

Consultee: **1059564 Iain Burton**

Agent:

Rep ID: **PDLP_AD1360**

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 irreversibly 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).

Paragraph/Site: **ME2248a**

Consultee: **1059692 Mr Nigel Senior**

Agent:

Rep ID: **PDLP_AD1442**

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

Paragraph/Site: **ME2259**

Consultee: **942768**

Mr Andrew Wood

Agent:

Rep ID: **PDLP_AD1780**

Soundness - Justified

High level of constraints - biodiversity, hydrology, river function and lack of access.

Council Response

No change. Access could be gained via existing track which links to Quarry Road. However, this is likely to require significant alterations to ensure HGVs can operate safely. There are no significant constraints identified in relation to hydrology and river function. The target mineral is sand and gravel and is therefore

considered to be a water compatible use. Appropriate levels of mitigation can be achieved in relation to river function through policy PLP 36. 2.4 hectares have been removed to account for stand off with the river. Through consultation with West Yorkshire Ecology (WYE) it was determined that mineral extraction could be acceptable with appropriate mitigation during working and securing a restoration scheme which contributes significantly to local biodiversity - policies PLP 36 and 37 will apply. Further opinion has also been obtained from the Council's biodiversity officer who concluded that it will be possible to apply the 'mitigation hierarchy' (DCLG, 2012) to fully mitigate the impacts of mineral extraction at the site. It was also observed that mineral extraction will inevitably result in a site of lower elevation, and very likely below the water table. Having taken into account the hydrological conditions on the site, it will be possible to restore the site and provide habitats of at least equal biodiversity value through a wetlands restoration scheme. 2.4 hectares removed to account for stand off with the river.

Paragraph/Site: **ME2259**

Consultee: **943612**

Helen France

Agent:

Rep ID: **PDLP_AD2055**

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 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 could be gained via existing track which links to Quarry Road. However,

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

this is likely to require significant alterations to ensure HGVs can operate safely. 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: **ME2259**

Consultee: **943957**

Mr Ian Smith

Agent:

Rep ID: **PDLP_AD3777**

Council Response

No change. Support noted.

Paragraph/Site: **ME2267a**

Consultee: **942768**

Mr Andrew Wood

Agent:

Rep ID: **PDLP_AD1776**

Soundness - Positively Prepared

Is the need for these sites justified?.

Soundness - Consistent with National Policy

Taken together these sites impact heavily on a large area of open and attractive countryside.

Council Response

No change. The need for the mineral - clay and shale in this instance - has been set out in background paper 9 (BP9), 'Minerals Technical Paper' pages 10-11, paragraphs 5.31-5.38. 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. Criteria set out in policy PLP 36 would apply.

Paragraph/Site: **ME2267a**

Consultee: **943612**

Helen France

Agent:

Rep ID: **PDLP_AD2056**

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. 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 could provide adequate access provision. If considered expedient formal routing arrangements can be imposed with regard to any subsequent planning application. Such an arrangement already affects the existing Peace Wood Quarry. 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 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: **ME2267a**

Consultee: **943957**

Mr Ian Smith

Agent:

Rep ID: **PDLP_AD3778**

Council Response

No change. Support noted.

Paragraph/Site: **ME2267a**

Consultee: **943973**

Mr David Newby

Agent:

Rep ID: **PDLP_AD1010**

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 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. 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

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

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. 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.

Paragraph/Site: **ME2312a**

Consultee: **942768 Mr Andrew Wood**

Agent:

Rep ID: **PDLP_AD1777**

Soundness - Positively Prepared Is the need for these sites justified?.

Soundness - Consistent with National Policy Taken together these sites impact heavily on a large area of open and attractive countryside.

Council Response No change. The need for the mineral - clay and shale in this instance - has been set out in background paper 9 (BP9), 'Minerals Technical Paper' pages 10-11, paragraphs 5.31-5.38. 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. Criteria set out in policy PLP 36 would apply.

Paragraph/Site: **ME2312a**

Consultee: **943612 Helen France**

Agent:

Rep ID: **PDLP_AD2057**

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

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

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, 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 could provide adequate access provision. If considered expedient formal routing arrangements can be imposed with regard to any subsequent planning application. Such an arrangement already affects the existing Peace Wood Quarry. 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 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: **ME2312a**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP_AD3779**

Council Response

No change. Support noted.

Paragraph/Site: **ME2312a**

Consultee: **943973 Mr David Newby**

Agent:

Rep ID: **PDLP_AD1015**

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 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. 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. 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

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

character and setting of the wider area and capable of sustaining an appropriate after-use.

Paragraph/Site: **ME2312b**

Consultee: **942768**

Mr Andrew Wood

Agent:

Rep ID: **PDLP_AD1778**

Soundness - Positively Prepared Is the need for these sites justified?.

Soundness - Consistent with National Policy Taken together these sites impact heavily on a large area of open and attractive countryside.

Council Response No change.The need for the mineral - clay and shale in this instance - has been set out in background paper 9 (BP9), 'Minerals Technical Paper' pages 10-11, paragraphs 5.31-5.38.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. Criteria set out in policy PLP 36 would apply.

Paragraph/Site: **ME2312b**

Consultee: **943612**

Helen France

Agent:

Rep ID: **PDLP_AD2058**

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 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).T his 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 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

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

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 could provide adequate access provision. If considered expedient formal routeing arrangements can be imposed with regard to any subsequent planning application. Such an arrangement already affects the existing Peace Wood Quarry. 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 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: **ME2312b**

Consultee: **943973 Mr David Newby**

Agent:

Rep ID: **PDLP_AD1016**

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 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. 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. 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.

Paragraph/Site: **ME2314**

Consultee: **942768 Mr Andrew Wood**

Agent:

Rep ID: **PDLP_AD1783**

Soundness - Positively Prepared

Appears excessive compared to need over plan period and compared to potential impacts.

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. As indicated in paragraph 142 of

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

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: **ME2314**

Consultee: **942968**

Mrs Carol Brook

Agent:

Rep ID: **PDLP_AD1239**

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 between the two villages 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 changeThe 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 site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels. 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 through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor. The technical appraisal has identified no biodiversity constraints. Sympathetic site restoration can increase local biodiversity. The detail of required mitigation measures would be secured through conditions/obligations at the planning application stage.

Paragraph/Site: **ME2314**

Consultee: **943162**

Mr Frank Dolan

Agent:

Rep ID: **PDLP_AD1425**

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 changeThe Council consider the Local Plan to be legally compliant and have demonstrated this through background document 1 (BP1), 'Kirklees Local Plan Legal Compliance Checklist'. The minerals technical paper (BP9) sets out the need for clay and shale - the target mineral in this location - and justifies the

approach taken towards the inclusion of such sites in the Local Plan. Refer to pages 10-11, paragraphs 5.31-5.38. 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 – 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 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 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). DTC Response: 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, Wakefield will work with Kirklees Council over time to discuss cross-boundary infrastructure and traffic impact issues.

Paragraph/Site: **ME2314**

Consultee: **943612 Helen France**

Agent:

Rep ID: **PDLP_AD2059**

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. Policy PLP 37 provides a positive policy framework

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

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 excluding the area from the proposed extraction void or providing replacement provision of equal or better quality in the area of need. Where an application for minerals has the potential to affect public rights of way then PLP 23

Paragraph/Site: **ME2314**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP_AD3780**

Council Response

SUPPORT - No change, support for allocation noted.

Paragraph/Site: **ME2314**

Consultee: **943973 Mr David Newby**

Agent:

Rep ID: **PDLP_AD1018**

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. 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.

Paragraph/Site: **ME2314**

Consultee: **944053 Mr Stephen Ayre**

Agent:

Rep ID: **PDLP_AD1284**

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 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. 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 through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through

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

Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.

Paragraph/Site: **ME2314**

Consultee: **965106**

Mrs Emily Fenton

Agent:

Rep ID: **PDLP_AD282**

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

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.Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.

Paragraph/Site: **ME2314**

Consultee: **966867**

mrs sandra mitchell

Agent:

Rep ID: **PDLP_AD237**

Soundness - Justified

Impact on landscape, amenity, health and highways.

Proposed Change Requested

Remove the 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.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 through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.

Paragraph/Site: **ME2314**

Consultee: **966889**

mr paul mitchell

Agent:

Rep ID: **PDLP_AD246**

Soundness - Justified

This proposed area of search is too close to local villages, school, church, playing field and footpaths, it would have a detrimental impact on this area and the health and wellbeing of residents and visitors.The roads are too narrow to accommodate the large vehicles which would be needed and there would be noise and dust pollution.

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.Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.

Paragraph/Site: **ME2314**

Consultee: **969399**

Mrs Magdalen Blanshard

Agent:

Rep ID: **PDLP_AD1324**

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 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). 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 through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a ‘Mineral Extraction’ site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.

Paragraph/Site: **ME2314**

Consultee: **975281 Ben Jones**

Agent:

Rep ID: **PDLP_AD490**

Soundness - Justified

Destruction of recreation facilities: The site is crossed by a public right-of-way, this footpath would be destroyed. Health and Safety: Increase in heavy goods vehicles. If allowed to go ahead, there would undoubtedly be a significant increase in large trucks. There is no road access to the site apart from Cumberworth Lane, the road that links Lower and Upper Cumberworth. 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 housing and a school. Negative Impact on the Landscape: This site sits on the side and top of a hill, the impact on the landscape would be huge if it was allowed to be quarried on as it would be visible for miles around. Site ME2314 is only a part of a massive overall site that includes ME2248a, ME2248b, ME2248c, and ME2314. If quarrying was allowed to take place on each of these sites, the impact on the local landscape would be massive and totally out of scale. The character of the landscape would be changed for ever. The development would likely cause significant drop in house values in the villages in the immediate vicinity.

Proposed Change Requested

The site should be removed from the local plan.

Council Response

No change 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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a ‘Mineral Extraction’ site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor. 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. 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

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

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 on house prices is not a planning consideration.

Paragraph/Site: **ME2314**

Consultee: **978216 Cllr Jim Dodds**

Agent:

Rep ID: **PDLP_AD1648**

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. • 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

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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor. 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: **ME2314**

Consultee: **1034451 Mr John Clayton**

Agent:

Rep ID: **PDLP_AD130**

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. 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 through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor. The detail of required mitigation measures would be secured through conditions/obligations at the planning application stage.

Paragraph/Site: **ME2314**

Consultee: **1043186 Dr Toby Capstick**

Agent:

Rep ID: **PDLP_AD1979**

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.

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

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.

Paragraph/Site: **ME2314**

Consultee: **1045830 mr david firth**

Agent:

Rep ID: **PDLP_AD144**

Soundness - Justified It is located adjacent to both villages of Upper & Lower Cumberworth and will cause noise & air pollution to residents of both villages. It has no road access other than the narrow Cumberworth Lane. Vehicles accessing the site will have to pass either through Upper or Lower Cumberworth with resultant congestion & danger to pedestrians. Cumberworth Lane is too narrow to allow vehicles to pass currently and there is only a very narrow footpath. Pedestrian safety will be at risk from quarry vehicles. Children using the footpath accessing Cumberworth School from Lower Cumberworth will be at risk. Local footpaths across open land will be destroyed. It will destroy the character of the landscape & will be a prominent visible scar from across the valley. It is adjacent ancient woodland & will destroy the natural habitat of wildlife in the area.

Proposed Change Requested Do not designate as mineral search. Leave the land in its current designation of green belt.

Council Response No change. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels. 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 through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor. The detail of required mitigation measures would be secured through conditions/obligations at the planning application stage.

Paragraph/Site: **ME2314**

Consultee: **1045833 Ms Rosemary de Csernatony**

Agent:

Rep ID: **PDLP_AD890**

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.

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.

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. 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 through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor. The detail of required mitigation measures would be secured through conditions/obligations at the planning application stage.

Paragraph/Site: **ME2314**

Consultee: **1045911 Mr Roger Pearson**

Agent:

Rep ID: **PDLP_AD154**

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

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

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. 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 through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor. The detail of required mitigation measures would be secured through conditions/obligations at the planning application stage.

Paragraph/Site: **ME2314**

Consultee: **1046684 mr john townsend**

Agent:

Rep ID: **PDLP_AD1177**

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 and the impact of noise and dust on resident's health. 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. 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. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor. 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.

Paragraph/Site: **ME2314**

Consultee: **1046686 Mrs Melanie Crossland**

Agent:

Rep ID: **PDLP_AD1227**

Soundness - Positively Prepared

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.

Soundness - Justified

Objection to ME2314 on the grounds of proximity to Upper Cumberworth village and the negative impacts the quarry will have on homes; people's health;

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

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. 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 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 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. A technical appraisal would be required to address biodiversity issues and constraints, this would be required to be submitted as part of the planning application process. Sympathetic site restoration could increase local biodiversity. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.

Paragraph/Site: **ME2314**

Consultee: **1047137 Dr Neil Denby**

Agent:

Rep ID: **PDLP_AD460**

Soundness - Positively Prepared

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.

Soundness - Justified

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.

Soundness - Consistent with National Policy

The site runs counter to the NPPF paragraphs; 7,112,144.

Proposed Change Requested

Remove the ME 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 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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.

Paragraph/Site: **ME2314**

Consultee: **1047177 Mr Roy Griffin**

Agent:

Rep ID: **PDLP_AD1876**

Soundness - Justified

Plans eliminate the only public play area in Upper and Lower Cumberworth. This is an unacceptable reduction in local amenities. Access to MF2248 and

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

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.

Proposed Change Requested

- Eliminate the public play area in Upper Cumberworth from the plans under ME 2248

Council Response

No change. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.

Paragraph/Site: **ME2314**

Consultee: **1047458 mrs julie Seage**

Agent:

Rep ID: **PDLP_AD1338**

Soundness - Positively Prepared

The proposals need to take Draft Local Plan Policy 37 (mineral extraction) into consideration.

Soundness - Justified

Objection to site ME2314 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 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

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

Council Response

No change. 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. 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. 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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor. 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 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 seeks to support healthy, active and safe lifestyles.

Paragraph/Site: **ME2314**

Consultee: **1048436 Mrs Joan Wood**

Agent:

Rep ID: **PDLP_AD312**

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

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 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 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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.

Paragraph/Site: **ME2314**

Consultee: **1048733 Pauline Tyas**

Agent:

Rep ID: **PDLP_AD1763**

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 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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor. 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).

Paragraph/Site: **ME2314**

Consultee: **1048864 Louise Barrowcliffe**

Agent:

Rep ID: **PDLP_AD1314**

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.

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

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	<p>No change. 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 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 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 and Article 1. 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 seeks 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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor. 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. 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. 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 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.</p>

Paragraph/Site: **ME2314**

Consultee: **1049133 Mrs Susan Ellis**

Agent:

Rep ID: **PDLP_AD406**

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 be too close to the primary school and local residential areas.

Proposed Change Requested Remove site ME2314 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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.

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

Paragraph/Site: **ME2314**Consultee: **1049317 Mr Brian Sivyour**

Agent:

Rep ID: **PDLP_AD497****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 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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor. 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. 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. Such mitigation can also reduce the effects associated with mineral extraction with regard to visual amenity and landscape character.

Paragraph/Site: **ME2314**Consultee: **1049323 Mr Alan Howarth**

Agent:

Rep ID: **PDLP_AD1346****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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels - refer to background paper BP29. 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: **ME2314**Consultee: **1049397 mr michael carter**

Agent:

Rep ID: **PDLP_AD565****Soundness - Justified**

The proposal will destroy open green belt in the vicinity of Lower & Upper Cumberworth which is contrary to Kirklees Sustainability Appraisal. This is on the

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

grounds of road safety to the narrow Cumberworth Lane; no appropriate road access for HGVs; diesel pollution & noise to adjacent residential areas; blight on the landscape. (Any workings will be highly visible from across the valley & will be a scar on the valley side for generations).

Proposed Change Requested

Do not permit site ME2314. Leave the area designated as green belt.

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. 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. Such mitigation can also reduce the effects associated with mineral extraction with regard to wider 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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.

Paragraph/Site: **ME2314**

Consultee: **1049426 Mrs Laura Clark**

Agent:

Rep ID: **PDLP_AD587**

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

Destruction of recreation facilities: The site is crossed by a public right-of-way, this footpath would be destroyed. Health and Safety Increase in heavy goods vehicles. If allowed to go ahead, there would undoubtedly be a significant increase in large trucks. There is no road access to the site apart from Cumberworth Lane, the road that links Lower and Upper Cumberworth. • 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 housing and a school. 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: This site sits on the side and top of a hill, the impact on the landscape would be huge if it was allowed to be quarried on as it would be visible for miles around. Site ME2314 is only a part of a massive overall site that includes ME2248a, ME2248b, ME2248c, and ME2314. If quarrying was allowed to take place on each of these sites, 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: The development would likely cause significant drop in house values in the villages in the immediate vicinity.

Proposed Change Requested

Site ME2314 should never be considered as a Mineral Extraction Site.

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. 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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor. Impact on house prices is not a planning consideration. 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'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: **ME2314**

Consultee: **1049426 Mrs Laura Clark**

Agent:

Rep ID: **PDLP_AD595**

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

Destruction of recreation facilities: The site is crossed by a public right-of-way, this footpath would be destroyed. Health and Safety Increase in heavy goods vehicles. If allowed to go ahead, there would undoubtedly be a significant increase in large trucks. There is no road access to the site apart from Cumberworth Lane, the road that links Lower and Upper Cumberworth. • 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 housing and a school. 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: This site sits on the side and top of a hill, the impact on the landscape would be huge if it was allowed to be quarried on as it would be visible for miles around. Site ME2314 is only a part of a massive overall site that includes ME2248a, ME2248b, ME2248c, and ME2314. If quarrying was allowed to take place on each of these sites, 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: The development would likely cause significant drop in house values in the villages in the immediate vicinity.

Proposed Change Requested

Site ME2314 should never be considered as a Mineral Extraction Site.

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. 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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland

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

Moor. Impact on house prices is not a planning consideration. 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'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: **ME2314**

Consultee: **1049426 Mrs Laura Clark**

Agent:

Rep ID: **PDLP_AD3591**

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 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 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. 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 through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor. 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. Impact on house prices is not a planning consideration.

Paragraph/Site: **ME2314**

Consultee: **1049428 Mr Oliver Clark**

Agent:

Rep ID: **PDLP_AD589**

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.

Soundness - Justified

The site should never be considered for mineral extraction because of the destruction to the countryside and recreation facilities, including the public right-of-way across the site. There would be an adverse effect on health and safety from a significant increase in heavy goods vehicles and there is no access road to the site except for Cumberworth Lane which is unsuitable, narrow and used by school children. Noise and air pollution from trucks and quarrying would have a negative impact on health and be intrusive. There would also be vibration issues being close to housing and the school and have a negative impact on the character of the landscape, particularly as this site is on a hill and will be visually intrusive from a wide area. The site is part of a larger area of mineral extraction sites which would have a massive impact on the local landscape and be totally out of scale. It would cause significant drop in house prices in nearby villages, especially Bromley Park.

Proposed Change Requested

Do not proceed.

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. 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

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

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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor. Impact on house prices is not a planning consideration. 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'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: **ME2314**

Consultee: **1049507 Mike Beecroft**

Agent:

Rep ID: **PDLP_AD1697**

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.

Council Response

No change. The site assessment concluded that the impacts of noise, dust and light pollution can be mitigated to acceptable levels. 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 through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.

Paragraph/Site: **ME2314**

Consultee: **1049593 Miss Teresa Briggs**

Agent:

Rep ID: **PDLP_AD3325**

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. 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 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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.

Paragraph/Site: **ME2314**

Consultee: **1049599 Mr James George**

Agent:

Rep ID: **PDLP_AD651**

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 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. This site in particular will be able to be viewed from Shelley across the valley. 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. There is no viable access route to this site for quarry traffic. 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.

Proposed Change Requested

Permission should not be given for this site.

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 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 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 through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor. 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).

Paragraph/Site: **ME2314**

Consultee: **1058320 Liz Lloyd**

Agent:

Rep ID: **PDLP_AD1116**

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 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. Impact on any Listed Building, would be assessed through the planning application process. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An

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

example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.

Paragraph/Site: **ME2314**

Consultee: **1058409 Mrs June Wagstaff**

Agent:

Rep ID: **PDLP_AD1141**

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. 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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.

Paragraph/Site: **ME2314**

Consultee: **1059233 Sheila Lock**

Agent:

Rep ID: **PDLP_AD1190**

Legally Compliant

It has been difficult to download documentation to comment on the proposals in the local plan.

Soundness - Positively Prepared

Objection to site ME2314 as it contradicts a range of existing policy approaches.

Soundness - Justified

Objection to site ME2314. As a resident living within Upper Cumberworth Conservation Area I am horrified by the proposals.

Soundness - Consistent with National Policy

Objection to site ME2314 as it contradicts a range of existing policy approaches.

Council Response

No change. 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 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: **ME2314**

Consultee: **1059404 Maggie Walker**

Agent:

Rep ID: **PDLP_AD3274**

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 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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.

Paragraph/Site: **ME2314**

Consultee: **1059407 Martin Moonie**

Agent:

Rep ID: **PDLP_AD1260**

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. 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 changeThe 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 through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a ‘Mineral Extraction’ site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.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 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.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.

Paragraph/Site: **ME2314**

Consultee: **1059419 Allan Siddal**

Agent:

Rep ID: **PDLP_AD1277**

Soundness - Justified

The site is in the green belt and development will permanently alter the land/landscape Public rights of way run through or nearby to the site, including Kirklees Way to the east. The site is not proportionate in scale to Lower Cumberworth The site conflicts with policies on community health due to noise and dust that will impact on people's health and wellbeing. Local roads are not suitable for the increase in traffic. There is a riding school close to the site's entrance.

Proposed Change Requested

The site should remain as agricultural land in the green belt.If permitted, there should be a buffer zone from the eastern and western edges to protect local residents. Local footpaths and the Kirklees Way should be protected from the impacts of noise and dust.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.

Council Response

No changeNPPF 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.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

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

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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.

Paragraph/Site: **ME2314**

Consultee: **1059499 Sylvia Sykes**

Agent:

Rep ID: **PDLP_AD1295**

Soundness - Justified

Objection to site ME2314 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.

Council Response

No change. The use of screen planting, screen mounds and standoff areas could effectively screen a minerals site and therefore reduce the effects associated with mineral extraction with regard to visual amenity and landscape character. A technical appraisal would be required to identify any biodiversity issues and constraints - this would be required to be submitted as part of the planning application process. An Air Quality Impact Assessment would be required as part of the planning application process. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.

Paragraph/Site: **ME2314**

Consultee: **1059552 Sarah and Sean Barry**

Agent:

Rep ID: **PDLP_AD1332**

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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor. 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.

Paragraph/Site: **ME2314**

Consultee: **1059564 Iain Burton**

Agent:

Rep ID: **PDLP_AD1361**

Soundness - Justified

Close to residential areas. Will have a negative impact on health. Dust and noise pollution. 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 irreversibly impacted by any quarrying activity.

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. Access can be achieved through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor. 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: **ME2314**

Consultee: **1059692 Mr Nigel Senior**

Agent:

Rep ID: **PDLP_AD1445**

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 changeThe 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.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 and Article 1.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 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 through the provision of third party land, and / or through measures to reduce traffic speeds in the vicinity. It is recognised that the local road network is constrained and therefore HGV routing through Upper Cumberworth would be problematic. Alternative routing could potentially be achieved by crossing Cumberworth Lane on to neighbouring land, which is currently being promoted as a 'Mineral Extraction' site. Linking access could therefore be achieved via Barnsley Road. An example of this type of arrangement has been approved at Thewlis Lane, Crosland Moor.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.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 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.

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

Paragraph/Site: **ME1965a** Consultee: **942768** **Mr Andrew Wood** Agent: Rep ID: **PDLP_AD1785**

Soundness - Positively Prepared Question justification for such a large allocation set against large current land bank.

Council Response No change.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.

Paragraph/Site: **ME1965a** Consultee: **942774** **Lauren Garside** Agent: Rep ID: **PDLP_AD3813**

Soundness - Justified - The allocation site contains two water courses of regional significance; Park Dike and the River Dearne. - The proposed development has the potential to impact the water courses in a number of ways: 1) The loss of the water courses from within the allocation site, 2) Impacts to the geomorphology of the water courses, 3) Impacts on the water quality of the water courses and 4) Impacts on the biodiversity status of the water courses. - It is also important to note that impacts may not be localised to the sections of water courses within the development site, they may also impact sections lower down in the catchment.

Soundness - Consistent with National Policy - If the proposed mineral extraction does lead to such impacts, it may not be compliant with the aims of the EU Water Framework Directive (2000). In addition, if biodiversity impacts occur and the development leads to losses in biodiversity it will not be compliant with Paragraphs 9 and 118 of the NPPF.

Proposed Change Requested Due to the potential impacts to Park Dike and the River Dearne, Yorkshire Wildlife Trust advises that they are added to the list of constraints for the site in the policy wording and that the requirement for a full assessment of impacts on the water courses is included in the 'Reports required' section of the policy. All extraction activities on the site should not lead to impacts on the watercourses.

Council Response Change.SD4: Proposed Modifications to the Local Plan: AD-MM76: Text to be added to constraints "River Dearne and The Park Dike cross the site" additional text to be added to Reports "Hydrological Risk Assessment required to assess impacts on ground water and surface water regimes"

Paragraph/Site: **ME1965a** Consultee: **942963** **Mr Richard Brook** Agent: Rep ID: **PDLP_AD1430**

Soundness - Positively Prepared Site ME1965A is unreasonable use of the green belt.

Soundness - Justified It is too close to people's homes and will impact on people's health and quality of life. It will affect the source of the River Dearne & Park Dike watercourse, with disastrous ecological consequences.

Council Response No change.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.Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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.Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission.

Paragraph/Site: **ME1965a** Consultee: **943092** **Mrs Dawn Smith** Agent: Rep ID: **PDLP_AD88**

Soundness - Justified The area has enough quarries in the area and the draft proposal of ME1965a would cause unrepairable damage to the people who live in Birds Edge.

Proposed Change Requested Withdrawal of ME1965a from the draft and Include Rejected site H177 into it as a housing site.

Council Response No change.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.Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council.

Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo's 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 impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.

Paragraph/Site: **ME1965a**

Consultee: **943445**

Cllr John Taylor

Agent:

Rep ID: **PDLP_AD2927**

Soundness - Justified

The Plan wrongly describes ME1965a as being part of Appleton Quarry & whilst the Quarry owner Marshalls, have submitted the proposal, the land is actually owned by a local farmer. This is a large site of untouched farmland characterised by drystone walls, a feature of the local landscape and is currently used for cattle and sheep. It is bounded by Dearne Dike Lane, Park Head Lane and Rusby Wood where there is a Yorkshire Water facility. It is adjacent to the village of Birdsedge & the settlement of Haddingley with houses very close to the edge of the site. The roads surrounding the site are narrow lanes, unsuited to HGVs or the traffic volumes associated with a quarry of this size & scale. At the current rate of extraction, there is sufficient land available still to quarry for the life time of the local plan and well beyond and there is no demand or need at this time to include 1965a in the plan for immediate extraction. If this land is intended to become part of the Appleton Quarry the current quarry operator already has existing permissions on ME2243 and ME2244 and ME2263 to quarry stone that will last beyond the lifetime of the plan. The inclusion of this further extension of quarrying in this area is unwarranted. ME1965a is also far too close to communities and will impact on those living close to the quarry at Haddingley and Birdsedge and a significant number of objections have been made.

Proposed Change Requested

ME 1965a should be removed from the Publication Local Plan.

Council Response

No change. When the site was originally named in the Draft Local Plan (consulted on November 2015) it was recognised that the site promoter was the same minerals operator on neighbouring land. The two parcels of land making up the new option were considered as one. Because part of the option (now ME1965b) was a physical extension to Appleton Quarry site ME1965 was named to reflect this fact. As work progressed on the submission version of the plan the site was split and site references amended - to reflect the different allocations accepted on them -but the naming was retained. All Minerals Extraction Sites have willing landowners and have been promoted by the minerals industry in accordance with our call for sites exercise. Those sites without willing landowners have either been allocated as Preferred Areas or Areas of Search which do not require a willing landowner. This approach is in accordance with NPPG. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased

negative impact. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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.

Paragraph/Site: **ME1965a**

Consultee: **943612**

Helen France

Agent:

Rep ID: **PDLP_AD2017**

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. 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 policy 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 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 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 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. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWS in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway

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

improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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). 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. 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: **ME1965a** Consultee: **943961 Mrs Elizabeth Spikings** Agent: Rep ID: **PDLP_AD2068**

Soundness - Positively Prepared - Site ME1965a will negatively impact upon the green belt

Soundness - Justified - The allocation of site ME165a would impact upon farming land - Two water courses cross the site - Negative impact upon biodiversity - Negative impact upon the community of Birds Edge

Proposed Change Requested Removal of site ME1965a

Council Response No change 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 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 Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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

Paragraph/Site: **ME1965a** Consultee: **943973 Mr David Newby** Agent: Rep ID: **PDLP_AD1011**

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 has been assessed based on NPPF and NPPG requirements. In particular the need for the mineral has been considered,

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

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 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: **ME1965a**

Consultee: **944135**

Mr Anthony Clifton

Agent:

Rep ID: **PDLP_AD1091**

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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: **ME1965a**

Consultee: **944509**

Mrs Patricia V Smith

Agent:

Rep ID: **PDLP_AD1710**

Soundness - Positively Prepared

Ignored over 200 objections at the consultation stage.

Soundness - Justified

Detrimental to local environment. Landscape is never returned to its former state.

Soundness - Consistent with National Policy

Does not comply with National Policy.

Proposed Change Requested

Remove the site from the plan.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Previous breaches of planning conditions cannot be used to justify the rejection of a proposed allocation. 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: **ME1965a**

Consultee: **944606**

Mrs J Senior

Agent:

Rep ID: **PDLP_AD1186**

Soundness - Positively Prepared

Loss of green belt land. Inappropriate development in the green belt. A large number of residents that objected at the consultation stage have not been

	listened to.
Soundness - Justified	Noise, vibration and nuisance from dust. Too close to many houses. Visual impact. Pollution of watercourses. Impact on wildlife. Increased volume of traffic on narrow lanes.
Council Response	No change.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.Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation.The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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.Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment.Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: ME1965a

Consultee: 944626

Mr Harold Gummerson

Agent:

Rep ID: PDLP_AD2232

Soundness - Positively Prepared	The plan is not legally compliant as the Council ignored 206 objections to this site at the draft Local Plan consultation stage. The allocation fails to comply with many aspects of the Local Plan .
Soundness - Justified	Permanent loss of agricultural land. Cumulative effect - too many quarries in this part of Kirklees. Impact upon landscape and the setting and character of Birds Edge. Impact upon the setting of the Castle Hill Ancient Scheduled Monument. Impact upon the Roman Iron mining sites of Burnt Cumberworth. There are gaps in the analysis of the site, much of which has been based on a study carried out in 2012. Assessment of the site assumes Dearne Grange is uninhabited. Impact on the Trans Pennine Trail and PROWs. Noise, dust and light pollution. Impact on schools, recreational activities and residential homes. Development of the site will affect exposed receptors. Impact on highways (lanes are not suitable etc.) Two water courses - The River Dearne and Park Dike – run through the site and are category one constraints. The mineral is not rare or there is no need / demand for the mineral. The mineral is of poor quality.
Soundness - Consistent with National Policy	Site option has not been promoted by the site owner in accordance with NPPG. Allocation does not comply with NPPF.
Proposed Change Requested	Removal of site from the plan.
Council Response	No change.Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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. 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 echo's 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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.

plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning

permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing – can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a**

Consultee: **947672**

Yvonne Chaplin

Agent:

Rep ID: **PDLP_AD1516**

Soundness - Positively Prepared

Contravenes Policy PLP 36. Over 200 objections received at consultation stage have been ignored.

Soundness - Justified

Too close to houses. Will generate dust, noise and vibration. Effect health and quality of life. Increased volume of traffic will prejudice highway safety. Pollution of watercourses. Inappropriate development in the green belt. Too many quarries in Kirklees.

Soundness - Consistent with National Policy

Contravenes National Planning Policy.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. 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 echo’s 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 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: **ME1965a**

Consultee: **947698**

A Ross & Brian Ross

Agent:

Rep ID: **PDLP_AD2004**

Soundness - Positively Prepared

Contravenes Local Plan Policy 36. Green belt lost.

Soundness - Justified

Significant disturbance - noise, dust and very large lorries on narrow roads.

Soundness - Consistent with National Policy

Contravenes National Policy.

Council Response

No change. 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 policy 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. 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. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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: ME1965a

Consultee: 947700 Mr G Maxwell

Agent:

Rep ID: PDLP_AD115

Soundness - Justified

The Trans Pennine Trail (TPT) route 627 runs along the whole of the western border of site ME1965a Impact on watercourses and water supply Impact on residential amenity Impact on historical character and setting of village Minerals on the site are common across the district Mineral reserve for Kirklees goes beyond plan period Road safety issues Development will not conform to Local Plan policy PLP36

Soundness - Consistent with National Policy

The adverse impacts associated with ME1965 as a proposed mineral extraction site significantly and demonstrably outweigh the benefits when assessed against the NPPF taken as a whole.

Proposed Change Requested

Remove the site from the plan.

Council Response

No change.No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site.Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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.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 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.Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.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 policy 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 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: ME1965a

Consultee: 947736 Ms Susan Steeples

Agent:

Rep ID: PDLP_AD1342

Soundness - Positively Prepared

Does not comply with the Kirklees Vision. Local Plan Objectives, the Joint Health and Well-being Strategy and the Economic Strategy.

Soundness - Justified

Impact on quality of life and health. Noise and dust. Road Infrastructure - increased traffic on narrow roads with no pavements.. Amenity - this is the green belt that attracts walkers etc. Cumulative effect - there are too many quarries in the area. Lack of need - This is not the best Yorkshire Stone.

Soundness - Consistent with National Policy

Does not comply with National Policy.

Council Response

No change.As part of the site appraisal 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

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

sufficient justification to allocate the site. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. 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 echo's 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 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable.

Paragraph/Site: **ME1965a**

Consultee: **949820**

Mrs Ann Blackburn

Agent:

Rep ID: **PDLP_AD2013**

Soundness - Justified

Impact of additional lorries on the existing infrastructure. Impact on the environment.

Soundness - Consistent with National Policy

Not in accordance with National Policy.

Proposed Change Requested

Removal of site from the plan.

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 echo's 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. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. 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: **ME1965a**

Consultee: **953123**

Miss Kylie Radley

Agent:

Rep ID: **PDLP_AD2008**

Soundness - Justified

Destroy beautiful landscapes.

Soundness - Consistent with National Policy

Not carried out in accordance with National Policy.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. The allocation has been assessed based on NPPF and NPPG

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

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: **ME1965a**

Consultee: **960739 F Small**

Agent:

Rep ID: **PDLP_AD2234**

Soundness - Positively Prepared The plan is not legally compliant as the Council ignored 206 objections to this site at the draft Local Plan consultation stage. The allocation fails to comply with many aspects of the Local Plan .

Soundness - Justified There are gaps in the analysis of the site, much of which has been based on a study carried out in 2012. Assessment of the site assumes Dearne Grange is uninhabited. Noise, dust and light pollution. Development of the site will affect exposed receptors. Impact on the Trans Pennine Trail and PROWs. Impact on highways (lanes are not suitable etc.). The mineral is not rare or there is no need / demand for the mineral. The mineral is of poor quality. Permanent loss of agricultural land. Cumulative effect - too many quarries in this part of Kirklees. Two water courses - The River Dearne and Park Dike – run through the site and are category one constraints. Impact upon landscape and the setting and character of Birds Edge. Impact upon the setting of the Castle Hill Ancient Scheduled Monument. Impact upon the Roman Iron mining sites of Burnt Cumberworth.

Soundness - Consistent with National Policy Site option has not been promoted by the site owner in accordance with NPPG. Allocation does not comply with NPPF.

Council Response No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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

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

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 echo's 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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: **ME1965a**

Consultee: **960797**

Mrs Jane Wilson

Agent:

Rep ID: **PDLP_AD36**

Soundness - Justified

This will cause disturbance and nuisance to the residents and surrounding areas of Birdsedge by the generation of dust, noise and vibration. This will impact on the quality of my and my fellow residents health and well being. Highway safety issues in Birdsedge. Impact on River Dearne and Park Dike. Loss of agricultural land. Impact on landscape amenity.

Proposed Change Requested

Remove the site.

Council Response

No Change The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. As part of the site appraisal 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.

Paragraph/Site: **ME1965a**

Consultee: **960952**

Jane Johnston

Agent:

Rep ID: **PDLP_AD463**

Soundness - Justified

- Much of the analysis presented is out of date (2012). There are gaps in the analysis and out of date assumptions. For example, the council believed that the high value family homes at Dearne Grange were uninhabited and derelict. These buildings were restored in 1980/81. The analysis is flawed and therefore the decision making is based on inaccurate information.
- If/when the site is developed there will be considerable dust, noise and light pollution to receptors including houses at Dearne Grange (5 metres) and Park Head (100 metres away) and the Springfield, Farm, Barn, House, Cottage and Laithe community, as well as the primary school. Most are downwind of the prevailing winds. There are 40 houses (receptors) within 100 metres of the site and a total of 178 receptors within 500 metres of the site, including the highly regarded primary school, recreation ground, sports field and school playing field.
- Development of this site will have a significant negative impact on exposed receptors (walkers, horse riders, cyclists, tourists) in this historic, picturesque environment - the Trans Pennine Trail (runs right alongside site ME1965a). Exposed receptors include children in the school yard/field, recreation ground, and people at Cumberworth Football Club matches and events. In the last twelve years there have been 9 accidents with 22 casualties at or near the Carr Hill junction. The development of the site will exacerbate this and will prejudice highway safety with vehicle movements along Park Head Lane/Carr Hill Road to the A629 and the busy Sovereign cross roads. There are no footpaths to protect pedestrians.
- Road Safety: Kirklees doesn't have the road infrastructure to support this site during the lifetime of the plan.
- According to Kirklees's own research paper, Site ME1965a has two category 1 constraints and one category 2 constraint.

However, the paper 'Identifying Future Mineral Sites' produced by Urban Vision and Kirklees Council states that there are constraints on water courses when identifying sites, and secondary constraints on river valleys. In addition the river Dearne supplies water to Hinchliffe's Mill in Denby Dale, a local employer of 350 people. The development of site ME1965a, will be materially detrimental to the local environment, local wildlife, and affect the watercourses of the River Dearne and Park Dike which run through and alongside the proposed site. • The West Yorkshire reserve of mineral aggregates is currently sufficient for 26 years - way beyond the lifetime of this local plan and Kirklees already has mineral extraction sites/quarries ensuring supplies beyond the lifetime of this plan. • High quality Yorkshire stone - i.e. for architectural use is not found on the ME1965a site, except for a tiny band at the tip of the north end - which is only suitable for flagstones. The rest of the site would only provide poor quality stone for aggregates of which Kirklees has enough. • Cumulative effect. There are already too many quarries in this part of Kirklees. • It will result in permanent loss of good agricultural land suitable for grazing cattle and sheep. • The village of Birdsedge village within the Green Belt. The lie of the land means that this potential quarry will be seen from all over the village. It will impact on the ancient monument and protected site of Castle Hill, Denby Dale. It will be seen from Castle Hill monument, Huddersfield. It will potentially destroy part of the Roman iron mining site of Burnt Cumberworth (still to be excavated). It will be visible from the Upper Dearne Woodlands and the Trans Pennine Trail. It should be noted that the existing Appleton Quarry is on the other side of a steep ridge and can't be seen or heard from Birdsedge. There are currently no quarries in Birdsedge (and never have been). It will cause unacceptable detriment to local visual and residential amenity. It will cause unacceptable detriment to a valued landscape within the Green Belt.

Soundness - Consistent with National Policy

The Council has failed to follow The National Planning Policy Guidance practice which clearly sets out that once an area has been identified, it should then be put out to landowners. This site has not been identified in such a way. The identification exercise has not been carried out in accordance with NPPG. The identification and analysis of this site is unsound and the inclusion of this site contravenes the National Planning Policy Framework.

Proposed Change Requested Council Response

Removal of Site ME1965a will make the plan sound.

No change. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood

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

Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo's 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 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. 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. All Minerals Extraction Sites have willing landowners and have been promoted by the minerals industry in accordance with our call for sites exercise. Those sites without willing landowners have either been allocated as Preferred Areas or Areas of Search which do not require a willing landowner. This approach is in accordance with NPPG.

Paragraph/Site: **ME1965a**

Consultee: **961461 Mr Ian Smart**

Agent:

Rep ID: **PDLP_AD34**

Soundness - Justified

Poor road network in the surrounding area. Investment required in junction A629.. Impact on residents' health and amenity.

Proposed Change Requested

Remove site from the plan.

Council Response

No Change Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. As part of the site appraisal 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.

Paragraph/Site: **ME1965a**

Consultee: **962192 Mr Whitmore Payne**

Agent:

Rep ID: **PDLP_AD139**

Legally Compliant

How can such a major proposal come about and be moved forward without at least the courtesy of a letter to the residents, farmers, land users and businesses of the area.

Soundness - Justified

Negative impact to the residential properties immediately bordering the allocation

Proposed Change Requested

Removal of ME1965a

Council Response

No change. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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.

Paragraph/Site: **ME1965a**

Consultee: **962195 Mrs Joanna Hurdley**

Agent:

Rep ID: **PDLP_AD790**

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

Soundness - Positively Prepared	It contravenes the Council's own Policy PLP 36
Soundness - Justified	Too close to homes, impact on local green belt, impact on visual amenity, prevailing winds will carry dirt and noise pollution to unacceptable levels to too many near by homes, effect on local water courses is unacceptable.
Soundness - Consistent with National Policy	It contravenes the National Planning Policy Framework.
Proposed Change Requested	Removal of the site ME 1965a is required to make the plan sound
Council Response	No change. 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 policy 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission.

Paragraph/Site: **ME1965a**

Consultee: **963321**

Mr Josh England

Agent:

Rep ID: **PDLP_AD3114**

Soundness - Positively Prepared	- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt
Soundness - Justified	- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt
Soundness - Consistent with National Policy	- Identification of the site was not carried out in accordance with national policy / guidance
Proposed Change Requested	Removal of site from the plan.
Council Response	No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a**

Consultee: **963361**

Mrs Jacey Bedford

Agent:

Rep ID: **PDLP_AD253**

Soundness - Positively Prepared

The site does not meet the Kirklees vision, local plan objectives, requirements of the joint health and wellbeing strategy and economic strategy.

Soundness - Justified

Site ME1965a does not comply with objectives and policies of the LDP – in particular policies 1, 2, 6, 7, 10, 19, 20, 21, 25, 30, 48, 51, 52, 55, 36, 38, and 39. The site will impact on residential amenity, health, traffic and highway safety and watercourses. Impact on character of setting of Birdsedge. Kirklees is already over-supplied with mineral extraction sites and the best quality stone is not found on the majority of the site.

Soundness - Consistent with National Policy

Site ME1965a does not comply with the National Planning Policy Framework paragraphs 1,7,9,10,14,15,17,28,58,61,64,69,73,74,75,70,80,81,86,88,109,110,120,122,123,125,126,131,142, 150,151,152,155,157,158 and 163

Proposed Change Requested

Remove the 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. As part of the site appraisal 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. 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 policy 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The need for the mineral – as presented by the site promoter – has been considered against other economic impacts in line with NPPF para 142, 143 and NPPG para’s 10 and 86-89 (minerals chapter). It is considered that through appropriate levels of mitigation the potential for economic loss could be successfully mitigated. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme

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

with progressive restoration would help to ensure there is no significant increased negative impact. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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: **ME1965a**

Consultee: **963361**

Mrs Jacey Bedford

Agent:

Rep ID: **PDLP_AD252**

Legally Compliant

Technical difficulties with Kirklees website. Comments not published as they are received, large files not being able to be uploaded to the website and late response submitted by community group

Soundness - Positively Prepared

The site does not meet the Kirklees vision, local plan objectives, requirements of the joint health and wellbeing strategy and economic strategy. The selection of site ME1965a has been industry-led without reference to objectively assessed infrastructure requirements. The inclusion of site ME1965 is not the most appropriate when considered against reasonable alternatives.

Soundness - Justified

Site ME1965a does not comply with objectives and policies of the LDP – in particular policies 1, 2, 6, 7, 10, 19, 20, 21, 25, 30, 48, 51, 52, 55, 36, 38, and 39. The site will impact on residential amenity, health, traffic and highway safety, the local economy and watercourses. Impact on character of setting of Birdseidge. Kirklees is already over-supplied with mineral extraction sites and the best quality stone is not found on the majority of the site. The site hasn't been safeguarded in a previous plan. Stone is no longer extracted from Appleton Quarry despite there being land available that already has planning permission. Allowing quarrying at this site is inconsistent with not allowing housing in the settlement because of green belt policy. The site had more comments than other sites (e.g. Honley minerals site) but did not feature in council literature.

Soundness - Consistent with National Policy

Site ME1965a does not comply with the National Planning Policy Framework paragraphs 1,7,9,10,14,15,17,28,58,61,64,69,73,74,75,70,80,81,86,88,109,110,120,122,123,125,126,131,142, 150,151,152,155,157,158 and 163. The identification exercise has not been carried out in accordance with NPPG.

Proposed Change Requested

Remove the 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 are published on the council's website. 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. As part of the site appraisal 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. 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 policy 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least

constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The need for the mineral – as presented by the site promoter – has been considered against other economic impacts in line with NPPF para 142, 143 and NPPG para’s 10 and 86-89 (minerals chapter). It is considered that through appropriate levels of mitigation the potential for economic loss could be successfully mitigated. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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: **ME1965a**

Consultee: **963361**

Mrs Jacey Bedford

Agent:

Rep ID: **PDLP_AD3634**

Soundness - Positively Prepared

- Site ME1965a does not comply with LP policy 36 "Proposals for Mineral Extraction" - Site ME1965a does not meet the requirements of the Kirklees Vision or LP Objectives 1, 3, 5, 6, 7, 8, and 10 - ME1965a fails to meet the requirements of the Kirklees Joint Health and Wellbeing Strategy - ME1965a fails to meet the requirement of the Kirklees Economic Strategy

Soundness - Justified

- Impact of noise pollution on operation of business from home - Impact on the landscape - Impact on the local economy - Impact on ecology - two watercourses cross the site - Impact upon the operation Z Hinchliffe & Sons mills - employ 350 people - Impact on local residents, walkers, riders, cyclists, runners who use the country roads - Impact on The Trans Pennine Trail - Impact of noise and dust pollution - due to the prevailing winds - on residential amenity - Local road infrastructure cannot accommodate heavy quarry traffic. No pavements and barely any room for two normal sized vehicles to pass - Loss of visual amenity to a significant number of houses

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance - ME1965a does not comply with NPPF paragraphs 1, 7, 9, 10, 14, 15, 17, 28, 58, 61, 64, 69, 73, 74, 75, 70, 80, 81, 86, 88, 109, 110, 120, 122, 123, 125, 126, 131, 142, 150, 151, 152, 155, 157, 158 and 163

Proposed Change Requested

Removal of site ME1965a from the local plan

Council Response

No change. 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 policy 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. As part of the site appraisal 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. Refer to representation PDLP_AD3634 in response to Local Plan objectives. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative

impact. The need for the mineral – as presented by the site promoter – has been considered against other economic impacts in line with NPPF para 142, 143 and NPPG para’s 10 and 86-89 (minerals chapter). It is considered that through appropriate levels of mitigation the potential for economic loss could be successfully mitigated. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. All Minerals Extraction Sites have willing landowners and have been promoted by the minerals industry in accordance with our call for sites exercise. Those sites without willing landowners have either been allocated as Preferred Areas or Areas of Search which do not require a willing landowner. This approach is in accordance with NPPG.

Paragraph/Site: **ME1965a**

Consultee: **963361**

Mrs Jacey Bedford

Agent:

Rep ID: **PDLP_AD3636**

Soundness - Positively Prepared

- The identification of sites has not been positively prepared. The selection of sites has been industry-led - ME1965a does not comply with LP policy PLP36 - The inclusion of sites without willing land owners has mislead the public into thinking there is a threat when there is not - The Council has continually ignored feedback received at the during the draft consultation - over 50% of the community objected. - Site inclusion does not comply with the Councils objective to preserve the openness and character of Birds Edge - Kirklees Council has misled the public through its distributed literature - Why have Kirklees chosen not to publish (on the website), on a running basis, the comments made about this version of the plan? People have been put off taking part because of this approach. It has been made to look as though there were no objections. - Kirklees website does not allow for the upload of large files. These have been sent via email instead with no acknowledgement of receipt - Kirklees has not responded to FOI requests in a timely manner to allow analysis of these to be incorporated into people's responses - We have been informed that FOI requests put in by BOLT(ED) will not be supplied until after the deadline fore responses. -

Soundness - Justified

- The identification of sites has been industry-led, without reference to objectively assessed infrastructure requirements - Minerals technical paper presumes that site ME1965a will get planning permission - The supply of minerals for extraction within Kirklees is already sufficient beyond the life of the plan as mineral extraction in neighbouring Derbyshire already exceeds demand - The inclusion of site ME1965 is not the most appropriate when considered against reasonable alternatives - Site is to close to residential properties - Impact on walkers, cyclists and horse riders - Impact on the Trans Pennine Trail and no mention of it in the site assessment - Site ME1965a was not identified in the 2012 plan and is not safeguarded in the UDP 1999. What has changed in the 3 years from 2012? The inclusion of this site is not justified - Assessment of site ME1965a has assumed nearby properties 5 meters away were unoccupied. These properties are home to 3 families - Naming of the site suggests it is an extension to Appleton Quarry. This is not the case and is therefore misleading. The site is separate and affects a whole new swathe of receptors. - No reference has been made to Appleton Quarry effectively being in a mothballed state - The Council has ignored Z. Hinchliffe and Sons letter and report on their water supply from the River Dearne and its importance to their business operations. - Urban Visions 'Identifying future minerals sites' determines that ground water course are a category 1 constraint - an absolute constraint - whilst river valleys

are a category 2 constraint. Why has this been ignored? - Why has the Wildlife Safeguarded Area and Green Infrastructure Areas not included the start of Park Dike and The River Dearne? - Why have policies been changed that would have further protected this site. The whole of Kirklees is now a Minerals Safeguarding Area. The need for buffer zones has been removed. - People right to a view is not planning law, however a number of people are affected and it is has become a matter of public concern - Stagnation of house prices in the village due to quarrying is an issue of public concern as it can affect the local economy, particularly those industries related to the housing market - Impact of quarrying and its associated operations will impact upon the character of Birds Edge Village making it a less desirable place to live. - Fewer new people moving in means fewer children which will impact upon the viability of the school - Misleading statistics and figures. There are significant differences between the Council's own minerals technical paper and the WYLAA 2013 - The mineral reserve for West Yorkshire exceeds the 10 year requirement. This is likely to increase further given the preference to use recycled aggregates and new build methods - Site was not included in the consulted upon Local Plan in November 2015 - The WYLAA and KMC own minerals technical paper do not support the significant increase of reserve

Soundness - Consistent with National Policy

- The allocation of ME1965a does not comply with the NPPF

Council Response

No change. 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. As part of the site appraisal 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. 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 policy 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. All Minerals Extraction Sites have willing landowners and have been promoted by the minerals industry in accordance with our call for sites exercise. Those sites without willing landowners have either been allocated as Preferred Areas or Areas of Search which do not require a willing landowner. This approach is in accordance with NPPG. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. ME1965a has been assessed as an individual site and not considered as an extension to ME2243. There has been no presumption in favour of quarry extensions applied to ME1965a and the evidence in support of this option is considered proportionate and sufficient to justify its allocation. A separate and more detailed assessment would be required as part of any planning application. 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. When the site was originally named in the Draft Local Plan (consulted on November 2015) it was recognised that the site promoter was the same minerals operator on neighbouring land. The two parcels of land making up the new option were considered as one. Because part of the option (now ME1965b) was a physical extension to Appleton Quarry site ME1965 was named to reflect this fact. As work progressed on the submission version of the plan the site was split and site references amended - to reflect the different allocations accepted on

them -but the naming was retained.Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission.Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment.the need for the mineral –as presented by the site promotor – has been considered against other economic impacts in line with NPPF para 142, 143 and NPPG para’s 10 and 86-89 (minerals chapter). It is considered that through appropriate levels of mitigation the potential for economic loss could be successfully mitigated.Analysis of the site has been carried out in accordance with the Council’s own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them.

Paragraph/Site: **ME1965a**

Consultee: **964967**

Mrs Roz Dilly

Agent:

Rep ID: **PDLP_AD99**

Soundness - Justified

Inclusion of this site contravenes the National Planning Policy Framework and the Council's own Policy PLP 36. When developed the site will cause dust, noise and light pollution to receptors including houses at Dearne Grange (5 metres) and Park Head (100 metres away) as well as the primary school. Development of this site will affect walkers, horse riders, cyclists, tourists and it will prejudice highway safety. Kirklees already has mineral extraction sites/quarries ensuring supplies beyond the lifetime of this plan. The West Yorkshire reserve of mineral aggregates is currently sufficient for 26 years – way beyond the lifetime of this local plan. The best Yorkshire stone - i.e. for architectural use is not found on the site. It will result in permanent loss of good agricultural land suitable for grazing cattle and sheep. It will be materially detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike

Soundness - Consistent with National Policy

Inclusion of this site contravenes the National Planning Policy Framework and the Council's own Policy PLP 36. When developed the site will cause dust, noise and light pollution to receptors including houses at Dearne Grange (5 metres) and Park Head (100 metres away) as well as the primary school. Development of this site will affect walkers, horse riders, cyclists, tourists and it will prejudice highway safety. Kirklees already has mineral extraction sites/quarries ensuring supplies beyond the lifetime of this plan. The West Yorkshire reserve of mineral aggregates is currently sufficient for 26 years – way beyond the lifetime of this local plan. The best Yorkshire stone - i.e. for architectural use is not found on the site. It will result in permanent loss of good agricultural land suitable for grazing cattle and sheep. It will be materially detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike

Proposed Change Requested

Remove the site from the plan.

Council Response

No change.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 policy 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.All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified.The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required.Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site.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

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

mineral – block stone – is of national importance which also needs to be given significant weight. This is in accordance with NPPF paragraph 143. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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: **ME1965a**

Consultee: **964991**

Mrs Samantha Lavy

Agent:

Rep ID: **PDLP_AD64**

Soundness - Justified

Impact on traffic, highway safety, residential and visual amenity, watercourses and the role and function of the Green Belt.

Proposed Change Requested

Remove the site from the plan.

Council Response

No Change Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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.

Paragraph/Site: **ME1965a**

Consultee: **965106**

Mrs Emily Fenton

Agent:

Rep ID: **PDLP_AD47**

Soundness - Justified

The plan will cause disturbance / nuisance by the generation of dust, noise and vibration. Impact on health and quality of life and amenity. Increased traffic to/from the site and possibly along Birds Edge/ Windmill Lanes/Carr hill road to the A629. Impact on the local environment and River Dearne / Park Dike. The site would be inappropriate development within the Green Belt as it will not preserve the openness of the greenbelt nor will it preserve the setting and character of the village within the greenbelt.

Soundness - Consistent with National Policy

The site would be inappropriate development within the Green Belt as it will not preserve the openness of the greenbelt nor will it preserve the setting and character of the village within the greenbelt.

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. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. As part of the site appraisal 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. 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: **ME1965a**

Consultee: **965142**

Mr Mark Burrell

Agent:

Rep ID: **PDLP_AD538**

Soundness - Positively Prepared

The plan is not legally compliant as the Council ignored 206 objections to this site at the draft Local Plan consultation stage. The allocation fails the tests set out in Local Plan policy PLP 36.

Soundness - Justified

Assessment has assumed that the high value homes at Dearne Grange were unoccupied. Noise pollution caused by machinery, blasting and lorries. There are 40 houses within 100 meters and 178 receptors within 500 meters of the site. Impact upon highway safety. Cumulative effect. Too many quarries in this part of Kirklees. Negative impact upon the two watercourses crossing the site. The water courses feed the mill ponds that serve Hinchliffe Mills which could lead to the potential loss of employment. Impact upon biodiversity. Impact on schools. Agrees with the detailed submission provided by the BOLT(ED). The site has now been now split into 2 without notification. Many policies and plans have been added and/or changed without reason or letting those who objected know what was being done and only found out about on the day of the meeting. Property within the close proximity of quarries loose 30% of house value, that alone would account for about £700,000 to the owners of Dearne Grange Barn, Farm and Cottage who are within 5 metres of the planned site. No justification as to why this quarry needs to be put forward for "commercially sensitive reasons that may give the developers competitors secret information" what about our commercially sensitive situation then. The developers have ignored several previous planning approvals to make good the existing site at Appleton Quarry. It will make an eyesore out of an amazing piece of green belt land. There are houses 5m away from the boundary of this quarry and totally unacceptable to be allowed to come so close to any form of dwelling. It will decimate the village of Birds Edge.

Soundness - Consistent with National Policy

The allocation is not in compliance with National Policy.

Proposed Change Requested Council Response

Removal of site ME1965a from the plan.

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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 proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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 echo's 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. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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: **ME1965a**

Consultee: **965278**

Mrs Juliet Thomas

Agent:

Rep ID: **PDLP_AD277**

Soundness - Positively Prepared

208 objections at the public consultation stage (a 55% objection rate from the local population.) were ignored. Site ME1965a does not meet the requirements of the Kirklees Vision or LP Objectives 1,3,5,6,7,8,and 10. It does not meet the requirements of the Kirklees Joint Health and Well-being Strategy or the Kirklees Economic Strategy. Site ME1965a does not comply with LP policy 36 "Proposal for Mineral Extraction".

Soundness - Justified

Site ME1965a will cause disturbance and nuisance from air and noise pollution generated by site operations and associated transport which will impact on people's health and quality of life. Highway safety will be prejudiced by the volume and nature of vehicle movements and there is already a high occurrence of accidents at Sovereign garage crossroads and Carr Hill Lane. It will be detrimental and polluting to the local environment, affecting watercourses which are Category One and Category Two constraints as stated in the paper 'Identifying Future Mineral Extraction Sites' (October 2016). Kirklees is already over-supplied with mineral extraction sites and quarries ensuring supplies beyond the plan period. The best Yorkshire stone is not on the site except for a small part and the rest would only provide poor quality crushing stone that could be extracted from anywhere. It will result in the permanent loss of agricultural grazing land, disrupt wildlife and will have a cumulative effect as there are already too many quarries in this part of Kirklees. The setting and character of the village within the greenbelt will not be preserved and it will cause unacceptable detriment to a valued landscape, visual amenity and residential amenity being clearly visible from many local areas and will impact on the archeologically important ancient monument of Castle Hill.

Soundness - Consistent with National Policy

Site ME1965a does not comply with the National Planning Policy Framework paragraphs 1, 7, 9, 10, 14, 15, 17, 28, 58, 61, 64, 69, 73, 74, 75, 70, 80, 81, 86, 88, 109, 110, 120, 122, 123, 125, 126, 131, 142, 150, 151, 152, 155, 157, 158 and 163.

Proposed Change Requested

Remove site ME1965a from the local 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 are published on the council's website. 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. As part of the site appraisal 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. 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 policy 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 impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. 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 echo's 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. 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: **ME1965a**

Consultee: **965429 Miss Caroline Green**

Agent:

Rep ID: **PDLP_AD146**

Soundness - Justified

Air and noise pollution, affecting green belt land and the primary school and quality of life in the village. Designated working times for the quarry will not resolve this. Traffic disruption from large quarry vehicles will cause an immediate safety risk to many dog walkers, runners, horse riders and cyclists.

Irreversible damage to the water courses of the River Deane and Park Dike would have a negative impact on textile works. These water courses mean that the proposal for site ME1965a has category one and two constraints placed on it, and should not be allowed to go ahead. There is no need for additional quarrying, as West Yorkshire has mineral supplies up to 2040. Furthermore, the quality of stone found at site ME1965a is only suitable for crushing. Loss of agricultural land, impact on water drainage which is already an issue around the residences of Park Head and adverse visual impact to a lovely place.

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.

Paragraph/Site: **ME1965a**

Consultee: **965466**

Mr Caleb Smith

Agent:

Rep ID: **PDLP_AD3150**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative

effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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.

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

Paragraph/Site: ME1965a

Consultee: 965503

Mrs Joanna Cowie

Agent:

Rep ID: PDLP_AD53

Soundness - Justified

The proposal is an inappropriate development in green belt land and it will cause unacceptable detriment to a valued landscape. Impact on health, quality of life, water resources, highway safety and traffic.

Proposed Change Requested

Remove the site from the plan.

Council Response

No Change 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. As part of the site appraisal 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: ME1965a

Consultee: 966136

Mr Stuart Bray

Agent:

Rep ID: PDLP_AD764

Soundness - Positively Prepared

The site ME1965a does not meet the requirements of the Kirklees Vision or LP Objectives 1,3,5,6,7,8, and 10. Site ME1965a fails to meet the requirements of the Kirklees Joint Health and Well-being Strategy. Site ME1965a fails to meet the requirements of the Kirklees Economic Strategy.

Soundness - Justified

The area does not need or have the demand for more mineral extraction. Dust, noise, traffic hazards, interruption of water courses and the work of a large local employer, damage to wildlife, reducing the quality of living that local residents enjoy and the irreversible impact this quarry would have for generations to come. Marshalls have proven that they will not adhere to rules and regulations as demonstrated by their lack of sticking to timescales, working hours (and speed limits) at Appleton Quarry.

Proposed Change Requested

Removal of the site from the plan.

Council Response

No change. 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 policy 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. As part of the site appraisal 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. 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. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on

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

local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.

Paragraph/Site: **ME1965a**

Consultee: **966151**

Mr Jason Adams

Agent:

Rep ID: **PDLP_AD71**

Soundness - Justified

Inconsistent with National Planning Policy Framework and Policy PLP 36. Impact on health, wellbeing, residential amenity. Impact on highway safety and risk of pollution. Loss of agricultural land. Detrimental impact on heritage assets including Castle Hill, High Flatts.

Soundness - Consistent with National Policy

Inconsistent with National Planning Policy Framework and Policy PLP 36. Impact on health, wellbeing, residential amenity. Impact on highway safety and risk of pollution. Loss of agricultural land. Detrimental impact on heritage assets including Castle Hill, High Flatts.

Proposed Change Requested

Remove the site from the plan.

Council Response

No change. 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 policy 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. As part of the site appraisal 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. 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. 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: **ME1965a**

Consultee: **966177**

Mrs Wendy Burrell

Agent:

Rep ID: **PDLP_AD785**

Soundness - Positively Prepared

Contravenes PLP36.

Soundness - Justified

It would generate unacceptable and dangerous levels of dust, noise and light pollution. This would greatly effect the houses at Dearne Grange FIVE METRES away, the houses at Park Head 100m away and the school in Birds Edge 500 metres away. A huge amount of agricultural land used currently for grazing Cattle

and Sheep from local farms and would be lost on a permanent basis and could never ever be restored. The Trans Pennine trail runs the whole way along the western edge of the site. There are two watercourses within the proposed site the River Dearne and Park Dike. The Dearne also supplies water to Hicnhcliffe Mill in Denby Dale a local employer of 350 people and need these sources of water for their existence. There is already far too many quarries in the local area and there is no need for another one especially so large. The architectural use is not found on ME1965a except for a tiny band at the tip of the North end which is only suitable for flagstones. The rest of the site would only provide poor quality stone for aggregate of which Kirklees has more than plenty already. It will prejudice highway safety - Kirklees doesn't have the road infrastructure to support this site and it would add a huge amount of extra lorries to the tiny lanes around the site.

Soundness - Consistent with National Policy

Breaches National guidelines and contravenes the NPPF.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. 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 policy 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 impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

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

Paragraph/Site: ME1965a

Consultee: 966562

Miss Eve Worsley

Agent:

Rep ID: PDLP_AD1737

Soundness - Justified

Will cause dust, noise and light pollution. Prejudice highway safety, narrow lanes with no footpaths.

Soundness - Consistent with National Policy

Does not comply with National Policy.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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: ME1965a

Consultee: 966745

Mr Ron Maxwell

Agent:

Rep ID: PDLP_AD350

Soundness - Justified

- Site is beautiful unspoiled greenbelt area of Yorkshire, a valued and treasured landscape that has been farmland for as long as anyone can remember. - Area is known for its outstanding views and open countryside. - It is Tinker's land not Appleton Quarry which was pointed out in first round of consultation. Officers have dismissed the views of the public. - Appleton Quarry cannot be seen from Bird's Edge - Proposal would lead to destruction of open fields used for animal grazing and silage production. - Site 5 metres from some homes, noise and dust pollution would be detrimental to health and affect quality of life. - Noise and dust would be a distraction to close school - Proposed fields are surrounded by nature network sites, wildlife and biodiversity would be adversely affected. - River Dearne and Park Dyke two water courses that run through these fields which feed into header and mill ponds that support local industry in Birds Edge and Denby Dale. If anything happened to these water courses the Mills would have to close, many people would be forced out of their jobs. - The site would increase the traffic in the area, significantly affecting the safety of the highway. - Many quarries already in this part of Kirklees. Cumulative effects of all this quarry development is irrevocably changing the very character of this landscape not for the better.

Proposed Change Requested

Removal of Site ME1965a will make the plan sound

Council Response

No change. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. When the site was originally named in the Draft Local Plan (consulted on November 2015) it was recognised that the site promoter was the same minerals operator on neighboring land. The two parcels of land making up the new option were considered as one. Because part of the option (now ME1965b) was a physical extension to Appleton Quarry site ME1965 was named to reflect this fact. As work progressed on the submission version of the plan the site was split and site references amended - to reflect the different allocations accepted on them - but the naming was retained. 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 proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated through the provision of appropriate stand-off,

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

screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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 echo’s 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: **ME1965a**

Consultee: **966867 mrs sandra mitchell**

Agent:

Rep ID: **PDLP_AD63**

Soundness - Justified

Impact on amenity, health, watercourses and green belt.

Proposed Change Requested

Remove the site from the plan.

Council Response

No Change The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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.

Paragraph/Site: **ME1965a**

Consultee: **966867 mrs sandra mitchell**

Agent:

Rep ID: **PDLP_AD2051**

Soundness - Positively Prepared

- ME1965a is to the detriment of the local community, this is shown by the 206 objections received at the draft local plan stage

Soundness - Justified

- Allocation is too close the village and will have a negative impact - through noise, dust and light pollution - on nearby residents and the local school - The roads are inadequate to support HGV traffic - Two rivers cross the site - There are enough quarries in this area of Kirklees - Site would result in the permanent loss of good quality agricultural land - The quarry would spoil the beautiful character of the area which is well used by walkers and cyclists etc.

Soundness - Consistent with National Policy

- The identification of site ME1965a was not carried out in accordance with NPPG

Proposed Change Requested

Removal of site ME1965a

Council Response

No change Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of

mitigation. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.

Paragraph/Site: ME1965a

Consultee: 966889

mr paul mitchell

Agent:

Rep ID: PDLP_AD1999

Soundness - Positively Prepared

- Due to the number of objections received at the draft consultation stage this site should not have been included in the plan

Soundness - Justified

- The properties at Dearne Grange are not derelict - The site will impact upon the whole community, including residents, schools and the chapel - There are two watercourse crossing the site and one electricity pole - The surrounding roads are not suitable to accommodate the movement of HGV's associated with the minerals operation. The traffic will make it unsafe for walkers, cyclists, horse riders etc

Soundness - Consistent with National Policy

- The selection of site ME1965a was not carried out in accordance with national planning policy / guidance as it is to the detriment of the local community

Proposed Change Requested

Removal of site ME1965a. The plan is clearly not sound if site ME1965a remains designated for mineral extraction for all of the reasons outline above.

Council Response

No changes raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. The presence of the electricity line crossing the edge of the site can be successfully mitigated. For example, an appropriate stand-off could be put in place. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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: ME1965a

Consultee: 966889

mr paul mitchell

Agent:

Rep ID: PDLP_AD65

Soundness - Justified

Increased traffic and impact on highway safety. Impacts on watercourses, industry, role and function of Green Belt, visual and residential amenity and health.

Proposed Change Requested

Remove the site from the plan.

Council Response

No change. 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.

Paragraph/Site: ME1965a

Consultee: 966935

Mr Michael Davies

Agent:

Rep ID: PDLP_AD76

Soundness - Justified

Inclusion of this site contravenes the National Planning Policy Framework and the Council's own Policy PLP 36. When developed the site will cause dust, noise and light pollution to receptors including houses at Dearne Grange (5 metres) and Park Head (100 metres away) as well as the primary school. Development of this site will affect walkers, horse riders, cyclists, tourists and it will prejudice highway safety. Kirklees already has mineral extraction sites/quarries ensuring supplies beyond the lifetime of this plan. The West Yorkshire reserve of mineral aggregates is currently sufficient for 26 years - way beyond the lifetime of this local plan. The best Yorkshire stone - i.e. for architectural use is not found on the site. It will result in permanent loss of good agricultural land suitable for grazing cattle and sheep. It will be materially detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike

Soundness - Consistent with National Policy

Inclusion of this site contravenes the National Planning Policy Framework and the Council's own Policy PLP 36. When developed the site will cause dust, noise and light pollution to receptors including houses at Dearne Grange (5 metres) and Park Head (100 metres away) as well as the primary school. Development of this site will affect walkers, horse riders, cyclists, tourists and it will prejudice highway safety. Kirklees already has mineral extraction sites/quarries ensuring supplies beyond the lifetime of this plan. The West Yorkshire reserve of mineral aggregates is currently sufficient for 26 years - way beyond the lifetime of this local plan. The best Yorkshire stone - i.e. for architectural use is not found on the site. It will result in permanent loss of good agricultural land suitable for grazing cattle and sheep. It will be materially detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike

Proposed Change Requested

Remove the site from the plan.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. The initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Analysis of the site has been carried out in accordance with the Council’s own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected due to insufficient evidence or an overriding constraint or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual

screening arrangements etc. would be required. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application. Based on the site appraisal the Council is satisfied that appropriate levels of mitigation, through screening and traffic routing, can be secured in relation to this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction although it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. Paragraph 13 of NPPG indicates that one of the principal issues Minerals Planning Authorities 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. Based upon the technical appraisal of the site, neither the Environment Agency nor the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. The development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. No objections to this site were raised from Historic England, Conservation and Design or West Yorkshire Archaeological Advisory Service. However, a predetermination archaeological survey will be required at the planning application stage as the site is not too far from heritage asset PRN11, a probable Iron Age Romano British enclosure. Kirklees Local Plan Strategy and Policies at policy PLP 35 (SD1) states that development proposals affecting a designated heritage asset (or an archaeological site of national importance) should conserve those elements which contribute to its significance, and at criteria 'f' that consideration should be given to "preserve the setting of Castle Hill where appropriate and proposals which detrimentally impact on the setting of Castle Hill will not be permitted". Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.

Paragraph/Site: **ME1965a**

Consultee: **966945**

Mrs Ruth Robinson

Agent:

Rep ID: **PDLP_AD3199**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge -

Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site from the plan.

Council Response

No change 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. The Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Two water courses, the River Dearne and Park Dike run through the site and are category one constraints. Based upon the technical appraisal of the site, neither the Environment Agency who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. 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

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

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 echo's 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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 use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. 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: **ME1965a**

Consultee: **966975**

Miss Lucy Mitchell

Agent:

Rep ID: **PDLP_AD1816**

Soundness - Positively Prepared - The 206 objections show that the inclusion of ME1965a would be to the detriment of the local community

Soundness - Justified

- There are gaps in the outdated analysis of the site (2012) in which assumptions were made that are inaccurate. The properties at Dearne Grange have been assumed uninhabited, however these are family homes which have been restored since 1980/81 - Air, noise and dust pollution will impact upon people's general health and affect the nearby primary school - Movement of heavy traffic is also a safety issue

Soundness - Consistent with National Policy

- The identification and selection of site ME1965a was not carried out in accordance with NPPG

Proposed Change Requested

Removal of site ME1965a

Council Response

No changes raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry. 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: **ME1965a**

Consultee: **967000**

Miss Clare Mitchell

Agent:

Rep ID: **PDLP_AD1976**

Soundness - Positively Prepared - 206 comments were received at the draft consultation stage where it was clearly highlighted that site ME1965a would be to the detriment of the local community

Soundness - Justified

- There are gaps in the analysis of the site, much of which was based on a study carried out in 2012. - Assumptions based on the site are out of date. For

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

example, it was assumed that housing at Dearne Grange were uninhabited. These have been family homes since 1980/81 - The minerals operation will cause dust, noise and light pollution - Development of the site will affect exposed receptors in this historic and picturesque environment

Soundness - Consistent with National Policy

- The identification and selection of the site was not carried out in accordance with national planning policy/ guidance

Council Response

No changes raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. The site option has been identified in accordance with the Council's call for site exercise and has been assessed in line with NPPF/NPPG requirements

Paragraph/Site: **ME1965a**

Consultee: **967000 Miss Clare Mitchell**

Agent:

Rep ID: **PDLP_AD438**

Soundness - Positively Prepared

Over 200 objections at the consultation stage (55% of the local population) have been ignored. This is not consultation.

Soundness - Justified

It will cause significant disturbance and nuisance to the area by generation of dust and noise by the site operations and associated transport, impacting not only on residents quality of life but also their health. It will be detrimental to the local environment and waterways and will destroy green belt land and the setting and character of the village. It will also impact significantly on highway safety through the volume and nature of vehicle movement, result in pollution of water resources and the interruption of land drainage. There are already too many quarries in this part of Kirklees.

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning

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

permission. 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: **ME1965a**

Consultee: **967169**

Mrs Naomi Barstow

Agent:

Rep ID: **PDLP_AD1717**

Soundness - Positively Prepared

Does not comply with Council's own Policy PLP 36.

Soundness - Justified

Impact on health and quality of life. Would cause dust and noise. Take away the countryside. Problems with drainage and pollution.

Soundness - Consistent with National Policy

Does not comply with National Policy.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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: **ME1965a**

Consultee: **967225**

Mrs S. Fretwell

Agent:

Rep ID: **PDLP_AD1181**

Soundness - Positively Prepared

Keep the green belt. Ignored 200+ objections.

Soundness - Justified

Impact on residential homes, watercourses and country lanes. Dust and noise.

Council Response

No Change. 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.

Paragraph/Site: **ME1965a**

Consultee: **967360**

Mrs Sarah Avery

Agent:

Rep ID: **PDLP_AD46**

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

Soundness - Justified Proposal breaches all guidelines relating to mineral extraction. Destruction of prime agricultural land. West Yorkshire has 20 years supply of crushed stone.

Proposed Change Requested Remove the site from the plan.

Council Response No Change 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: **ME1965a** Consultee: **967442 BOLT** Agent: Rep ID: **PDLP_AD119**

Legally Compliant Due to technical difficulties with this consultation site, KMC advised to forward attached report via email to the planning contact centre. No comments are available for view via this site. In the last consultation round everyone had access to what was said. Unfortunately this again portrays the lack of openness and transparency of KMC.

Soundness - Justified It fails to comply with PLP 36

Soundness - Consistent with National Policy It fails to comply with the NPPF and with PLP 36 - planning permission would be refused and to defend an appeal would be costly

Proposed Change Requested Removal of Site ME1965a will make the plan sound

Council Response No change. 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. 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 policy 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.

Paragraph/Site: **ME1965a** Consultee: **967442 BOLT** Agent: Rep ID: **PDLP_AD118**

Legally Compliant KMC have placed a limit on the time to raise issues about the soundness of the Local Plan. They have set this date as 19th December 2016. In October 2016 a number of freedom of information requests were made of KMC. As we have not received the results of these enquiries we reserve the right to add to our submission to this consultation exercise and to present this information to the independent inspector.

Soundness - Justified It is an unsuitable location in the heart of the greenbelt The site has access and traffic safety problems There is no compelling economic reason for the site to be developed. The site does not meet the requirements of the Kirklees Vision or LP Objectives 1,3,5,6,7,8, and 10 Fails to meet the requirements of the Kirklees Joint Health and Well-being Strategy Fails to meet the requirements of the Kirklees Economic Strategy None compliance with objectives and policies of the LDP – in particular policies 1, 2, 6, 7, 10, 19, 20, 21, 25, 30, 48, 51, 52, 55, 38, and 39 None compliance with LP policy 36 “Proposal for Mineral Extraction ” - as it will cause unacceptable detriment to the landscape - Loss of Visual Amenity cause unacceptable loss of Residential Amenity cause nuisance and materially significant disturbance to local residents generate unacceptable volumes of noise from the site operation and associated transport generate unacceptable levels of dust from the site operation and associated transport prejudice highway safety through the volume or nature of vehicle movements it generates; result in pollution of water resources or soils or the interruption of land drainage; result in permanent loss good grazing land. be a threat to health and wellbeing To grant planning permission for this site would constitute a breach of the Human Rights Act 1998 and therefore it should be removed from the LP.

Soundness - Consistent with National Policy None compliance with the National Planning Policy Framework paragraphs 1,7,9,10,14,15,17,28,58,61,64,69,73,74,75,70,80,81,86,88,109,110,120,122,123,125,126,131,142,150,151,152,155,157,158 and 163

Proposed Change Requested Removal of Site ME1965a will make the plan sound

Council Response No change. 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. 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The need for the mineral – as presented by the site promoter – has been considered against other economic impacts in line with NPPF para 142, 143 and NPPG para’s 10 and 86-89 (minerals chapter). It is considered that through appropriate levels of mitigation the potential for economic loss could be successfully mitigated. 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 policy 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. As part of the site appraisal 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 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.

Paragraph/Site: **ME1965a**

Consultee: **967442**

BOLT

Agent:

Rep ID: **PDLP_AD525**

Legally Compliant

See PDLP_AD118/119

Soundness - Justified

See PDLP_AD118/119

Soundness - Consistent with National Policy

See PDLP-AD118/119

Proposed Change Requested

Removal of Site ME1965a

Council Response

No change. 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. 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The need for the mineral – as presented by the site promoter – has been considered against other economic impacts in line with NPPF para 142, 143 and NPPG para’s 10 and 86-89 (minerals chapter). It is considered that through appropriate levels of mitigation the potential for economic loss could be successfully mitigated. 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 policy 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. As part of the site appraisal 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 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.

Paragraph/Site: **ME1965a**

Consultee: **967455**

Mr Edward Woodhead

Agent:

Rep ID: **PDLP_AD134**

Legally Compliant

Local Plan in relation to ME1965a is not legally compliant as it does not at any stage take into account the large number of objections made by the public far exceeded the number submitted for any other legitimate plan that had been presented under Mineral Extraction Sites

Soundness - Justified

The terrain to the west of the area is an exposed high-level plateau which is subject to all the prevailing weather from the west. In the case of this proposal (unlike many of the historical exposed quarries), the leeward side has a high density of residential housing that would be negatively affected. Adverse effects on major trunk road, footpaths, school and playing fields, situated close by. Containment of the air pollution this proposed exposed site would create, would be impossible. Too much of the data being used to support the proposal is obsolete.

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

Proposed Change Requested	Removal of ME1965a from the plan.
Council Response	No change.Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation.Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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.Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.

Paragraph/Site: **ME1965a**

Consultee: **967546**

Mr S Greenwood

Agent:

Rep ID: **PDLP_AD57**

Soundness - Justified

Impact on amenity, air and water pollution, impact on Green Belt and on setting of the village.

Proposed Change Requested

The removal of site ME1965a from the Local Plan

Council Response

No ChangeThe proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required.The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission.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.Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.

Paragraph/Site: **ME1965a**

Consultee: **967690**

Miss Sarah Stacey

Agent:

Rep ID: **PDLP_AD1734**

Soundness - Positively Prepared

The people haven't been listened to.

Soundness - Justified

Assessment of the site assumed that Dearne Grange was uninhabited, when in fact 3 families live there.

Soundness - Consistent with National Policy

Does not comply with National Policy.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change.Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation.The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required.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

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

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: ME1965a

Consultee: 967935

Mrs Joanne Alsop

Agent:

Rep ID: PDLP_AD227

Soundness - Positively Prepared

- Kirklees have no plan for major infrastructure on the roads of the area for the lifetime of the plan.

Soundness - Justified

- It would be a breach of the Human Rights Article Act 1998 Article 8. Individuals right to a peaceful existence in their home. - The proposed site is too close to too many receptors including 5mts away from homes and close to the school - The strong prevailing wind would carry the dust and lead to poor air quality - Negative impact upon wildlife - It would result in permanent loss of agricultural land - The noise and vibrations would be intolerable from the heavy vehicles and machines. - It would cause an unacceptable detriment to the landscape. - It would result in pollution of water resources and soils and interruption of land drainage. - The River Dearne runs through the fields and feeds a number of local businesses which rely on the water for employment. - The already narrow roads in the area could not take any additional heavy vehicles. - It would affect the health and well being of the local residents. - There is no demand for this quality of stone. Marshall have recently made redundancies due to lack of orders - Site naming and referencing of site as an extension to ME2243 is misleading - Impact upon character of the area - Site has been assessed applying the wrong assumption regarding the occupancy of neighbouring dwellings - After over 200 comments/objections Kirklees failed to listen to the people and left this site in the plan when other sites with far less comments were taken out - Negative impact upon outdoor leisure activities - Negative impact upon people's health and wellbeing - There are already too many quarries in this area.

Proposed Change Requested

The removal of site ME1965a will make it a sound plan.

Council Response

No change. 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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

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

importance which also needs to be given significant weight. This is in accordance with NPPF paragraph 143. When the site was originally named in the Draft Local Plan (consulted on November 2015) it was recognised that the site promoter was the same minerals operator on neighbouring land. The two parcels of land making up the new option were considered as one. Because part of the option (now ME1965b) was a physical extension to Appleton Quarry site ME1965 was named to reflect this fact. As work progressed on the submission version of the plan the site was split and site references amended - to reflect the different allocations accepted on them - but the naming was retained. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. As part of the site appraisal 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. 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.

Paragraph/Site: **ME1965a**

Consultee: **967951**

Mrs Julie Waites

Agent:

Rep ID: **PDLP_AD290**

Soundness - Justified

This is not a sound proposal as it would prejudice highway safety through the volume and nature of vehicle movements onto an from the site possibly along Birds Edge/Windmill Lane/Carr Hill Road to the A629. There are already too many quarries in this part of Kirklees. Furthermore it would be an inappropriate development in the greenbelt as it will not preserve the openness of the greenbelt nor will it preserve the character of the village within the greenbelt.

Proposed Change Requested

The removal of site ME1965a.

Council Response

No change. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.

Paragraph/Site: **ME1965a**

Consultee: **967952**

Mrs Steven Waites

Agent:

Rep ID: **PDLP_AD299**

Soundness - Justified

This small community that would be blighted by this proposal, there would be significant disturbance to this quiet area with problems caused to the population by the generation of dust, noise and vibration either or all of which could cause future health problems, the extra traffic involved in this operation will also impact on people's health, safety and general quality of life. The proposal will also effect the local flora and fauna, affecting the watercourse of several rivers which run through this proposed site. It will interrupt land drainage and result in the permanent loss of the best and most versatile agricultural land. There are sufficient quarries in the Kirklees area already and one more is one more to many.

Proposed Change Requested

The removal of site ME1965a.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely

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

to be required at this site. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment.

Paragraph/Site: **ME1965a**

Consultee: **968475**

Trans Pennine Trail
Trans Pennine Trail

Agent:

Rep ID: **PDLP_AD251**

Soundness - Positively Prepared

The site in question is adjacent to the Trans Pennine Trail and the National Cycle Network. We would ask that any works take into consideration any upgrades needed to the section of route adjacent to the application site.

Council Response

No change. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application. However, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site.

Paragraph/Site: **ME1965a**

Consultee: **968503**

mrs ghillan kenton

Agent:

Rep ID: **PDLP_AD419**

Soundness - Justified

It will cause significant disturbance and nuisance by the generation of air and noise pollution which will impact on people's health and quality of life. Highway safety will be prejudiced by the volume and nature of vehicle movements onto and from the site. It will be detrimental and polluting to the local environment and affect the watercourses of the River Dearne and Park Dike. Kirklees is already over-supplied with mineral extraction sites and quarries ensuring supplies beyond the plan period. The best Yorkshire stone is not found on site ME1965 except for a small part. There will be a cumulative effect as there are already too many quarries in this part of Kirklees. The development will result in a permanent loss of agricultural grazing land. It will not preserve the setting and character of the village within the greenbelt and will cause unacceptable detriment to a valued landscape and to residential and visual amenity, including Castle Hill.

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo’s 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 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. The significance of Castle Hill Ancient Scheduled Monument heritage asset will be tested at planning application stage.

Paragraph/Site: **ME1965a**

Consultee: **968598**

Mr Simon Le Geyt

Agent:

Rep ID: **PDLP_AD351**

Soundness - Positively Prepared

Site ME1965a fails to meet the requirements of the Kirklees Joint Health and Well-being Strategy and the Kirklees Economic Strategy. It does not comply with objectives and policies of the LDP, in particular policies 1, 2, 6, 7, 10, 19, 20, 21, 25, 30, 48, 51, 52, 55, 38, and 39, and does not comply with LP policy 36 “ Proposal for Mineral Extraction” .

Soundness - Justified

There is no suitable road system for heavy goods vehicles as the roads are narrow, overtaking is not possible and driving from local minor roads onto the A629 or A635 is dangerous. There are highway safety concerns about combining horse riders, cyclists and walkers with quarry traffic. It will cause significant disturbance and nuisance from air and noise pollution generated by the site operations and associated transport which will impact on people's health and quality of life. It will be detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike. According to the council’s paper, 'Identifying Future Mineral Extraction Sites' (October 2016), there are two Category One ground water constraints and one Category Two constraint on site ME1965a with two watercourses and a river valley. Kirklees is already over-supplied with mineral extraction sites and quarries ensuring supplies beyond the plan period, so there is no need to quarry this site. The best Yorkshire stone, i.e. stone for architectural and paving use, is not found on the site except for a very small band at the north end. The rest of the site would only provide poor quality stone for crushing which could be extracted from anywhere. It will result in permanent loss of agricultural grazing land, have a cumulative effect as there are already too many quarries in this part of Kirklees and will not preserve the setting and character of the village within the greenbelt. It will cause unacceptable detriment to a valued landscape and to residential and visual amenity, including the ancient monument of Castle Hill.

Soundness - Consistent with National Policy

Site ME1965a does not comply with the National Planning Policy Framework paragraphs 1, 7, 9, 10, 14, 15, 17, 28, 58, 61, 64, 69, 73, 74, 75, 70, 80, 81, 86, 88, 109, 110, 120, 122, 123, 125, 126, 131, 142, 150, 151, 152, 155, 157, 158 and 163.

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

No change. 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 policy 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. Refer to representation PDLP_AD3634 for Local Plan objectives. As part of the site appraisal 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo’s 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. 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. The significance of Castle Hill Ancient Scheduled Monument as a heritage asset will be tested at planning application stage. 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: **ME1965a**

Consultee: **968678**

Mr James Heath

Agent:

Rep ID: **PDLP_AD95**

Soundness - Positively Prepared

- The Council ignored about 200 objections to this site at the draft Local Plan consultation stage.

Proposed Change Requested

The removal of site ME1965a.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation.

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

Paragraph/Site: **ME1965a**Consultee: **968688 Mr Ian Austerberry**

Agent:

Rep ID: **PDLP_AD3840****Soundness - Effective**

The proposal would: Cause disturbance and nuisance to residents Compromise road safety Compromise the environment Reduce agriculture in the area Be inappropriate within the greenbelt area Have a detrimental effect on daytoday village life Cause long term health issues specifically to children attending birds edge school

Council Response

No change. Impact upon schools and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. 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. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. As part of the site appraisal 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.

Paragraph/Site: **ME1965a**Consultee: **968767 Mr Richard Barradell**

Agent:

Rep ID: **PDLP_AD1196****Soundness - Positively Prepared**

Located on the green belt.

Soundness - Justified

Noise, dirt and mess. Visible for miles around. Increase in heavy lorries and traffic on narrow lanes, which is dangerous. The heavy plant would ruin the Kirklees Way which runs adjacent on Park Head Lane.

Council Response

No change. 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. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: **ME1965a**Consultee: **968883 Mrs Kathryn Harris**

Agent:

Rep ID: **PDLP_AD61**

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

Soundness - Justified	Close proximity to houses and school. Generation of dust, noise, vibration and associated transport will impact health and quality of life. Pollution to watercourses. Impact on landscape.
Proposed Change Requested	Remove the site from the plan.
Council Response	No ChangeThe proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required.The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.As part of the site appraisal 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.Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.

Paragraph/Site: ME1965a

Consultee: 968975

Miss Fiona Littlewood

Agent:

Rep ID: PDLP_AD1738

Soundness - Positively Prepared	Site option has not been promoted by the site owner in accordance with NPPG.
Soundness - Justified	Too close to local housing and school. Will cause dust, noise and light pollution. Loss of grazing and recreational land. Increased heavy traffic on the roads.
Soundness - Consistent with National Policy	Does not comply with National Policy.
Proposed Change Requested	Removal of site from the plan.
Council Response	No change.All Minerals Extraction Sites have willing landowners and have been promoted by the minerals industry in accordance with our call for sites exercise. Those sites without willing landowners have either been allocated as Preferred Areas or Areas of Search which do not require a willing landowner. This approach is in accordance with NPPG.Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.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.Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.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

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

sufficient to justify the allocation. More detailed studies would follow at the planning application stage.

Paragraph/Site: **ME1965a**

Consultee: **969142**

Mrs Sandra Dickinson

Agent:

Rep ID: **PDLP_AD1469**

Soundness - Justified

Noise, dust, vibrations. Impact on watercourses - Pollution. Agricultural land would be lost forever. Green belt land would be lost - ruining the open character of the area. Visible from Birdsedge and local area. Impact on Castle Hill. Increased traffic. Effect on property prices.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: **ME1965a**

Consultee: **969186**

mr richard hurdley

Agent:

Rep ID: **PDLP_AD511**

Soundness - Positively Prepared

It contravenes the Council's own Policy PLP 36.

Soundness - Justified

There are concerns that the site is in close proximity to many homes in the village that will be affected by noise and dust and dirt because of the prevailing wind direction. Development will affect walkers, horse riders, cyclists and tourists. Roads surrounding the site are not fit for an increase in heavy goods vehicles and access to the A629 is not suitable and there are safety concerns about the Carr Hill junction. The development will be materially detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike. The site has two category 1 watercourse constraints and one category 2 constraint that are identified in the council’s paper 'Identifying Future Mineral Sites'. There is little need for more quarries as Kirklees already has sufficient mineral extraction sites and West Yorkshire has reserves of mineral aggregates for the next 26 years that will ensure supplies beyond the plan period. The land is green belt and should be preserved. It will potentially destroy part of the Roman iron mining site of Burnt Cumberworth (still to be excavated).

Soundness - Consistent with National Policy

It contravenes the National Planning Policy Framework.

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact on recreational activities and residential homes can be satisfactorily mitigated through the provision of appropriate

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

stand-off, screening, routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. The need for the extraction of sandstone is demand led and therefore only pursued by an operator if the demand exists. Bearing in mind planning requirements to use indigenous sources of mineral in the construction of new developments and the repair of existing buildings, (para 143 of NPPG) the Council is satisfied that the demand for this mineral over the plan period will continue. 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.

Paragraph/Site: **ME1965a**

Consultee: **969194**

Mr Will Roebuck

Agent:

Rep ID: **PDLP_AD191**

Soundness - Positively Prepared

Local historians have suggested that the proposed quarrying site is part of Burnt Cumberworth - one of the earliest places of settlement by humans in the Kirklees area. The site is close to Castle Hill in Birds Edge - an iron age post and on a ley line alignment with Castle Hill, Huddersfield. In the Kirklees plan for Cumberworth, the council acknowledges the importance of Burnt Cumberworth and Castle Hill Birds Edge. We need to have full archaeological analysis, investigation and excavation of the site in order to prevent the destruction of our superb history and heritage in this area.

Soundness - Justified

Impact quarry dust has upon the air quality. What untold damage quarry dust has upon our health - particularly our children's health - is immeasurable.

Proposed Change Requested

The removal of site ME1965a.

Council Response

No change. 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 impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.

Paragraph/Site: **ME1965a**

Consultee: **969267**

Mr John Michael Alsop

Agent:

Rep ID: **PDLP_AD1691**

Soundness - Justified

Inappropriate in scale for the location. Non of the existing quarries have been restored to open countryside. Loss of open countryside. Too close to existing properties, resulting in loss of amenity and quality of life. Impact on health and well being.

Soundness - Consistent with National Policy

Does not comply with National Policy.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with

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

progressive restoration would help to ensure there is no significant increased negative impact. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 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: **ME1965a**

Consultee: **969305**

Mrs Sally-Ann Kirk

Agent:

Rep ID: **PDLP_AD743**

Soundness - Justified

There are already enough quarries in Kirklees. Destructive development that will destroy the landscape and environment. It will have a terrible impact on the waterways running through the site. Impact on the well being of residents in the village as it will be detrimental to us all. Impact on local roads. Noise.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: **ME1965a**

Consultee: **969325**

Mr Marc Wyer

Agent:

Rep ID: **PDLP_AD58**

Soundness - Justified

The site will be detrimental to local environment and watercourses. Generation of noise and dust and traffic will have negative impact on amenity. Land is good quality agricultural land. Development will detract on character of village.

Proposed Change Requested

Remove the site from the plan.

Council Response

No Change The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The

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

Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.

Paragraph/Site: **ME1965a**

Consultee: **969349**

Mr Richard Senior

Agent:

Rep ID: **PDLP_AD1715**

Soundness - Justified

Prejudice highway safety. No road infrastructure.

Soundness - Consistent with National Policy

Does not comply with National Policy.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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: **ME1965a**

Consultee: **969358**

Mrs Jane Senior

Agent:

Rep ID: **PDLP_AD1727**

Soundness - Positively Prepared

Does not comply with LDP 36.

Soundness - Justified

Will cause unacceptable detriment to the landscape. Loss of visual amenity. Impact on residential amenity. Will cause nuisance and disturbance. Will cause dust and noise. Prejudice highway safety. Impact on health and well-being. No road infrastructure. Already an oversupply of stone and too many quarries in the area.

Soundness - Consistent with National Policy

Does not comply with National Policy.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. 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 policy 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at

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

present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. 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: **ME1965a**

Consultee: **969399**

Mrs Magdalen Blanshard

Agent:

Rep ID: **PDLP_AD1325**

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. 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 policy 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 impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: **ME1965a**

Consultee: **969554**

Mrs Emma Hanks

Agent:

Rep ID: **PDLP_AD1722**

Soundness - Positively Prepared

Does not comply with Policy LDP 36. No economic reason for the site to be developed.

Soundness - Justified

This is a separate quarry, not an extension.

Soundness - Consistent with National Policy

Does not comply with National Policy.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. 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 policy 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 need for the mineral – as presented by the

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

site promoter – has been considered against other economic impacts in line with NPPF para 142, 143 and NPPG para’s 10 and 86-89 (minerals chapter). It is considered that through appropriate levels of mitigation the potential for economic loss could be successfully mitigated. When the site was originally named in the Draft Local Plan (consulted on November 2015) it was recognised that the site promoter was the same minerals operator on neighbouring land. The two parcels of land making up the new option were considered as one. Because part of the option (now ME1965b) was a physical extension to Appleton Quarry site ME1965 was named to reflect this fact. As work progressed on the submission version of the plan the site was split and site references amended - to reflect the different allocations accepted on them -but the naming was retained. 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: **ME1965a**

Consultee: **970938 J Meachen**

Agent:

Rep ID: **PDLP_AD2200**

Soundness - Positively Prepared Ignored over 200 objections at the consultation stage. Contravenes Policy PLP 36.

Soundness - Justified Too close to houses in Park Head and Dearne Grange. Will cause nuisance, disturbance, dust, noise, vibration, mud on the roads and a high volume of heavy traffic. Two watercourses run through the site, causing pollution and interruption of land drainage. Impact on the environment.

Soundness - Consistent with National Policy Contravenes National Policy.

Council Response No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. Impact on residential homes can be satisfactorily mitigated through the provision of appropriate stand-off areas, noise and visual screening etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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: **ME1965a**

Consultee: **970939 Carlo Whitaker**

Agent:

Rep ID: **PDLP_AD3245**

Soundness - Positively Prepared - The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified - There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's

Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing – can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a**

Consultee: **970942**

Mrs M Meachen

Agent:

Rep ID: **PDLP_AD1800**

Soundness - Positively Prepared

Does not comply with Policy PLP 36. Ignored over 200 objections at the consultation stage. Inappropriate in the green belt.

Soundness - Justified

Too close to existing residential properties. It will cause nuisance and disturbance. Dust, Noise, vibration, mud on the roads and a high volume of heavy traffic. Impact on local watercourses - pollution.

Soundness - Consistent with National Policy

Does not comply with National Policy.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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. 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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

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

process. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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: **ME1965a**

Consultee: **971580**

Mrs Carol Catchpool

Agent:

Rep ID: **PDLP_AD1183**

Soundness - Justified

The quarry would change the village - Heavy traffic on narrow roads. Dust, grit and noise.

Council Response

No change. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.

Paragraph/Site: **ME1965a**

Consultee: **971580**

Mrs Carol Catchpool

Agent:

Rep ID: **PDLP_AD1185**

Soundness - Positively Prepared

No heed was paid to the 206 objections received at consultation stage.

Soundness - Justified

Dust, noise. Destroy landscape. Impact on quiet country lanes.

Proposed Change Requested

Removal of site ME1965a from the plan.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: **ME1965a**

Consultee: **971708**

Jean Bateson

Agent:

Rep ID: **PDLP_AD984**

Soundness - Justified

Disaster to those in the area, their physical and mental health will be affected giving the local social, health and mental health services needless work which they will be unable to assimilate in the current climate.

Council Response

No change. As part of the site appraisal 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. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated

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

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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: **ME1965a**

Consultee: **973343 Paula Kemp**

Agent:

Rep ID: **PDLP_AD1449**

Duty to Co-operate

Every village road leads down to the Dearne Valley and the A636 Wakefield Road which is also a major feeder route for the Holme Valley. This road is increasingly busy and congested and to add traffic from the proposed 5,500 new homes in Kirklees Rural is a travesty of National Policy relating to soundness. What consultation has taken place with neighbouring councils of Wakefield and Barnsley?

Soundness - Positively Prepared

The entire exercise has been rushed and contains many inaccuracies, a sizeable majority of Kirklees Rural residents are unaware of what the Local Plan is and the consequences to their communities.

Soundness - Justified

Sustainable development should be at the core of any Plan. The allocated locations, topography and road networks throughout this area are totally unsuitable and the proposed developments unsustainable. Every village road leads down to the Dearne Valley and the A636 Wakefield Road which is also a major feeder route for the Holme Valley.

Soundness - Consistent with National Policy

The Plan is inconsistent with or directly contravenes National Planning Policy Framework.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. 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. DTC Response: 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.

Paragraph/Site: **ME1965a**

Consultee: **973671 Colin Steeples**

Agent:

Rep ID: **PDLP_AD1448**

Soundness - Positively Prepared

Does not meet the requirements of the Kirklees Vision, Local Plan Objectives, Joint Health & Well-being Strategy or Economic Strategy.

Soundness - Justified

Effect quality of life and health. Noise and dust. Road infrastructure - Increased volume of traffic, no pavements, small country roads that are already very busy. Amenity - Green belt land used by walkers etc.. Cumulative effect Lack of need - The best Yorkshire stone is not found on this site.

Soundness - Consistent with National Policy

Does not comply with NPPF.

Council Response

No change. As part of the site appraisal 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. Based on all the potential impacts identified it has been concluded that on balance the benefits outweigh the harm.

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

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 policy 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. 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 echo's 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 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: **ME1965a**

Consultee: **973820**

Izzy Gawthorpe

Agent:

Rep ID: **PDLP_AD2202**

Soundness - Justified

- Impact upon the highways and the safety of walkers - Impact upon the countryside - Impact upon wildlife - Site ME1965a will cause noise and dust

Soundness - Consistent with National Policy

- The identification of this site has not been carried out in accordance with NPPG

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All Minerals Extraction Sites have willing landowners and have been promoted by the minerals industry in accordance with our call for sites exercise. Those sites without willing landowners have either been allocated as Preferred Areas or Areas of Search which do not require a willing landowner. This approach is in accordance with NPPG.

Paragraph/Site: **ME1965a**

Consultee: **974794**

L McArdle

Agent:

Rep ID: **PDLP_AD2067**

Soundness - Positively Prepared

- There were over 200 objections raised highlighting how the local community would be affected by allocation ME1965a - Impact upon the green belt

Soundness - Justified

- Site ME165a would create noise, dust and light pollution - Negative visual and amenity impact upon nearby residential properties, the local and school and

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

Soundness - Consistent with National Policy	playing fields - Impact on walkers, cyclist and horse riders - Impact upon the Trans Pennine Trail - The selection of site ME1965a was not in accordance with NPPG
Proposed Change Requested	Removal of site ME1965a
Council Response	No changeIssues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigationThe impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this siteImpact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 processNo public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs, cycle and horse riding routes in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this siteNPPF 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

Paragraph/Site: **ME1965a**

Consultee: **974987**

Judith A Leeson

Agent:

Rep ID: **PDLP_AD1870**

Soundness - Justified	- There is no economic justification for the inclusion of this site, there are alternative sites in the district that can supply stone of the same, and better, quality. - The site would cause extreme harm to the community of Birds Edge and the surrounding habitat - Impact of pollution generated from the minerals operation on the lives of residents and on the water courses - Negative impact upon the roads
Soundness - Consistent with National Policy	- The site has not been identified following best practice as per NPPG.
Proposed Change Requested	Removal of site ME1965a
Council Response	No changeMineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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.Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment.The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission.Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry.All Minerals Extraction Sites have willing landowners and have been

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

promoted by the minerals industry in accordance with our call for sites exercise. Those sites without willing landowners have either been allocated as Preferred Areas or Areas of Search which do not require a willing landowner. This approach is in accordance with NPPG.

Paragraph/Site: **ME1965a**

Consultee: **975834 Brenda Mosley**

Agent:

Rep ID: **PDLP_AD1474**

Soundness - Positively Prepared Contravenes Policy PLP36. Going ahead after 200+ objections.

Soundness - Justified Impact on watercourses and drainage. Agricultural land would be lost. Valuable landscape lost. Too close to houses, school, Chapel. Noise, dust, dirt, vibration. Heavy traffic on narrow country roads with no pavements.

Soundness - Consistent with National Policy Contravenes NPPF.

Council Response No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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: **ME1965a**

Consultee: **977265 Mr Bruce J. Smith**

Agent:

Rep ID: **PDLP_AD1402**

Soundness - Positively Prepared Contravenes Policy PLP36.

Soundness - Justified Too close to houses, Increased noise, blasting, dust and traffic. Loss of valued landscape. Heavy vehicles on narrow roads.

Soundness - Consistent with National Policy Contravenes National Policy.

Council Response No change. 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 policy 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road Junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: **ME1965a**

Consultee: **978216**

Cllr Jim Dodds

Agent:

Rep ID: **PDLP_AD1646**

Soundness - Positively Prepared

During the first phase of consultation on the local plan over 200+ objections to the proposed quarry site at Birds Edge Reference ME1965a were made. Therefore it came as great disappointment to us to learn that this site which received the 11th highest number of comments was still in the plan. We are also at a loss as to why a site that received so many comments was not mentioned in the Council's publicity literature.

Soundness - Justified

- cause materially significant disturbance and nuisance by the generation of dust, noise and vibration by the site operations and associated transport; it will impact on people's health and quality of life
- prejudice highway safety through the volume and nature of vehicle movements onto and from the site possibly along Birds Edge/ Windmill Lanes/Carr Hill road to the A629
- be materially detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike which run through the proposed site
- result in pollution of water resources and the interruption of land drainage
- result in permanent loss of the best and most versatile of agricultural land
- there are already too many quarries in this part of Kirklees
- be an inappropriate development in the greenbelt as it will not preserve the openness of the greenbelt nor will it preserve the setting and character of the village within the greenbelt
- cause unacceptable detriment to a valued landscape - destroying it
- cause unacceptable detriment to local visual and residential amenity - it will be clearly visible from many areas of Birds Edge and the local area
- impact on the archeologically important ancient monument and protected site castle hill

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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. 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 echo's 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. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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.

Paragraph/Site: **ME1965a**

Consultee: **978257**

Cllr **Michael Watson**

Agent:

Rep ID: **PDLP_AD3063**

Soundness - Positively Prepared - Negative impact on the green belt - The allocation fails the tests set out in Local Plan policy PLP 36

Soundness - Justified - There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Allocation will result in the loss of good agricultural land for grazing of livestock - Allocation would be on the skyline and visible from a long distance - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME1965a has 2 category 1 constraints and 1 category 2 constraint - This is not just an extension to Appleton Quarry, Appleton Quarry is distinguishable from the proposed site. - Impact upon landscape and the setting and character of Birds Edge - The mineral here is not unique to this area - Impact on the Trans Pennine Trail and PROWs - Impact on schools, recreational activities and residential homes - Impact on highways - Impact will cause unacceptable detriment to a valued landscape within the green belt - Will cause noise, dust and light pollution - Threat to health and wellbeing

Soundness - Consistent with National Policy

- Allocation does not comply with NPPF

Proposed Change Requested

Removal of site ME1965a from the plan.

Council Response

No change. 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. 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 policy 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. When the site was originally

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

named in the Draft Local Plan (consulted on November 2015) it was recognised that the site promoter was the same minerals operator on neighbouring land. The two parcels of land making up the new option were considered as one. Because part of the option (now ME1965b) was a physical extension to Appleton Quarry site ME1965 was named to reflect this fact. As work progressed on the submission version of the plan the site was split and site references amended - to reflect the different allocations accepted on them -but the naming was retained. 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.No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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.Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.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.as part of the site appraisal 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.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: **ME1965a**

Consultee: **978506**

Cllr Nigel Patrick

Agent:

Rep ID: **PDLP_AD2937**

Soundness - Justified

At the current rate of extraction, there is sufficient land available still to quarry for the life time of the local plan and well beyond and there is no demand or need at this time to include 1965a in the plan for immediate extraction. If this land is intended to become part of the Appleton Quarry the current quarry operator already has existing permissions on ME2243 and ME2244 and ME2263 to quarry stone that will last beyond the lifetime of the plan.

Proposed Change Requested

ME 1965a should be removed from the Publication Local Plan. Given the existing permissions locally, it is not needed in the life time of the plan

Council Response

No change.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.

Paragraph/Site: **ME1965a**

Consultee: **1038292**

Mrs Vanessa Marsden

Agent:

Rep ID: **PDLP_AD32**

Soundness - Justified

I believe that the above mineral extraction site should not be allowed to go ahead. The proposal would cause significant disturbance and nuisance by the generation of dust, noise and vibration, it will impact on people's health and quality of life. There are already too many quarries in the area and I don't feel by what I have researched a so called "need" for any more. I understand that the quantity and quality of rock to be quarried at this site to be nothing special, so it would be unjust for the proposal to go ahead. It will prejudice highway safety through the volume and nature of vehicle movement to and from the site. These access routes have in the main no pavement and are not suitable for heavy traffic. The site will affect watercourses of The River Dearness and Park Dike which could result in pollution of water resources and interrupt land drainage. The site is so large it would look visually ' a scar on the landscape', which will be there for ever. It would spoil the character and setting of the character of the village within the green belt, which is unacceptable. The road alongside the proposed site is enjoyed by many walkers and cyclists alike.

Proposed Change Requested

The removal of site ME1965a.

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

Council Response No ChangeThe impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission.Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.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.

Paragraph/Site: **ME1965a**

Consultee: **1038321**

Mrs Karen Heath

Agent:

Rep ID: **PDLP_AD35**

Soundness - Justified

Poor road network in the surrounding area. Investment required in junction A629. Impact on residents' health and amenity.

Proposed Change Requested

Remove site from the plan.

Council Response

No ChangeAdditional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.As part of the site appraisal 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.

Paragraph/Site: **ME1965a**

Consultee: **1038415**

mr geoffrey ruddy

Agent:

Rep ID: **PDLP_AD37**

Soundness - Justified

Ignored previous consultation responses. Proposals will cause significant disturbance to the local community, involving traffic safety, noise pollution, quality of life for the residents with dust and noise pollution. Impacts on landscape and wildlife.

Proposed Change Requested

Remove the site.

Council Response

No ChangeIssues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. As part of the site appraisal 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.Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased

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

negative impact. Based on the technical appraisal of the site West Yorkshire Ecology and Natural England have concluded that there are no significant constraints to the local wildlife network, habitats - including of principal importance – and species of principle importance. The site allocation reflects the area of land required to achieve a viable area for extraction, space to accommodate associated minerals infrastructure and sufficient land to implement the required levels of mitigation to offset any potential impact on sensitive receptors – including wildlife.

Paragraph/Site: **ME1965a**

Consultee: **1038462 Mr Nicholas Lavy**

Agent:

Rep ID: **PDLP_AD38**

Soundness - Justified

The proposal contravenes the National Planning Policy Framework. there is no requirement for more stone. This is Green Belt and should not be developed on.

Soundness - Consistent with National Policy

The proposal contravenes policy PDLP 36, there is no requirement for more stone. This is Green Belt and should not be developed on.

Proposed Change Requested

Remove the site from the plan.

Council Response

No Change 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. 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.

Paragraph/Site: **ME1965a**

Consultee: **1038462 Mr Nicholas Lavy**

Agent:

Rep ID: **PDLP_AD1806**

Soundness - Justified

The plan is not sound due to the inclusion of site ME1965a as it is inappropriate development in the green belt, will result in the loss of versatile agricultural land and is not necessary as there are already too many quarries locally. It will pollute water resources and affect the watercourses of the River Dearne and Park Dike that supply a local textile mill. It will vastly increase traffic flow and prejudice highway safety due to the volume and size of vehicle movements.

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

No change. 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. 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 echo's 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could

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

also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: ME1965a	Consultee: 1038490 Ms Lisa Scarlett	Agent:	Rep ID: PDLP_AD39
Soundness - Justified	Breaches council own guidelines for mineral extraction. Destruction of quality agricultural land. Labelled Appleton quarry, this is not a quarry, and current use is agricultural. Ignored community opinion.		
Soundness - Consistent with National Policy	Breaches national guidelines for mineral extraction.		
Proposed Change Requested	Remove site from the plan.		
Council Response	No Change 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. 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: ME1965a	Consultee: 1038517 Mr Tony Smith	Agent:	Rep ID: PDLP_AD40
Soundness - Justified	Dishonest representation of land by labelling Appleton quarry. This site is prime agricultural land in green belt.		
Soundness - Consistent with National Policy	Does not comply with national guidelines for mineral extraction and does not comply with councils guidelines for mineral extraction. Unnecessary destruction of best use agricultural land.		
Proposed Change Requested	Remove the site from the plan.		
Council Response	No Change 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. 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: ME1965a	Consultee: 1038517 Mr Tony Smith	Agent:	Rep ID: PDLP_AD44
Soundness - Justified	Unnecessary as West Yorkshire already has 20 years plus of crushed rock.		
Proposed Change Requested	Remove site from plan.		
Council Response	No Change 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.		

Paragraph/Site: ME1965a	Consultee: 1038677 Miss Chelsea Smith	Agent:	Rep ID: PDLP_AD45
Soundness - Justified	Breaches all listed guidelines for mineral extraction on national and local level. Destruction of prime agricultural land. Council misrepresenting site by naming it Appleton quarry and stating its use is green belt. It is agricultural land within the green belt and its current use is agricultural .		
Soundness - Consistent with	Breaches all listed guidelines for mineral extraction on national and local level. Destruction of prime agricultural land.		

National Policy

Proposed Change Requested Removal of the site from the plan.

Council Response No Change 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. 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.

Paragraph/Site: **ME1965a**

Consultee: **1038677 Miss Chelsea Smith**

Agent:

Rep ID: **PDLP_AD2141**

Soundness - Positively Prepared - The Council has disregarded the Local Plan

Soundness - Justified - The inclusion of the site is not legally compliant - The Council has failed to take material considerations into account - Site will cause noise, dust and light pollution - Impact upon the Trans Pennine Trail - Insufficient road infrastructure around the site - Impact upon the local environment, the two watercourses and the areas biggest employer - Visible from Castel Hill Monument - Loss of agricultural land which will impact upon the viability of the local farm - Affect the businesses operating from nearby homes

Soundness - Consistent with National Policy - The Council has disregarded the national development plan

Proposed Change Requested Removal of site ME1965a

Council Response No change 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 policy LP1 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 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. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified

Paragraph/Site: **ME1965a**

Consultee: **1038887 Mr Daniel Roberts**

Agent:

Rep ID: **PDLP_AD49**

Soundness - Justified

This site contravenes the National Planning Policy Framework and the Council's own Policy PLP 36 It will cause materially significant disturbance and nuisance and impact on people's health and quality of life. It will prejudice highway safety through the volume and nature of vehicle movements. It will be materially detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike. Kirklees is already over-supplied with mineral extraction sites and quarries ensuring supplies beyond the timespan/range of this plan so there is no need to quarry here. The best Yorkshire stone is not found on Site ME1965 except for a very small band at the north end. Loss of agricultural land. Impact on the archeologically important ancient monument and protected site of Castle Hill, High Flatts

Soundness - Consistent with National Policy

This site contravenes the National Planning Policy Framework and the Council's own Policy PLP 36 It will cause materially significant disturbance and nuisance and impact on people's health and quality of life. It will prejudice highway safety through the volume and nature of vehicle movements. It will be materially detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike. Kirklees is already over-supplied with mineral extraction sites and quarries ensuring supplies beyond the timespan/range of this plan so there is no need to quarry here. The best Yorkshire stone is not found on Site ME1965 except for a very small band at the north end. Loss of agricultural land. Impact on the archeologically important ancient monument and protected site of Castle Hill, High Flatts

Proposed Change Requested

Remove the site from the plan.

Council Response

No ChangeBased 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 policy 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 impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.As part of the site appraisal 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.Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission.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.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: ME1965a

Consultee: 1038992 mr noel bostwick

Agent:

Rep ID: PDLP_AD50

Soundness - Justified

Prejudice highway safety through the size and nature of the vehicles using the local country lanes especially past the village school. There will be disturbance from dust, noise & vibration caused by site operations. It will cause pollution of the local water resources with both the River Dearne & Park Dike which run through the proposed site. It will destroy the local landscape and be visible from all around the local area. According to the British Geological Society survey the this site does not contain a lot of stone. There are already too many quarries in the Kirklees area.

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

Proposed Change Requested The removal of site ME1965a from the plan.

Council Response No Change Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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.

Paragraph/Site: **ME1965a**

Consultee: **1039694 mrs susan bostwick**

Agent:

Rep ID: **PDLP_AD54**

Soundness - Justified

Proposals will cause noise, dust and vibrations. Impact on amenity, health and wellbeing, traffic congestion, watercourses and drainage. The proposal will cause agricultural land to be lost. The proposal will cause disruption to electrical cables. There are too many quarries in Kirklees.

Proposed Change Requested

Remove the site from the plan.

Council Response

No Change The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. As part of the site appraisal 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 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.

Paragraph/Site: **ME1965a**

Consultee: **1039829 Mr John Wintersgill**

Agent:

Rep ID: **PDLP_AD55**

Soundness - Justified

The site is too close to existing properties, it is within the green belt. The influence of prevailing wind would have a detrimental effect on residents in terms of noise and air pollution. Increased traffic and transport of heavy machinery. Inappropriate development in rural location.

Proposed Change Requested

Refuse permission for the proposed mineral extraction

Council Response

No Change The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents

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

through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. 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. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: **ME1965a**

Consultee: **1039841 Mr Selwyn Rose**

Agent:

Rep ID: **PDLP_AD56**

Soundness - Justified

This will cause a significant negative impact on the local environment. Negative impact on local water courses of the Dearne and Pike Beck which run through the proposed site and the impact to wildlife in the nearby Rusby wood. Health and wellbeing impacts arising from proximity to school / housing and increased traffic disruption.

Proposed Change Requested

Remove the site from the plan.

Council Response

No Change Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based on the technical appraisal of the site West Yorkshire Ecology and Natural England have concluded that there are no significant constraints to the local wildlife network, habitats - including of principal importance – and species of principle importance. The site allocation reflects the area of land required to achieve a viable area for extraction, space to accommodate associated minerals infrastructure and sufficient land to implement the required levels of mitigation to offset any potential impact on sensitive receptors – including wildlife. As part of the site appraisal 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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.

Paragraph/Site: **ME1965a**

Consultee: **1040056 Mrs R Elsworth**

Agent:

Rep ID: **PDLP_AD2002**

Soundness - Positively Prepared

The site is in the green belt.

Soundness - Justified

Too near to houses and to the school. Dust, blasting, vibration, noise and heavy traffic. Existing roads are narrow and not suitable for heavy lorries. Pollution of the watercourses. Loss of agricultural land. Already too many quarries in Kirklees.

Council Response

No Change The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant

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

of 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 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.

Paragraph/Site: **ME1965a**

Consultee: **1040158 Mr David Marsden**

Agent:

Rep ID: **PDLP_AD73**

Soundness - Justified

Large number of existing quarries. Potential impact from dust, noise, vibrations and associated transport, impact on amenity and health. Road safety issues. Pollution of watercourses. Loss of agricultural land and inappropriate development in the Green Belt.

Proposed Change Requested

Remove the site from the plan.

Council Response

No changeThe site appraisal has taken account of Kirklees' aims and objectives including impact upon health and wellbeing. The impact of noise, dust and vibration would be assessed in greater detail through the planning application process. The initial site assessment concluded that these impacts could be mitigated to acceptable levels. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction although it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation, through screening and traffic routing, can be secured in relation to this site. Based upon the technical appraisal of the site, neither the Environment Agency nor the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. The development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Paragraph 13 of NPPG indicates that one of the principal issues Minerals Planning Authorities 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. It is therefore 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. 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. No objections to this site were raised from Historic England, Conservation and Design or West Yorkshire Archaeological Advisory Service. Kirklees Local Plan Strategy and Policies at policy PLP 35 (SD1) states at criteria 'f' that consideration should be given to "preserve the setting of Castle Hill where appropriate and proposals which detrimentally impact on the setting of Castle Hill will not be permitted". Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.

Paragraph/Site: **ME1965a**

Consultee: **1040380 Mr James Ashley**

Agent:

Rep ID: **PDLP_AD60**

Soundness - Justified

The proposal is inconsistent with the National Planning Policy Framework and the Council's own Policy PLP 36. Impact on the setting of the village / green belt. Impact on amenity and health from dust, noise, vibration and associated transport. Detrimental to local environment, affecting watercourses that run through the site.

Soundness - Consistent with National Policy

The proposal is inconsistent with the National Planning Policy Framework and the Council's own Policy PLP 36. Impact on the setting of the village / green belt. Impact on amenity and health from dust, noise, vibration and associated transport. Detrimental to local environment, affecting watercourses that run

through the site.

Proposed Change Requested

Remove the site from the plan.

Council Response

No ChangeBased 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 policy 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.Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.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.The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission.

Paragraph/Site: ME1965a

Consultee: 1040894 Dr David Hall

Agent:

Rep ID: PDLP_AD66

Soundness - Justified

Disruption from noise, dust and road transport. Impact on highway safety, traffic and River Dearne. Landscape impact and loss of agricultural land and wildlife habitat.

Proposed Change Requested

Remove site from the plan.

Council Response

No change.Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation.The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission.Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final

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

site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment.

Paragraph/Site: **ME1965a**

Consultee: **1040999 Mr John Walker**

Agent:

Rep ID: **PDLP_AD70**

Soundness - Justified

The site is close to housing and will impact on residential amenity, local roads, watercourses and the role and function of the Greenbelt. Detrimental impact on the landscape. Too many surrounding quarries.

Proposed Change Requested

Remove the site from the plan.

Council Response

No change. Impact on housing can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. 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 echo's 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: **ME1965a**

Consultee: **1041226 Mavis and Peter Berry**

Agent:

Rep ID: **PDLP_AD2003**

Soundness - Justified

Disturbance, noise, dust. Blot on the landscape. Too many quarries in the area. Highway safety.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative 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 echo's 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: **ME1965a**

Consultee: **1041871 Graham Wilson**

Agent:

Rep ID: **PDLP_AD1805**

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

Legally Compliant

Failure by the council to properly engage and consult with the public as literature distributed by the council failed to make reference to 200 objections by local residents which equates to a large percentage of the residents.

Soundness - Justified

Objection to site ME1965a due to the disturbance and nuisance it will create from dust, noise and vibration from site operations and traffic which will impact on residents, adjoining villages, health and quality of life. There will be a substantial impact on highway safety through the volume and nature of vehicle movements onto and from the site, possibly along Birds Edge/Windmill Lane/Carr Hill Road to the A629. The local environment and watercourses will be detrimentally affected. It will pollute water resources; interrupt land drainage; result in the loss of the best and most versatile agricultural land. There are already too many quarries in this part of Kirklees. It is inappropriate development in the green belt as it will not preserve openness or the setting and character of the village. It will destroy the landscape, have a detrimental impact on visual and residential amenity being clearly visible from many areas and impact on the archeologically important ancient monument and protected site Castle Hill.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. The significance of the Castle Hill Ancient Scheduled Monument as a heritage asset will be tested at planning application stage.

Soundness - Justified

Disruption.

Soundness - Consistent with National Policy

Contravenes National Policy.

Council Response

No change. 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 policy 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. 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. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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: **ME1965a**

Consultee: **1041904 P Fretwell**

Agent:

Rep ID: **PDLP_AD1180**

Soundness - Positively Prepared

Destruction of the green belt.

Soundness - Justified

Interfering with watercourses, noise, dust and heavy traffic.

Council Response

No Change. 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Impact on schools, recreational activities and residential homes - Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Noise, dust and light pollution - The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact on highways - Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry.

Paragraph/Site: **ME1965a**

Consultee: **1042319 Mrs Julie Wood**

Agent:

Rep ID: **PDLP_AD74**

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

Soundness - Justified	It will cause materially significant disturbance and great nuisance by dust, noise and vibration by the quarry workings and their large associated transport. Detriment to local environment and impact on landscape.
Proposed Change Requested	I feel that you have ignored over 55% of the local populations objections and failed to add this figure in your policy leaflet. You have not taken into account these objections during the public consultation stage
Council Response	No change. The impact of noise, dust and vibration would be assessed in greater detail through the planning application process. The initial site assessment concluded that these impacts could be mitigated to acceptable levels. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction although it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency nor the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. The development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. No objection was raised from Natural England or West Yorkshire Ecology regarding this site. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Impact on the landscape and local visual and residential amenity can be satisfactorily mitigated through the provision of appropriate stand-off, screening and routing of associated minerals traffic etc. Full details of required mitigation measures would be assessed through the planning application process. Issues raised through the 206 comments received concerning this site were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation.

Paragraph/Site: **ME1965a**

Consultee: **1042895 Mrs Sharon Davies**

Agent:

Rep ID: **PDLP_AD77**

Soundness - Justified	Inclusion of this site contravenes the National Planning Policy Framework and the Council's own Policy PLP 36. When developed the site will cause dust, noise and light pollution to receptors including houses at Dearne Grange (5 metres) and Park Head (100 metres away) as well as the primary school. Development of this site will affect walkers, horse riders, cyclists, tourists and it will prejudice highway safety. Kirklees already has mineral extraction sites/quarries ensuring supplies beyond the lifetime of this plan. The West Yorkshire reserve of mineral aggregates is currently sufficient for 26 years - way beyond the lifetime of this local plan. The best Yorkshire stone - i.e. for architectural use is not found on the site. It will result in permanent loss of good agricultural land suitable for grazing cattle and sheep. It will be materially detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike
Soundness - Consistent with National Policy	Inclusion of this site contravenes the National Planning Policy Framework and the Council's own Policy PLP 36. When developed the site will cause dust, noise and light pollution to receptors including houses at Dearne Grange (5 metres) and Park Head (100 metres away) as well as the primary school. Development of this site will affect walkers, horse riders, cyclists, tourists and it will prejudice highway safety. Kirklees already has mineral extraction sites/quarries ensuring supplies beyond the lifetime of this plan. The West Yorkshire reserve of mineral aggregates is currently sufficient for 26 years - way beyond the lifetime of this local plan. The best Yorkshire stone - i.e. for architectural use is not found on the site. It will result in permanent loss of good agricultural land suitable for grazing cattle and sheep. It will be materially detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike
Proposed Change Requested	Remove the site from the plan.
Council Response	No change. 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 policy 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 impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is

identified. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 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. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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: **ME1965a**

Consultee: **1043302 Mr Frazer Maxwell**

Agent:

Rep ID: **PDLP_AD79**

Soundness - Justified

Inclusion of this site contravenes the National Planning Policy Framework and the Council's own Policy PLP 36. When developed the site will cause dust, noise and light pollution to receptors including houses at Dearne Grange (5 metres) and Park Head (100 metres away) as well as the primary school. Development of this site will affect walkers, horse riders, cyclists, tourists and it will prejudice highway safety. Kirklees already has mineral extraction sites/quarries ensuring supplies beyond the lifetime of this plan. The West Yorkshire reserve of mineral aggregates is currently sufficient for 26 years - way beyond the lifetime of this local plan. The best Yorkshire stone - i.e. for architectural use is not found on the site. It will result in permanent loss of good agricultural land suitable for grazing cattle and sheep. It will be materially detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike

Soundness - Consistent with National Policy

Inclusion of this site contravenes the National Planning Policy Framework and the Council's own Policy PLP 36. When developed the site will cause dust, noise and light pollution to receptors including houses at Dearne Grange (5 metres) and Park Head (100 metres away) as well as the primary school. Development

of this site will affect walkers, horse riders, cyclists, tourists and it will prejudice highway safety. Kirklees already has mineral extraction sites/quarries ensuring supplies beyond the lifetime of this plan. The West Yorkshire reserve of mineral aggregates is currently sufficient for 26 years - way beyond the lifetime of this local plan. The best Yorkshire stone - i.e. for architectural use is not found on the site. It will result in permanent loss of good agricultural land suitable for grazing cattle and sheep. It will be materially detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike

Proposed Change Requested

Remove site from the plan.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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 impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 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. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the

village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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: **ME1965a**

Consultee: **1043303 Mr George Maxwell**

Agent:

Rep ID: **PDLP_AD80**

Soundness - Justified

Inclusion of this site contravenes the National Planning Policy Framework and the Council's own Policy PLP 36. When developed the site will cause dust, noise and light pollution to receptors including houses at Dearne Grange (5 metres) and Park Head (100 metres away) as well as the primary school. Development of this site will affect walkers, horse riders, cyclists, tourists and it will prejudice highway safety. Kirklees already has mineral extraction sites/quarries ensuring supplies beyond the lifetime of this plan. The West Yorkshire reserve of mineral aggregates is currently sufficient for 26 years - way beyond the lifetime of this local plan. The best Yorkshire stone - i.e. for architectural use is not found on the site. It will result in permanent loss of good agricultural land suitable for grazing cattle and sheep. It will be materially detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike

Soundness - Consistent with National Policy

Inclusion of this site contravenes the National Planning Policy Framework and the Council's own Policy PLP 36. When developed the site will cause dust, noise and light pollution to receptors including houses at Dearne Grange (5 metres) and Park Head (100 metres away) as well as the primary school. Development of this site will affect walkers, horse riders, cyclists, tourists and it will prejudice highway safety. Kirklees already has mineral extraction sites/quarries ensuring supplies beyond the lifetime of this plan. The West Yorkshire reserve of mineral aggregates is currently sufficient for 26 years - way beyond the lifetime of this local plan. The best Yorkshire stone - i.e. for architectural use is not found on the site. It will result in permanent loss of good agricultural land suitable for grazing cattle and sheep. It will be materially detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike

Proposed Change Requested

Remove the site from the plan.

Council Response

No change. 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 policy 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 impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute

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

constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission.

Paragraph/Site: ME1965a

Consultee: 1043304 Mrs Rita Maxwell

Agent:

Rep ID: PDLP_AD81

Soundness - Justified

Inclusion of this site contravenes the National Planning Policy Framework and the Council's own Policy PLP 36. When developed the site will cause dust, noise and light pollution to receptors including houses at Dearne Grange (5 metres) and Park Head (100 metres away) as well as the primary school. Development of this site will affect walkers, horse riders, cyclists, tourists and it will prejudice highway safety. Kirklees already has mineral extraction sites/quarries ensuring supplies beyond the lifetime of this plan. The West Yorkshire reserve of mineral aggregates is currently sufficient for 26 years - way beyond the lifetime of this local plan. The best Yorkshire stone - i.e. for architectural use is not found on the site. It will result in permanent loss of good agricultural land suitable for grazing cattle and sheep. It will be materially detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike

Soundness - Consistent with National Policy

Inclusion of this site contravenes the National Planning Policy Framework and the Council's own Policy PLP 36. When developed the site will cause dust, noise and light pollution to receptors including houses at Dearne Grange (5 metres) and Park Head (100 metres away) as well as the primary school. Development of this site will affect walkers, horse riders, cyclists, tourists and it will prejudice highway safety. Kirklees already has mineral extraction sites/quarries ensuring supplies beyond the lifetime of this plan. The West Yorkshire reserve of mineral aggregates is currently sufficient for 26 years - way beyond the lifetime of this local plan. The best Yorkshire stone - i.e. for architectural use is not found on the site. It will result in permanent loss of good agricultural land suitable for grazing cattle and sheep. It will be materially detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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 impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 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. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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: **ME1965a**

Consultee: **1043305 Mrs Joan Neasham**

Agent:

Rep ID: **PDLP_AD82**

Soundness - Justified

Inclusion of this site contravenes the National Planning Policy Framework and the Council's own Policy PLP 36. When developed the site will cause dust, noise and light pollution to receptors including houses at Dearne Grange (5 metres) and Park Head (100 metres away) as well as the primary school. Development of this site will affect walkers, horse riders, cyclists, tourists and it will prejudice highway safety. Kirklees already has mineral extraction sites/quarries ensuring supplies beyond the lifetime of this plan. The West Yorkshire reserve of mineral aggregates is currently sufficient for 26 years - way beyond the lifetime of this local plan. The best Yorkshire stone - i.e. for architectural use is not found on the site. It will result in permanent loss of good agricultural land suitable for grazing cattle and sheep. It will be materially detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike

Soundness - Consistent with National Policy

Inclusion of this site contravenes the National Planning Policy Framework and the Council's own Policy PLP 36. When developed the site will cause dust, noise and light pollution to receptors including houses at Dearne Grange (5 metres) and Park Head (100 metres away) as well as the primary school. Development of this site will affect walkers, horse riders, cyclists, tourists and it will prejudice highway safety. Kirklees already has mineral extraction sites/quarries ensuring supplies beyond the lifetime of this plan. The West Yorkshire reserve of mineral aggregates is currently sufficient for 26 years - way beyond the lifetime of this local plan. The best Yorkshire stone - i.e. for architectural use is not found on the site. It will result in permanent loss of good agricultural land suitable for grazing cattle and sheep. It will be materially detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike

Proposed Change Requested

Remove the site from the plan.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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 impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of

PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo's 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 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. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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: **ME1965a**

Consultee: **1043376 Mr Carl Hope**

Agent:

Rep ID: **PDLP_AD92**

Soundness - Justified

Selecting this site is inconsistent with the National Planning Policy Framework and the Council's own Policy PLP 36. Impact on residential amenity, traffic, local environment and watercourses. Over-supply of minerals sites in Kirklees. •The best Yorkshire stone - i.e. that reserved for architectural and paving use is not found on Site ME1965 except for a very small band at the north end. It will result in permanent loss of the best and most versatile of agricultural land. Impact on setting of the village.

Soundness - Consistent with National Policy

Selecting this site is inconsistent with the National Planning Policy Framework and the Council's own Policy PLP 36. Impact on residential amenity, traffic, local environment and watercourses. Over-supply of minerals sites in Kirklees. •The best Yorkshire stone - i.e. that reserved for architectural and paving use is not found on Site ME1965 except for a very small band at the north end. It will result in permanent loss of the best and most versatile of agricultural land. Impact on setting of the village.

Proposed Change Requested

Remove the site from the plan.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. As

part of the site appraisal 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. 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 policy 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 impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing – can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo's 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 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. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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.

Soundness - Justified

Selecting this site is inconsistent with the National Planning Policy Framework and the Council's own Policy PLP 36. Impact on residential amenity, traffic, local environment and watercourses. Over-supply of minerals sites in Kirklees. •The best Yorkshire stone - i.e. that reserved for architectural and paving use is not found on Site ME1965 except for a very small band at the north end. It will result in permanent loss of the best and most versatile of agricultural land. Impact on setting of the village.

Soundness - Consistent with National Policy

Selecting this site is inconsistent with the National Planning Policy Framework and the Council's own Policy PLP 36. Impact on residential amenity, traffic, local environment and watercourses. Over-supply of minerals sites in Kirklees. •The best Yorkshire stone - i.e. that reserved for architectural and paving use is not found on Site ME1965 except for a very small band at the north end. It will result in permanent loss of the best and most versatile of agricultural land. Impact on setting of the village.

Proposed Change Requested

Remove the site from the plan

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. As part of the site appraisal 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. 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 policy 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 impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 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. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to

comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Open watercourses were identified as category 1 constraints in the UV minerals site allocation methodology paper. This did not, however, result in the preclusion of sites affected by them. The Environment Agency has confirmed that both watercourses crossing this option are classed as 'ordinary watercourses'. Therefore the standard 8 meter buffer strip would be required. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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: **ME1965a**

Consultee: **1044114 Diane Burgin**

Agent:

Rep ID: **PDLP_AD3223**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to

the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, ‘Supporting the rural economy’) and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, ‘Design’; Policy PLP 35, ‘Historic environment’). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, ‘Core walking and cycling network’), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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,

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

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: **ME1965a**

Consultee: **1044117 J Barrett**

Agent:

Rep ID: **PDLP_AD3253**

Soundness - Positively Prepared - The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified - There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy - Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested Removal of site ME1965a will make the plan sound

Council Response No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified.

Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, ‘Supporting the rural economy’) and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, ‘Design’; Policy PLP 35, ‘Historic environment’). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, ‘Core walking and cycling network’), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a**

Consultee: **1044120 Eleanor Burgin**

Agent:

Rep ID: **PDLP_AD3244**

Soundness - Positively Prepared - The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified - There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at

Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive

hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing – can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a**

Consultee: **1044126 Stewart Green**

Agent:

Rep ID: **PDLP_AD3246**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the

views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and

cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing – can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a**

Consultee: **1044127 Nigel Barrett**

Agent:

Rep ID: **PDLP_AD3254**

Soundness - Positively Prepared - The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified - There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested Removal of site ME1965a will make the plan sound

Council Response No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity

to make extraction viable. 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. 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: **ME1965a**

Consultee: **1044130 R Sykes**

Agent:

Rep ID: **PDLP_AD3255**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through

the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ – or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, ‘Supporting the rural economy’) and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, ‘Design’; Policy PLP 35, ‘Historic environment’). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, ‘Core walking and cycling network’), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing – can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: ME1965a

Consultee: 1044134 Ian Daffern

Agent:

Rep ID: PDLP_AD3089

Soundness - Positively Prepared - The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified - There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy - Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested Removal of site ME1965a will make the plan sound

Council Response No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency

– who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, ‘Supporting the rural economy’) and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, ‘Design’; Policy PLP 35, ‘Historic environment’). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, ‘Core walking and cycling network’), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a**

Consultee: **1044136 Jon Garthwaite**

Agent:

Rep ID: **PDLP_AD3110**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's

Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a**

Consultee: **1044139 Tom Snowball**

Agent:

Rep ID: **PDLP_AD3127**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is

satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a**

Consultee: **1044142 Joe Heptinstall**

Agent:

Rep ID: **PDLP_AD3137**

Soundness - Positively Prepared - The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified - There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy - Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested Removal of site ME1965a will make the plan sound

Council Response No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to

the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, ‘Supporting the rural economy’) and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, ‘Design’; Policy PLP 35, ‘Historic environment’). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, ‘Core walking and cycling network’), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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.

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

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: **ME1965a**

Consultee: **1044144 James Slater**

Agent:

Rep ID: **PDLP_AD3148**

Soundness - Positively Prepared - The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified - There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy - Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested Removal of site ME1965a will make the plan sound

Council Response No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned

to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo’s 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. 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. 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: **ME1965a**

Consultee: **1044145 Martin Kilner**

Agent:

Rep ID: **PDLP_AD3154**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with

- Identification of the site was not carried out in accordance with national policy / guidance

National Policy

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No changeBased 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. The Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Two water courses, the River Dearne and Park Dike run through the site and are category one constraints. Based upon the technical appraisal of the site, neither the Environment Agency who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. 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 echo's 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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 use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. 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: **ME1965a**

Consultee: **1044147 M Garthwaite**

Agent:

Rep ID: **PDLP_AD3180**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy.

Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. The Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Two water courses, the River Dearne and Park Dike run through the site and are category one constraints. Based upon the technical appraisal of the site, neither the Environment Agency who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. 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 echo's 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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 use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. 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.

plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No changeBased 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. The Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be

through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Two water courses, the River Dearne and Park Dike run through the site and are category one constraints. Based upon the technical appraisal of the site, neither the Environment Agency who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. 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 echo's 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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 use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. 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: **ME1965a**

Consultee: **1044152 David Moxon**

Agent:

Rep ID: **PDLP_AD3218**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with

- Identification of the site was not carried out in accordance with national policy / guidance

National Policy

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No changeBased 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. The Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Two water courses, the River Dearne and Park Dike run through the site and are category one constraints. Based upon the technical appraisal of the site, neither the Environment Agency who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. 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 echo's 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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 use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. 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: **ME1965a**

Consultee: **1044155 Kane Bowicer**

Agent:

Rep ID: **PDLP_AD3236**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through

the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ – or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, ‘Supporting the rural economy’) and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, ‘Design’; Policy PLP 35, ‘Historic environment’). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, ‘Core walking and cycling network’), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing – can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: ME1965a

Consultee: 1044157 G Broadbent

Agent:

Rep ID: PDLP_AD3247

Soundness - Positively Prepared - The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified - There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy - Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested Removal of site ME1965a will make the plan sound

Council Response No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing

could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, ‘Supporting the rural economy’) and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, ‘Design’; Policy PLP 35, ‘Historic environment’). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, ‘Core walking and cycling network’), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: ME1965a

Consultee: 1044158 Sophie Pleasants

Agent:

Rep ID: PDLP_AD3248

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic

environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

**Soundness - Consistent with National Policy
Proposed Change Requested
Council Response**

- Identification of the site was not carried out in accordance with national policy / guidance

Removal of site ME1965a will make the plan sound

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing – can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a**

Consultee: **1044159 Steven Kilmer**

Agent:

Rep ID: **PDLP_AD3249**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated

impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a**

Consultee: **1044160 Josh Kilner**

Agent:

Rep ID: **PDLP_AD3250**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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

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

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: **ME1965a**

Consultee: **1044161 Michael Mann**

Agent:

Rep ID: **PDLP_AD3251**

Soundness - Positively Prepared - The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified - There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy - Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested Removal of site ME1965a will make the plan sound

Council Response No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual

screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, ‘Supporting the rural economy’) and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, ‘Design’; Policy PLP 35, ‘Historic environment’). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, ‘Core walking and cycling network’), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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.

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

Soundness - Positively Prepared	- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt
Soundness - Justified	- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt
Soundness - Consistent with National Policy	- Identification of the site was not carried out in accordance with national policy / guidance
Proposed Change Requested	Removal of site ME1965a will make the plan sound
Council Response	No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to

be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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:	ME1965a	Consultee:	1044203 Mrs Patricia Whittington	Agent:	Rep ID:	PDLP_AD102
Soundness - Positively Prepared	Misleading information has been provided regarding the proposed location and connection to the existing Appleton Quarry. Negative impact on recreational users of the area, particularly those that walk on the Transpennine Trail.					
Soundness - Justified	Increased employment from the proposal has been overstated and does not outweigh the negative impacts on the local community. Existing roads are too narrow to accommodate additional traffic, particularly large works vehicles.					
Soundness - Consistent with National Policy	Unacceptable environmental impact due to increased pollution and destruction of waterways.					
Proposed Change Requested	Remove Site ME1965a from the Local Plan.					
Council Response	No change. When the site was originally named in the Draft Local Plan (consulted on November 2015) it was recognised that the site promoter was the same					

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

minerals operator on neighbouring land. The two parcels of land making up the new option were considered as one. Because part of the option (now ME1965b) was a physical extension to Appleton Quarry site ME1965 was named to reflect this fact. As work progressed on the submission version of the plan the site was split and site references amended - to reflect the different allocations accepted on them -but the naming was retained. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. The need for the mineral –as presented by the site promotor – has been considered against other economic impacts in line with NPPF para 142, 143 and NPPG para’s 10 and 86-89 (minerals chapter). It is considered that through appropriate levels of mitigation the potential for economic loss could be successfully mitigated. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: **ME1965a**

Consultee: **1044282 mrs ANNE CRAWSHAW**

Agent:

Rep ID: **PDLP_AD104**

Soundness - Justified

Remove the site from the plan.

Proposed Change Requested

Remove the site from the plan.

Council Response

No Change Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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.

Paragraph/Site: **ME1965a**

Consultee: **1044890 Mrs Marjorie Gunson**

Agent:

Rep ID: **PDLP_AD113**

Soundness - Justified

Site ME 1965a is still erroneously called an extension to Appleton quarry - it is not. The site will impact on the setting and character of the village within the greenbelt, it is too close to residential properties, will expose residents to dust and noise pollution, will impact on amenity, recreation value of the area, watercourses and traffic levels. The district has enough mineral sites ensuring supply beyond the lifetime of the plan.

Soundness - Consistent with National Policy

The identification exercise has not been carried out in accordance with NPPG.

Proposed Change Requested

Remove the site from the plan

Council Response

No change. When the site was originally named in the Draft Local Plan (consulted on November 2015) it was recognised that the site promoter was the same minerals operator on neighbouring land. The two parcels of land making up the new option were considered as one. Because part of the option (now ME1965b) was a physical extension to Appleton Quarry site ME1965 was named to reflect this fact. As work progressed on the submission version of the plan the site was split and site references amended - to reflect the different allocations accepted on them -but the naming was retained. 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses

crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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.

Paragraph/Site: **ME1965a**

Consultee: **1044900 Miss Claire Gunson**

Agent:

Rep ID: **PDLP_AD114**

Soundness - Justified

Site ME 1965a is still erroneously called an extension to Appleton quarry - it is not. The site will impact on the setting and character of the village within the greenbelt, it is too close to residential properties, will expose residents to dust and noise pollution, will impact on amenity, recreation value of the area, watercourses and traffic levels. The district has enough mineral sites ensuring supply beyond the lifetime of the plan.

Soundness - Consistent with National Policy

The identification exercise has not been carried out in accordance with NPPG.

Council Response

No change. When the site was originally named in the Draft Local Plan (consulted on November 2015) it was recognised that the site promoter was the same minerals operator on neighbouring land. The two parcels of land making up the new option were considered as one. Because part of the option (now ME1965b) was a physical extension to Appleton Quarry site ME1965 was named to reflect this fact. As work progressed on the submission version of the plan the site was split and site references amended - to reflect the different allocations accepted on them -but the naming was retained. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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.

Paragraph/Site: **ME1965a**

Consultee: **1045225 Mrs Kate Thwaite**

Agent:

Rep ID: **PDLP_AD116**

Soundness - Justified

Roads are not suitable for large lorries, impact on wildlife, land stability and residential amenity

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

Proposed Change Requested	Remove the site from the plan.
Council Response	No change. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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.
Paragraph/Site: ME1965a	Consultee: 1045370 Mrs Lesley Butcher Agent: Rep ID: PDLP_AD117
Soundness - Justified	The proposed quarry is too close to people's homes and will cause serious harm to health
Proposed Change Requested	the site of the quarry needs to be moved to a safe distance from the hamlets of Dearne Grange and Huddingley and from Birdsedge village
Council Response	No change. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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.
Paragraph/Site: ME1965a	Consultee: 1045404 Mrs Julie Maxwell Agent: Rep ID: PDLP_AD974
Soundness - Positively Prepared	Comments have been made but not available to view on the site. This will put people off from making comments. Site does not comply with Local Plan policy PLP 36 The Council has ignored the 206 objections made against this site at the Draft Local Plan stage
Soundness - Justified	The proposal will impact on existing agricultural land. Proposal will have a detrimental impact on the watercourses on the site. Watercourses supply mills further downstream – potential impact on employment. Watercourses on the site and the site in general supports wildlife. Impact on residential amenity, health and wellbeing and on the school. The proposal does not comply with Local Plan policies, namely PLP1 and PLP36. The minerals on the site are abundant throughout most of Kirklees, there is no high quality sandstone on the site. Site is not an extension to Appleton quarry.
Soundness - Consistent with National Policy	Local Plan states that there should be a presumption in favour of granting permission where land is a natural extension of an existing quarry, this is contrary to NPPG. Site fails to comply with NPPF
Proposed Change Requested	remove the site from the plan.
Council Response	No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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. 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the

development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. NPPG recommends the use of the best available information to help inform minerals plans. This may include the use of BGS maps and industry data, an approach which is in compliance with NPPG paragraph 7. As the site promoter has carried out on site investigations it has been demonstrated that sandstone exists at this site which is of suitable quality and in viable quantities. ME1965a has been assessed as an individual site and not considered as an extension to ME2243. There has been no presumption in favour of quarry extensions applied to ME1965a and the evidence in support of this option is considered proportionate and sufficient to justify its allocation. A separate and more detailed assessment would be required as part of any planning application. 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: **ME1965a**

Consultee: **1045742 Ms Josie Murphy**

Agent:

Rep ID: **PDLP_AD126**

Soundness - Positively Prepared

There is clear evidence to show that this proposal contravenes the National Planning Policy Framework and the Council's own Policy PLP 36 in the following ways: Air, Noise and Dust pollution Vibration Traffic Pollution of watercourses Oversupply of mineral extraction sites and quarries in Kirklees Best Yorkshire Stone not found on this site - site would provide poor quality stone for crushing Loss of agricultural land Will not preserve the setting and character of the village Detrimental to local visual and residential amenity, including Castle Hill

Soundness - Justified

There is clear evidence to show that this proposal contravenes the National Planning Policy Framework and the Council's own Policy PLP 36 in the following ways: Air, Noise and Dust pollution Vibration Traffic Pollution of watercourses Oversupply of mineral extraction sites and quarries in Kirklees Best Yorkshire Stone not found on this site - site would provide poor quality stone for crushing Loss of agricultural land Will not preserve the setting and character of the village Detrimental to local visual and residential amenity, including Castle Hill

Soundness - Consistent with National Policy

There is clear evidence to show that this proposal contravenes the National Planning Policy Framework and the Council's own Policy PLP 36 in the following ways: Air, Noise and Dust pollution Vibration Traffic Pollution of watercourses Oversupply of mineral extraction sites and quarries in Kirklees Best Yorkshire Stone not found on this site - site would provide poor quality stone for crushing Loss of agricultural land Will not preserve the setting and character of the village Detrimental to local visual and residential amenity, including Castle Hill

Council Response

No change. 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. 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 policy 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 impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees

at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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.

Paragraph/Site: **ME1965a**

Consultee: **1045769 Mr George Gibson**

Agent:

Rep ID: **PDLP_AD135**

Legally Compliant

The plan has failed to listen to over 200 comments raised during the draft Local Plan consultation. The NPPF says plans should reflect local views etc.

Soundness - Justified

Prominent site which is visible from a number of areas. The minerals site would result in a negative impact upon a valued landscape. Close proximity to residential properties therefore minerals activity will have a significant impact upon residential amenity - particularly visual, noise and dust. Mitigation measures are not sufficient to protect residents. The mineral is commonly found across the district and therefore there will be better alternative sites. The minerals site will negatively impact upon the setting and character of Birds Edge and the green belt. The River Dearne and Park Dike cross the site, minerals extraction would impact on these watercourses and cause harm to the habitat network and strategic green areas. The surrounding road network is insufficient to support the movement of HGV's. Loss of the fields would end an operational farm and impact on two other neighbouring farms. The minerals operation would spoil the recreational opportunities in Birds Edge such as walking and cycling, it will increase people stress levels and general health. Affect children at the nearby school and in the playground and it will affect people use of the amenities in general within Birds Edge.

Soundness - Consistent with National Policy

The site should be removed as if the tests set out in NPPF were followed it is clear a minerals operation would not be granted planning permission here.

Proposed Change Requested

Removal of site ME1965a

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. 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. 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. 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: **ME1965a**

Consultee: **1045799 Mrs Kimberley Payne**

Agent:

Rep ID: **PDLP_AD140**

Soundness - Justified

The quarry would completely destroy our quality of life which would be affected by the noise and disruption through the quarry working hours due to the close proximity of the site. Impact of dust from the prevailing wind direction and impact on the environment, green belt, landscape and rural location. A big hole will affect the back of our view. Increase in the number of wagons will also pose an added danger and house prices will be reduced.

Proposed Change Requested

Delete allocation ME1965a from the plan.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved.

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

Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: **ME1965a**

Consultee: **1045988 Mrs Diana Brown**

Agent:

Rep ID: **PDLP_AD157**

Soundness - Justified

The plan in five metres away from houses at Dearne Grange and less than 100 metres from a further 30 houses as well as destroying two watercourses. Apart from the disturbance to the area, it would create an island for the houses nearby and be an awful eyesore

Proposed Change Requested

Reject the plan

Council Response

No change. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.

Paragraph/Site: **ME1965a**

Consultee: **1046342 P Taylor**

Agent:

Rep ID: **PDLP_AD1422**

Soundness - Positively Prepared

Ignored over 200 objections at the consultation stage. Inconsistent with policy PLP 36.

Soundness - Justified

Heavy traffic near houses. Dust, vibration, noise. Increased traffic. Impact on nearby watercourses.

Soundness - Consistent with National Policy

Inconsistent with National Policy.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission.

Paragraph/Site: **ME1965a**

Consultee: **1047385 Mrs Andrea cam**

Agent:

Rep ID: **PDLP_AD248**

Soundness - Justified

The Plan is unsound because it is inconsistent with the Council's own policy PLP 36. This proposal would cause materially significant disturbance and nuisance by the generation of dust, noise and vibration by the site operations and associated transport; it will impact on people's health and quality of life. It would prejudice highway safety through the volume and nature of vehicle movement onto and from the site possibly along Birds Edge/Windmill Lanes/Carr Hill Road to the A629. It would result in permanent loss of the best and most versatile of agricultural land. There are too many quarries in this part of Kirklees. The proposal would be a totally inappropriate development in the green belt as it will not preserve the openness of the green belt nor will it preserve the setting

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

	and character of the village within the greenbelt. The proposal would cause unacceptable detriment to a value landscape - destroying it.
Soundness - Consistent with National Policy	The Plan is unsound because it is inconsistent with the National Planning Policy Framework.
Council Response	Remove site ME1965a from the plan.
Paragraph/Site: ME1965a	Consultee: 1047386 Mr Stephen Cam Agent: Rep ID: PDLP_AD250
Soundness - Positively Prepared	Over 200 objections at the public consultation stage (a 55% objection rate from the local population) have been ignored.
Soundness - Justified	The plan is unsound because it is inconsistent with the Council's own policy PLP36. There are already too many quarries in this part of Kirklees and too much heavy traffic in the vicinity. The A629 is already a very dangerous road. The proposal would cause unacceptable detriment to a valued landscape and significant disturbance from dust, noise and vibration from the site operations and associated traffic, impacting on people's health and quality of life.
Soundness - Consistent with National Policy	The plan is unsound because it is inconsistent with the National Planning Policy Framework.
Council Response	No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. As part of the site appraisal 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. 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: ME1965a	Consultee: 1048008 Mr Joseph Bedford Agent: Rep ID: PDLP_AD255
Soundness - Positively Prepared	Site ME1965a fails to meet the Kirklees Vision or LP Objectives 1,3,5,6,7,8, and 10 requirements. It does not meet the requirements of the Kirklees Joint Health and Well-being Strategy or the Kirklees Economic Strategy.
Soundness - Justified	Site ME1965a fails to comply with objectives and policies of the LDP – especially 1, 2, 6, 7, 10, 19, 20, 21, 25, 30, 48, 51, 52, 55, 38, and 39. Site ME1965a fails to comply with LP policy 36 “Proposal for Mineral Extraction”.
Soundness - Consistent with National Policy	Site ME1965a does not comply with many of the paragraphs from the National Planning Policy Framework: For example: 1, 7, 9, 10, 14, 15, 17, 28, 58, 61, 64, 69, 73, 74, 75, 70, 80, 81, 86, 88, 109, 110, 120, 122, 123, 125, 126, 131, 142, 150, 151, 152, 155, 157, 158 and 163.

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

Proposed Change Requested	Remove site ME1965a from the local 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. 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 policy 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 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: **ME1965a**

Consultee: **1048053 Mrs Jane Weatherby**

Agent:

Rep ID: **PDLP_AD267**

Soundness - Justified

The inclusion of ME1965a in the plan is unsound. The site is close to housing and the proposal will have a negative impact in terms of pollution, noise and dust upon health, well-being and environmental issues. The main road is already busy and there are houses either side and quieter residential streets around the proposed quarry area - increased lorry traffic will be dangerous for pedestrians and other road users. It will remove green belt and agricultural land permanently. Castle Hill is a site of archaeological interest and should be preserved.

Proposed Change Requested

Remove site ME1965a from the local plan.

Council Response

No change. Impact on nearby housing can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. 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. 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.

Paragraph/Site: **ME1965a**

Consultee: **1048056 Mr Ben Walker**

Agent:

Rep ID: **PDLP_AD269**

Soundness - Positively Prepared No comments received.

Soundness - Justified No comments received.

Soundness - Effective No comments received.

Soundness - Consistent with National Policy No comments received.

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

Council Response	No change.No comments received.		
Paragraph/Site: ME1965a	Consultee: 1048066 Mr David Charlesworth	Agent:	Rep ID: PDLP_AD274
Soundness - Justified	The plan would cause significant disturbance and nuisance, with the generation of noise, dust, vibration and pollution. It would have a detrimental effect on the immediate environment and would cause a safety risk to the residents, due to the increase in traffic.		
Proposed Change Requested	The removal of the site ME1965a.		
Council Response	No change.Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation.The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment.Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.		
Paragraph/Site: ME1965a	Consultee: 1048067 Mr David Morris	Agent:	Rep ID: PDLP_AD275
Soundness - Justified	Does not take into account the amenities of the village of Birds Edge.		
Council Response	No change.Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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.		
Paragraph/Site: ME1965a	Consultee: 1048067 Mr David Morris	Agent:	Rep ID: PDLP_AD278
Soundness - Justified	Does not take into account the disruption to the daily life of Birds Edge and the human rights of the local population.		
Council Response	No change.The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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.Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.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.		
Paragraph/Site: ME1965a	Consultee: 1048092 Dan McKinnon	Agent:	Rep ID: PDLP_AD279
Soundness - Positively Prepared	The plan is unsound because of the inclusion of ME1965a, due to not meeting the requirements of the Kirklees Vision or LP Objectives 1,3,5,6,7,8,and 10; failing to meet the requirements of the Kirklees Joint Health and Well-being Strategy, as well as the requirements of the Kirklees Economic Strategy. The impact upon the local community by increasing the air and noise pollution; increasing heavy machinery traffic throughout the area. It will destroy the setting		

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

and character of the village within the greenbelt and cause unacceptable damage to a beautiful, valued landscape and severely impact on the enjoyment of the many walkers and hikers to the area.

Soundness - Justified

The plan is unsound because of the inclusion of ME1965a, due to the impact upon the local community by increasing the air and noise pollution; increasing heavy machinery traffic throughout the area. It will destroy the setting and character of the village within the greenbelt and cause unacceptable damage to a beautiful, valued landscape and severely impact on the enjoyment of the many walkers and hikers to the area.

Proposed Change Requested

I believe the only thing that will make this Local Plan legally compliant or sound would be the removal of the site ME1965a from said Local 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. As part of the site appraisal 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. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site.

Paragraph/Site: ME1965a

Consultee: 1048099 Mr Jamie Dearnley

Agent:

Rep ID: PDLP_AD283

Soundness - Positively Prepared

Over 200 objections made during the consultation stage have been ignored. Site ME1965a does not meet the requirements of the Kirklees Vision or LP Objectives 1,3,5,6,7,8, and 10. It also fails to meet the requirements of the Kirklees Joint Health and Well-being Strategy and the Kirklees Economic Strategy.

Soundness - Justified

ME1965a will cause significant disturbance and nuisance by the generation of dust, noise and vibration from site operations and associated transport, impacting on people's health and quality of life. It will be detrimental and polluting to the local environment and affect the watercourses of the River Dearne and Park Dike. The council's paper 'Identifying Future Mineral Extraction Sites' (October 2016) states that ground water sources are a primary constraint (Category One) when identifying areas of search for Mineral Extraction, and that river valleys are a Category Two constraint. There are two Category One constraints and one Category Two constraint on Site ME1965a with two water courses and a river valley.

Proposed Change Requested

Abandon this planned mineral extraction site.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. As part of the site appraisal 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. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely

to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Open watercourse were identified as category 1 constraints in the UV minerals site allocation methodology paper. This did not, however, result in the preclusion of sites affected by them. The EA has confirmed that both watercourses crossing this option are classed as 'ordinary watercourses'. Therefore the standard 8 meter buffer strip would be required,

Paragraph/Site: **ME1965a**

Consultee: **1048107 Ms Ruth Woodhead**

Agent:

Rep ID: **PDLP_AD298**

Soundness - Positively Prepared

Site ME1965a does not meet the requirements of the Kirklees Vision or LP Objectives 1,3,5,6,7,8, and 10. It fails to meet the requirements of the Kirklees Joint Health and Well-being Strategy and the Kirklees Economic Strategy. ME1965a does not comply with objectives and policies of the LDP – in particular policies 1, 2, 6, 7, 10, 19, 20, 21, 25, 30, 48, 51, 52, 55, 38, and 39. It does not comply with LP policy 36 "Proposal for Mineral Extraction".

Soundness - Justified

Site ME1965a will cause disturbance and nuisance from air and noise pollution generated by site operations and associated transport which will impact on people's health and quality of life. Highway safety will be prejudiced by the volume and nature of vehicle movements into and from the site. It will be detrimental and polluting to the local environment, affecting watercourses. The council's paper 'Identifying Future Mineral Extraction Sites' (October 2016) states that ground water sources are a primary constraint (Category One) when identifying areas of search for Mineral Extraction, and that river valleys are a Category Two constraint. There are two Category One constraints and one Category Two constraint on Site ME1965a with two water courses and a river valley. Kirklees is already over-supplied with mineral extraction sites and quarries ensuring supplies beyond the plan period. The best Yorkshire stone is not on the site except for a small part and the rest would only provide poor quality crushing stone that could be extracted from anywhere. It will result in the permanent loss of agricultural grazing land, disrupt wildlife and will have a cumulative effect as there are already too many quarries in this part of Kirklees. The setting and character of the village within the greenbelt will not be preserved and it will cause unacceptable detriment to a valued landscape, visual amenity and residential amenity being clearly visible from many local areas and will impact on the archaeologically important ancient monument of Castle Hill.

Soundness - Consistent with National Policy

ME1965a does not comply with the National Planning Policy Framework paragraphs 1, 7, 9, 10, 14, 15, 17, 28, 58, 61, 64, 69, 73, 74, 75, 70, 80, 81, 86, 88, 109, 110, 120, 122, 123, 125, 126, 131, 142, 150, 151, 152, 155, 157, 158 and 163.

Proposed Change Requested

Remove site ME1965a from the local plan.

Council Response

No change. Please refer to representation from PDLP_AD3634 which refers to Local Plan objectives. As part of the site appraisal 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. 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 policy 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 impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved.

Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. 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 echo’s 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 significance of Castle Hill Ancient Scheduled Monument as a heritage asset can be tested at planning application stage. 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: **ME1965a**

Consultee: **1048178 Mrs Mavis Thomas**

Agent:

Rep ID: **PDLP_AD1707**

Soundness - Positively Prepared

208 objections at the consultation stage (a 55% objection rate from local population) have been ignored.

Soundness - Justified

This site will have an impact on Birdsedge, and all surrounding villages, which already have a fair few quarry lorries travelling through at 6:30 am each morning going at quite a speed and bringing more pollution. Birdsedge primary school already suffers from bad air pollution and so this quarry will have a massive impact on everyone's environment.

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of

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

mitigation. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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.

Paragraph/Site: ME1965a	Consultee: 1048230 Mr Steven Knowles	Agent:	Rep ID: PDLP_AD286
Soundness - Justified	I am a resident of Upper Cumberworth, I feel that if planning is approved, the number of heavy vehicles travelling through our village, will effect all local residents. I also think that the amount of dust that will be blown onto the village will be unacceptable.		
Proposed Change Requested	This development should not be passed or approved.		
Council Response	No change. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.		

Paragraph/Site: ME1965a	Consultee: 1048405 mr keith donnelly	Agent:	Rep ID: PDLP_AD291
Soundness - Justified	Crazy Idea.		
Council Response	No change.		

Paragraph/Site: ME1965a	Consultee: 1048482 Mr T. Emmanuel Gumede	Agent:	Rep ID: PDLP_AD637
Soundness - Justified	There are 3 houses within 5 metres of the quarry; a further 30 within 100 metres and an additional 178 in the village that will be within 500 metres including the local school, village hall and church. Anyone of sound judgment and mind would not put a quarry so close to a residential area.		
Proposed Change Requested	Perhaps quarries should be somewhere far from homes, school, village halls and churches? That would be a step in the right direction please.		
Council Response	No change. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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.		

Paragraph/Site: ME1965a	Consultee: 1048524 Mr Frank Lane	Agent:	Rep ID: PDLP_AD295
Soundness - Justified	The site is too close to village housing. The site will be dusty and noisy and the health of local people will be effected. Cumberworth Lane is narrow, buses can barely get by and it's unsuitable for heavy vehicles. The villages of Upper and Lower Cumberworth are also unsuitable for such traffic, footpaths are very narrow. This would not be a safe and effective transport network, one of the Councils aims.		
Council Response	No change. Impact on village housing can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for		

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

other users.

Paragraph/Site: **ME1965a**

Consultee: **1048554 Mr Matt Wright**

Agent:

Rep ID: **PDLP_AD296**

Soundness - Justified

Object due to: 1) openness of greenbelt, 2) proximity to dwellings, 3) highway safety, 4) disturbance of watercourses and 5) noise disturbance to the chapel, school and surrounding residential area.

Proposed Change Requested

Removal of site ME1965a from the plan.

Council Response

No change.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.Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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.Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission.The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.

Paragraph/Site: **ME1965a**

Consultee: **1048567 Mrs Tracy Smith**

Agent:

Rep ID: **PDLP_AD305**

Soundness - Justified

the volume of traffic that will be caused by this site will be a danger to the safety of the public, horseriders & walkers whom frequently use "The TransPennine Trail" as there are no pavements.

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

No change. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site.

Paragraph/Site: **ME1965a**

Consultee: **1048569 Master Ryan Smith**

Agent:

Rep ID: **PDLP_AD302**

Soundness - Justified

The current winds will make all the dust & particles that the quarry site will generate contaminate the nearby agriculture, village houses & the primary school, causing air pollution, as a child who has asthma I would not want my family to get ill by air pollution or anyone else as they all have a right to continue to thrive & live in a picturesque & healthy environment that they have all looked after.

Proposed Change Requested

The removal of site ME1965a.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working

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

programme with progressive restoration would help to ensure there is no significant increased negative impact.

Paragraph/Site: **ME1965a**

Consultee: **1048586 Mr Alistair Smith**

Agent:

Rep ID: **PDLP_AD309**

Soundness - Justified

I am appalled at the thought of this quarry going ahead after the tremendous amount of objections brought to you before!! The impact & distress that the sites blasting & drilling will cause to the local community & wildlife will be extremely destructive & cause a huge amount of Noise Pollution! I urge you to STOP this application!

Council Response

No change. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.

Paragraph/Site: **ME1965a**

Consultee: **1048628 Ms Vikki Fielden**

Agent:

Rep ID: **PDLP_AD434**

Soundness - Positively Prepared

55% of Birdsedge's residents have already objected to this plan. This site breaches the council's own guidelines for mineral extraction and fails to meet the requirements of the Kirklees Joint Health and Well-being Strategy and the Economic Strategy.

Soundness - Justified

The site is not justified on the grounds of the damage it will cause and effect on quality of life, including the impact of noise and dust pollution on residents and nearby businesses, increased traffic, the visual impact and economic damage to tourism and visitors. It will harm the local environment, including air and water quality, plant and wildlife. There are enough mineral reserves in West Yorkshire for 26 years and most of the site would only provide poor quality stone. The company has failed to comply with planning obligations in the past.

Soundness - Consistent with National Policy

This site breaches national guidelines for mineral extraction.

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. As part of the site appraisal 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. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The Kirklees Local Plan puts in place a number of policy requirements. Collectively, these policies help to ensure the needs of the tourism industry are positively supported, that development is sensitively designed to respects and enhance the character of the townscape, heritage assets and landscape, and that protection is afforded the core cycling and walking network. Enhancement will also be sought in the countryside by linking to existing bridleways and national trails where appropriate. These issues would be addressed through policy PLP 10, 'Supporting the rural economy', policy PLP 24, 'Design' and policy PLP 23, 'Core walking and cycling network'. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any

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

associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. Previous breaches of planning conditions cannot be used to justify the rejection of a proposed allocation. 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: **ME1965a**

Consultee: **1048632 Mr Andrew Watson**

Agent:

Rep ID: **PDLP_AD319**

Soundness - Justified

There are already too many quarries within Kirklees. Marshalls quarry across from the proposed site has already caused materially significant disturbance and nuisance by the generation of dust, noise and vibration impacting on people's quality of life. There will be additional traffic and large vehicles leaving the site possibly along Birds Edge, Windmill Lane, Carr Hill Road and the A629. There will be loss of green belt land and the development will not preserve the openness of green belt or the setting of the area. The site is clearly visible within the area, as is the current Marshalls quarry site.

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

No change 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. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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.

Paragraph/Site: **ME1965a**

Consultee: **1048650 Mr Ian Blakeway**

Agent:

Rep ID: **PDLP_AD322**

Soundness - Positively Prepared

The vast majority of local people object to this site. The council seem to have not listened to both locals and visitors.

Soundness - Justified

This proposal is wrong for this green belt area. The consideration of local traffic, noise and air pollution has been given little attention. The vast majority of local people object to this site.

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

No change Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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

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

upon the openness of the green belt. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.

Paragraph/Site: **ME1965a**

Consultee: **1048724 Arthur Alsop**

Agent:

Rep ID: **PDLP_AD1670**

Soundness - Positively Prepared

Does not comply with the Council's own policy.

Soundness - Justified

Breach of Human Rights. There isn't the infrastructure - roads are already dangerous. Dust, noise and vibration. Impact on health and quality of life.

Soundness - Consistent with National Policy

Does not comply with National Policy.

Proposed Change Requested

Remove this site from the plan.

Council Response

No change. 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. 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: **ME1965a**

Consultee: **1048726 Seth Alsop**

Agent:

Rep ID: **PDLP_AD1678**

Soundness - Positively Prepared

Does not comply with Local Plan Policy DLP 37.

Soundness - Justified

Impact on amenity. Too close to houses. Impact on health. Dust and noise. Infrastructure - roads won't cope with the additional vehicles.

Soundness - Consistent with National Policy

Does not comply with National Policy.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. 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 policy 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be

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

satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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: ME1965a

Consultee: 1048728 John Radley

Agent:

Rep ID: PDLP_AD1741

Soundness - Justified

Prejudice highway safety. Cause nuisance and disturbance to local residents. Generation of dust, noise and vibration. Impact on health and well-being of children attending the school. Impact on natural watercourses. Loss of wildlife.

Soundness - Consistent with National Policy

Does not comply with National Policy.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. 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: ME1965a

Consultee: 1048731 Gillian Swales

Agent:

Rep ID: PDLP_AD1755

Soundness - Positively Prepared

Ignored over 200 objections at consultation stage. Inappropriate development in the green belt.

Soundness - Justified

Impact on the health and well-being of local residents.

Soundness - Consistent with National Policy

Does not comply with National Policy.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. The allocation has been assessed based on NPPF and NPPG requirements. In particular the need for the mineral has been

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

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: **ME1965a**Consultee: **1048733 Pauline Tyas**

Agent:

Rep ID: **PDLP_AD1757****Soundness - Justified**

Will destroy valued landscape. Will be detrimental to local visual and residential amenity. There is a demand for houses in the area not mineral extraction. The Trans-Pennine Trail runs round the area.

Soundness - Consistent with National Policy

Does not comply with National Policy.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site.

Paragraph/Site: **ME1965a**Consultee: **1048735 Tracie Robinson**

Agent:

Rep ID: **PDLP_AD1794****Soundness - Positively Prepared**

Does not comply with LDP Policy 36. Fails to meet Kirklees Joint Health & Well-being Strategy.

Soundness - Justified

Breach of the Human Rights Act.

Soundness - Consistent with National Policy

Does not comply with National Policy.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. 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 policy 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. As part of the site appraisal 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. 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. 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: **ME1965a**Consultee: **1048737 Sally Haynes**

Agent:

Rep ID: **PDLP_AD1798**

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

Soundness - Justified	Detrimental to local environment and affect watercourses. Loss of agricultural land.
Soundness - Consistent with National Policy	Does not comply with National Policy.
Proposed Change Requested	Removal of site from the plan.
Council Response	No change.Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment.Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 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: **ME1965a**

Consultee: **1048739 Jodi Moynihan**

Agent:

Rep ID: **PDLP_AD1689**

Soundness - Justified	Road safety. Noise and dust. Loss of green fields. There are other places to do this.
Soundness - Consistent with National Policy	Does not comply with National Policy.
Proposed Change Requested	Removal of site from the plan.
Council Response	No change.Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. 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. 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 echo’s 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 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: **ME1965a**

Consultee: **1048749 Mrs Paula Tollemache**

Agent:

Rep ID: **PDLP_AD335**

Soundness - Justified	The roads are not wide enough for heavy construction vehicles. There will be noise and dust from the quarry and there is a school close by. There is wildlife, such as deer, and birdlife in the wood close to the proposed site.
------------------------------	---

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

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

No change. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment.

Paragraph/Site: **ME1965a**

Consultee: **1048778**

Gareth Dickinson

Agent:

Rep ID: **PDLP_AD1457**

Soundness - Justified

Noise, dust, vibrations. Impact on watercourses - Pollution. Agricultural land would be lost forever. Green belt land would be lost - ruining the open character of the area. Visible from Birdsedge and local area. Impact on Castle Hill. Increased traffic. Effect on property prices.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: **ME1965a**

Consultee: **1048779**

Colin Dickinson

Agent:

Rep ID: **PDLP_AD1450**

Soundness - Justified

Noise, dust, vibrations. Impact on watercourses - Pollution. Agricultural land would be lost forever. Green belt land would be lost - ruining the open character of the area. Visible from Birdsedge and local area. Impact on Castle Hill. Increased traffic. Effect on property prices.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site

assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: **ME1965a**

Consultee: **1048793 Cllr Graham Turner**

Agent:

Rep ID: **PDLP_AD3282**

Soundness - Justified

The site is too large and is too close to several homes and the school, this will have a negative impact on residential amenity and create traffic problems. Quarrying is not the best way to manage the green belt. The site includes the head of the River Dearne, destruction of this would be detrimental to local businesses and the river's eco system. The product does not seem to have a large market.

Proposed Change Requested

Remove the site from the plan.

Council Response

No change. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse

impact on local water regimes prior to any grant of planning permission. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. 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.

Paragraph/Site: **ME1965a**

Consultee: **1048814 Mr Guy Ellis**

Agent:

Rep ID: **PDLP_AD339**

Soundness - Justified

-Eastern boundary of the site abuts our farm which is downwind of this site. Any pollution from the quarry that could be developed will directly affect our farm. Noise, dust and vibration will be an issue affecting humans and livestock, pigs and sheep. Health and welfare would be adversely affected by this pollution. It could be so bad for the animals welfare that we would not be able to raise livestock and effectively this would make the farm unviable. -Any development would adversely affect Park Dike water course which crosses farm and is used to water livestock affecting our animals and the viability of our farm. -Site is too close to houses and a primary school. -Development will affect recreation and tourism. - It will prejudice highway safety with vehicle movements along Park Head Lane/Carr Hill Road to the A629. There are no footpaths to protect pedestrians. -No need for more quarries, far too many in area. - Will result in permanent loss of good agricultural land suitable for grazing cattle and sheep and will affect the viability of three farms. -It will not preserve the setting and character of Birdsedge village within the greenbelt. - This potential quarry will be seen from all over the village and visible from the Upper Dearne Woodlands and the Trans Pennine Trail. - It will cause unacceptable detriment to local visual and residential amenity and to a valued landscape within the Green Belt.

Proposed Change Requested

Removal of Site ME1965a will make the plan sound

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 Kirklees Local Plan puts in place a number of policy requirements. Collectively, these policies help to ensure the needs of the tourism industry are positively supported, that development is sensitively designed to respects and enhance the character of the townscape, heritage assets and landscape, and that protection is afforded the core cycling and walking network. Enhancement will also be sought in the countryside by linking to existing bridleways and national trails where appropriate. These issues would be addressed through policy PLP 10, ‘Supporting the rural economy’, policy PLP 24, ‘Design’ and policy PLP 23, ‘Core walking and cycling network’. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of

Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. 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.

Paragraph/Site: **ME1965a**

Consultee: **1048825 Mr Chris Ellis**

Agent:

Rep ID: **PDLP_AD341**

Soundness - Positively Prepared

206 objections to the inclusion of site ME1965a in the local plan at the initial consultation stage have been ignored. This represents objections from 55% of the Birds Edge community.

Soundness - Justified

The inclusion of site ME1965a is unsound due to the direct effect of pollution, noise, dust and vibration on Fairleigh Farm at Birds Edge, including adverse impact on livestock, Park Dike watercourse and the viability of the farm. This site will adversely affect wildlife in the area, including at Rusby Wood, Rusby pond, the River Dearne and Park Dike. There is no need for more quarries in this area. It will result in the permanent loss of good agricultural land suitable for grazing and affect the viability of three farms. There will be unacceptable detriment to local visual amenity, residential amenity and a valued landscape within the Green Belt.

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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. 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated through the provision of appropriate stand-off, screening, routing of associated minerals traffic

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

etc. Full details of required mitigation measures would be assessed through the planning application process. 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.

Paragraph/Site: **ME1965a**

Consultee: **1048829 Mr Russell Ellis**

Agent:

Rep ID: **PDLP_AD342**

Soundness - Positively Prepared 206 objections to the inclusion of site ME1965a in the local plan at the initial consultation stage have been ignored. This represents objections from 55% of the Birds Edge community.

Soundness - Justified The inclusion of site ME1965a is unsound due to the direct effect of pollution, noise, dust and vibration on Fairleigh Farm at Birds Edge, including adverse impact on livestock, Park Dike watercourse and the viability of the farm. This site will adversely affect wildlife in the area, including at Rusby Wood, Rusby pond, the River Dearne and Park Dike. There is no need for more quarries in this area. It will result in the permanent loss of good agricultural land suitable for grazing and affect the viability of three farms. There will be unacceptable detriment to local visual amenity, residential amenity and a valued landscape within the Green Belt.

Proposed Change Requested Remove site ME1965a from the plan.

Council Response No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ – or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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.

Paragraph/Site: **ME1965a**

Consultee: **1048832 Mr Glen Ellis**

Agent:

Rep ID: **PDLP_AD343**

Soundness - Positively Prepared 206 objections to the inclusion of site ME1965a in the local plan at the initial consultation stage have been ignored. This represents objections from 55% of the Birds Edge community.

Soundness - Justified The inclusion of site ME1965a is unsound due to the direct effect of pollution, noise, dust and vibration on Fairleigh Farm at Birds Edge, including adverse

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

impact on livestock, Park Dike watercourse and the viability of the farm. This site will adversely affect wildlife in the area, including at Rusby Wood, Rusby pond, the River Dearne and Park Dike. There is no need for more quarries in this area. It will result in the permanent loss of good agricultural land suitable for grazing and affect the viability of three farms. There will be unacceptable detriment to local visual amenity, residential amenity and a valued landscape within the Green Belt.

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ – or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. 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. 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.

Paragraph/Site: **ME1965a**

Consultee: **1048838 Mrs Ann Ellis**

Agent:

Rep ID: **PDLP_AD344**

Soundness - Positively Prepared

206 objections to the inclusion of site ME1965a in the local plan at the initial consultation stage have been ignored. This represents objections from 55% of the Birds Edge community.

Soundness - Justified

The inclusion of site ME1965a is unsound due to the direct effect of pollution, noise, dust, artificial light and vibration on Fairleigh Farm at Birds Edge which will adversely impact on livestock and the viability of the farm. There will be unacceptable detriment to local and long distance views, including across open countryside and significant impact on landscape character and the setting and character of the green belt. There are road safety concerns, including the unsuitability of local roads Dearne Dike Lane and Park Head Lane which has no pavements, drains or kerbs. This is a dangerous road and the increase in traffic on this road is a concern. Traffic leaving the site will use Cumberworth Lane to the A629 and the junction of the A629/Cumberworth Lane/Carr Hill which is an accident spot. More HGVs will add to this danger and increase the danger to school children. Watercourses Park Dike and the River Dearne could be polluted and loss of these will impact the farm. This site will adversely affect wildlife in the area and the local environment.

Proposed Change Requested

Remove site ME1965a from the plan.

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

Council Response No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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.

Paragraph/Site: **ME1965a** Consultee: **1048845 Claire Wormald** Agent: Rep ID: **PDLP_AD2241**

Soundness - Justified - Too close to residential properties - Impact on receptors - Impact upon people's health and wellbeing

Proposed Change Requested Removal of site ME1965a would make the plan sound

Council Response No change. Impact upon residential homes can be satisfactorily mitigated 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. All receptors - including people's health and wellbeing - have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified

Paragraph/Site: **ME1965a** Consultee: **1048847 Mrs Marie Ellis** Agent: Rep ID: **PDLP_AD345**

Soundness - Positively Prepared 206 objections to the inclusion of site ME1965a in the local plan at the initial consultation stage have been ignored. This represents objections from 55% of the Birds Edge community. Reference to site ME196a as Appleton Quarry is incorrect as it is part of a viable farm known as Tinker's Farm. Planning permission for any quarry development could not comply with the council's own planning policies, especially Policy 36.

Soundness - Justified The inclusion of site ME1965a is unsound due to the direct effect of pollution, noise, dust, artificial light and vibration on Fairleigh Farm at Birds Edge which will adversely affect people who live and work on the farm, livestock and the viability of the farm and other farms in the vicinity. There will be unacceptable detriment to local and long distance views, including across open countryside, and significant impact on landscape character and the setting and character of the green belt. ME1965a is an inappropriate site for a quarry next to Rusby Wood and there is a range of wildlife and flora and fauna on the site. Two waterways, the River Dearne and Park Dike, could be polluted. There are road safety concerns, including the unsuitability of local roads Dearne Dike Lane and Park Head Lane which has no pavements, drains or kerbs. This is a dangerous road and the increase in traffic on this road is a concern. Traffic leaving the site will use Cumberworth Lane to the A629 and the junction of the A629/Cumberworth Lane/Carr Hill which is an accident spot. More HGVs will add to this

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

danger and increase the danger to school children. This site is very close to the school, playing fields, village hall and church and quarrying will have a devastating effect on the village, including its desirability as a place to live.

Soundness - Consistent with National Policy

Planning permission for any quarry development could not comply with the National Planning Policy Framework.

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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. When the site was originally named in the Draft Local Plan (consulted on November 2015) it was recognised that the site promoter was the same minerals operator on neighbouring land. The two parcels of land making up the new option were considered as one. Because part of the option (now ME1965b) was a physical extension to Appleton Quarry site ME1965 was named to reflect this fact. As work progressed on the submission version of the plan the site was split and site references amended - to reflect the different allocations accepted on them - but the naming was retained. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Based upon the technical appraisal of the site, neither the Environment Agency - who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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: **ME1965a**

Consultee: **1048859 Susan Turner**

Agent:

Rep ID: **PDLP_AD2244**

Soundness - Justified

- Negative impact upon the valued landscape - Loss of residential amenity - Prejudice highways safety through increased traffic movement - A threat to people's health and wellbeing - To grant permission would be a breach of the Human Rights Act 1998 - To close to residential properties - Prevailing wind will cause noise and dust - It will devastate the village - There isn't the demand for stone during the lifetime of the plan

Proposed Change Requested

Removal of site ME1965a would make the plan sound

Council Response

No change. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is

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

considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact upon residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. All receptors have been considered - including people's health and wellbeing - as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. 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

Paragraph/Site: **ME1965a**

Consultee: **1048864 Louise Barrowcliffe**

Agent:

Rep ID: **PDLP_AD1520**

Soundness - Justified

Breach of the Human Rights Act. Too close to receptors. Lack of road infrastructure. Already an oversupply of stone.

Soundness - Consistent with National Policy

Not in accordance with NPPG.

Proposed Change Requested

Removal of this site from the plan.

Council Response

No change. 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. 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: **ME1965a**

Consultee: **1048865 Carole Charlesworth**

Agent:

Rep ID: **PDLP_AD1524**

Soundness - Justified

Disturbance and nuisance. Dust, noise, vibration. Increased traffic, no infrastructure. Impact on peoples health and quality of life. Not a requirement for mineral extraction

Soundness - Consistent with National Policy

Does not comply with NPPG.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site

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

assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 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. 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: **ME1965a**

Consultee: **1048866 Lynsey Swales**

Agent:

Rep ID: **PDLP_AD1528**

Soundness - Positively Prepared

Contravenes Policy PLP 24 Design.

Soundness - Justified

Impact on views and vistas. Diminish the character of the land and villages. Trans Pennine Trail is in this area.

Soundness - Consistent with National Policy

Does not comply with NPPG.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. 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 policy 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. 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: **ME1965a**

Consultee: **1048869 Lindsay Collier**

Agent:

Rep ID: **PDLP_AD1535**

Soundness - Justified

Access and traffic safety issues. No road infrastructure.

Soundness - Consistent with National Policy

Does not comply with NPPG.

Proposed Change Requested

Removal of this site from the plan.

Council Response

No change. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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

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

and sufficient to justify the allocation. More detailed studies would follow at the planning application stage.

Paragraph/Site: **ME1965a**

Consultee: **1049039 Mrs Carol Pringle**

Agent:

Rep ID: **PDLP_AD365**

Soundness - Positively Prepared This site breaches just about every local guideline regarding mineral extraction it is hard to see how it would ever receive planning permission and should never have been included in the plan. The majority of Birdsedge and surrounding communities are totally against this development and this has been ignored by the council.

Soundness - Justified Kirklees already has 20 plus years of reserves of stone, crushed rock and gravel and it is therefore unnecessary to include this site. The development will affect horse riders, cyclists, dog walkers and ramblers and will have a visual impact from the village due to its elevated position and Castle Hill monument is visible from the site.

Soundness - Consistent with National Policy This site breaches just about every national regarding mineral extraction it is hard to see how it would ever receive planning permission and should never have been included in the plan.

Proposed Change Requested Remove site ME1965a from the plan.

Council Response No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. The significance of Castle Hill Ancient Scheduled Monument as a heritage asset will be tested at planning application stage. 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: **ME1965a**

Consultee: **1049067 mr les barker**

Agent:

Rep ID: **PDLP_AD371**

Soundness - Justified - Proposed quarry is within 5 metres of several houses, within 100 metres of 30 houses, and within 500 metres of 178 others, the local school, village hall, playing fields and church. Quarries are noisy, polluting and unpleasant. - Site does not meet the requirements of the Kirklees Vision or LP Objectives 1,3,5,6,7,8,and 10 - It fails to meet the requirements of the Kirklees Joint Health and Well-being Strategy. - - It fails to meet the requirements of the Kirklees Economic Strategy. - It does not comply with objectives and policies of the LDP – in particular policies 1, 2, 6, 7, 10, 19, 20, 21, 25, 30, 48, 51, 52, 55, 38, and 39. - It does not comply with LP policy 36 “Proposal for Mineral Extraction” - It will cause materially significant disturbance and nuisance by the generation of dust, noise and vibration by the site operations and associated transport; it will impact on people's health and quality of life - Prevailing winds will carry dust and particulates towards the village houses and the primary school. - It will prejudice highway safety through the volume and nature of vehicle movements onto and from the site possibly along Birds Edge/ Windmill Lanes/Carr hill road to the A629. - TransPennine Trail runs along one edge of the site, walkers, cyclists and horseriders will be in danger from quarry traffic. There are no pavements along these roads to protect pedestrians - Detrimental and polluting to the local environment and affect the watercourses of the River Dearne and Park Dike which run through the proposed site - River Dearne supplies water to

Hinchliffe's Mills in Birdsedge and Denby Dale, a local employer of 350 people - Kirklees Council and Urban Vision paper on 'Identifying Future Mineral Extraction Sites' (October 2016) Paragraph 5:14 states that ground water sources are a primary constraint (Category One) when identifying areas of search for Mineral Extraction, and that river valleys are a Category Two constraint. there are two Category One constraints and one Category Two constraint on Site ME1965a with TWO Water courses and a river valley. - Kirklees is already over-supplied with mineral extraction sites and quarries ensuring supplies beyond the timespan/range of this plan. - West Yorkshire currently has a 26 years reserve of mineral aggregates, ensuring supplies as far ahead as 2040. This local plan is only supposed to be effective to 2030. - Best Yorkshire stone not found on site except for a small band. Rest of the site would only provide poor quality stone for crushing which could be extracted from anywhere. - It will result in permanent loss of agricultural grazing land - Cumulative effect. There are already too many quarries in this part of Kirklees - It will not preserve the setting and character of the village within the greenbelt and cause unacceptable detriment to a valued landscape -It will cause unacceptable detriment to local visual and residential amenity - a quarry on this site will be clearly visible from many areas of Birdsedge and the local area, including the ancient monument of Castle Hill, Denby Dale (that's the one at High Flatts but is classed as Denby Dale by Kirklees). - It will impact on the archeologically important ancient monument and protected site of Castle Hill.

Soundness - Consistent with National Policy

It does not comply with the National Planning Policy Framework paragraphs 1,7,9,10,14,15,17,28,58,61,64,69,73,74,75,70,80,81,86,88,109,110,120,122,123,125,126,131,142,150,151,152,155,157,158 and 163.

Council Response

No change. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. 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 policy 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. As part of the site appraisal 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. Refer to representation PDLP_AD3634 for a response to local plan objectives. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Open watercourse were identified as category 1 constraints in the UV minerals site allocation methodology paper. This did not, however, result in the preclusion of sites affected by them. This is more of an issue for proposed ‘areas of search’. The EA has confirmed that both watercourses crossing this option are classed as ‘ordinary watercourses’. Therefore the standard 8 meter buffer strip would be required. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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

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

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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo's 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 significance of Castle Hill Ancient Scheduled Monument heritage asset will be tested at planning application stage. 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: **ME1965a**

Consultee: **1049076 Ms. Felicia Dale**

Agent:

Rep ID: **PDLP_AD374**

Soundness - Positively Prepared

The inclusion of ME1965a in the plan is unsound. The site does not comply with objectives and policies of the LDP, in particular policies 1, 2, 6, 7, 10, 19, 20, 21, 25, 30, 48, 51, 52, 55, 38, and 39.

Soundness - Justified

The inclusion of ME1965a in the plan is unsound. It will cause significant disturbance and nuisance by the generation of dust, noise and vibration by the site operations and associated transport; and impact on people's health and quality of life. Kirklees is already over-supplied with mineral extraction sites and quarries ensuring supplies beyond the plan period, so there is no need to quarry this site. The best Yorkshire stone - i.e. that reserved for architectural and paving use, is not found on site ME1965 except for a very small band at the north end. The rest of the site would only provide poor quality stone for crushing which could be extracted from anywhere. The quarry will cause problems in this beautiful spot and for local flora and fauna and the people who live there. The potential for flooding, heavy vehicle traffic, impact on highway safety, destruction of fertile farmland and other natural aspects will be detrimental to the area.

Soundness - Consistent with National Policy

The inclusion of ME1965a in the plan is unsound. The site does not comply with the National Planning Policy Framework paragraphs 1, 7, 9, 10, 14, 15, 17, 28, 58, 61, 64, 69, 73, 74, 75, 70, 80, 81, 86, 88, 109, 110, 120, 122, 123, 125, 126, 131, 142, 150, 151, 152, 155, 157, 158 and 163.

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

No change. 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 policy 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. Refer to representation PDLP_AD3634 for response on Local Plan objectives. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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

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

importance which also needs to be given significant weight. This is in accordance with NPPF paragraph 143. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. 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: **ME1965a**

Consultee: **1049106 Mr Ross Lyttle**

Agent:

Rep ID: **PDLP_AD393**

Soundness - Positively Prepared

The plan is contrary to the Publication Draft Local Plan.

Soundness - Justified

This quarry would ruin the outstanding scenery in this area and the recreational space for so many people and the land would become an eyesore. The roads are unsuitable to cater for heavy goods vehicles and additional traffic. There is no room for two cars to pass along the small lanes and they are not safe for other users.

Soundness - Consistent with National Policy

The plan is contrary to NPPG.

Council Response

No change. 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 policy 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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: **ME1965a**

Consultee: **1049130 Mr Peter Barker**

Agent:

Rep ID: **PDLP_AD403**

Soundness - Justified

The proposal would result in a great deal of disturbance to both the local community in terms of visually and noise/additional traffic. It would also destroy a significant area of natural landscape.

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

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment.

Paragraph/Site: **ME1965a**

Consultee: **1049139 Mr Peter Bagshaw**

Agent:

Rep ID: **PDLP_AD409**

Soundness - Positively Prepared

Over 200 objections submitted at the consultation stage (representing over half of the local population) have been ignored.

Soundness - Justified

The plan is not sound as it will cause significant disturbance and nuisance through pollution, noise and vibration which will adversely impact people's health and quality of life. It will increase traffic dangers on surrounding roads and A629 and damage the local environment and watercourses running through the site. It is not in keeping with the character and nature of the greenbelt that it is situated in and will be highly visible and detrimental to the agricultural surroundings. It will ruin the quality of life of local residents (some as close as 5 metres from the edge of the site) and users of the school and nearby protected site of Castle Hill. There is no proven need for such a facility at this time or in this area.

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. 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. Quarrying in this area has taken place for more than a century

and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The significance of Castle Hill Ancient Scheduled Monument heritage asset will be tested at planning application stage. 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.

Paragraph/Site: **ME1965a**

Consultee: **1049193 Mr Ian Kenton**

Agent:

Rep ID: **PDLP_AD428**

Soundness - Justified

Site ME1965a will cause disturbance and nuisance by generating air and noise pollution from site operations and associated transport and will impact on people's health and quality of life. It will prejudice highway safety through the volume and nature of vehicle movements onto and from the site and will be detrimental and polluting to the local environment, including the River Dearne and Park Dike. Kirklees is already over-supplied with mineral extraction sites and quarries ensuring supplies beyond the plan period. The best Yorkshire stone is not found on the site except for a small part. There will be a cumulative effect as there are already too many quarries in this part of Kirklees. The development will result in permanent loss of agricultural grazing land and it will not preserve the setting and character of the village within the greenbelt. It will also cause unacceptable detriment to a valued landscape and to residential and visual amenity, particularly being visible from many areas of Birdsedge and the local area, including the ancient monument of Castle Hill.

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. The significance of Castle Hill Ancient Scheduled Monument will be tested as planning application stage.

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

Paragraph/Site: ME1965a

Consultee: 1049196 Mrs Jen Best

Agent:

Rep ID: PDLP_AD424

Soundness - Positively Prepared 208 objections at the consultation stage (a 55% objection rate from the local population) have been ignored. Site ME1965a does not meet the requirements of the Kirklees Vision, LP Objectives or policies, particularly LP policy 36 "Proposal for Mineral Extraction". It does not meet the requirements of the Kirklees Joint Health and Well-being Strategy or the Kirklees Economic Strategy.

Soundness - Justified Site ME1965a will cause disturbance and nuisance by generating air and noise pollution from site operations and associated transport and will impact on people's health and quality of life. It will prejudice highway safety through the volume and nature of vehicle movements onto and from the site and will be detrimental and polluting to the local environment, including the River Dearne and Park Dike. Kirklees is already over-supplied with mineral extraction sites and quarries ensuring supplies beyond the plan period. The best Yorkshire stone is not found on the site except for a small part. There will be a cumulative effect as there are already too many quarries in this part of Kirklees. The development will result in permanent loss of agricultural grazing land and it will not preserve the setting and character of the village within the greenbelt. It will also cause unacceptable detriment to a valued landscape and to residential and visual amenity, particularly being visible from many areas of Birdsedge and the local area, including the ancient monument of Castle Hill.

Soundness - Consistent with National Policy Site ME1965a does not comply with the NPPF (paragraphs 1, 7, 9, 10, 14, 15, 17, 28, 58, 61, 64, 69, 73, 74, 75, 70, 80, 81, 86, 88, 109, 110, 120, 122, 123, 125, 126, 131, 142, 150, 151, 152, 155, 157, 158 and 163).

Proposed Change Requested Remove site ME1965a from the plan.

Council Response No Change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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. As part of the site appraisal 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. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 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

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

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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. The significance of Castle Hill Ancient Scheduled Monument heritage asset will be tested at planning application stage. 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: **ME1965a** Consultee: **1049205 Mrs Jennifer Downsborough** Agent: Rep ID: **PDLP_AD430**

Soundness - Justified The plan is unsound because of the inclusion of site ME1965a. It will not preserve the setting and character of the village within the green belt, and cause unacceptable detriment to a valued landscape.

Council Response No change. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.

Paragraph/Site: **ME1965a** Consultee: **1049222 Mrs Jacey Bedford Jacey Bedford Tour Management** Agent: Rep ID: **PDLP_AD436**

Soundness - Positively Prepared Site ME1965a does not comply with LP policy 36 “Proposal for Mineral Extraction” The site ME1965a does not meet the requirements of the Kirklees Vision or LP Objectives 1,3,5,6,7,8,and 10 Site ME1965a fails to meet the requirements of the Kirklees Joint Health and Well-being Strategy. Site ME1965a fails to meet the requirements of the Kirklees Economic Strategy

Soundness - Justified Any quarrying will cut across the Park Dike watercourse (a tributary of the River Dearne) and will run right down to the riverbank at the headwaters of the Dearne. Any changes in the watercourse or pollution will not only affect the ecology of the whole area (including the Upper Dearne Woodlands), but will also affect the water source for Z Hinchliffe & Sons mills in Birdsedge and Denby Dale, employers of 350 people. Inclusion of ME1965a is economically unsound. It threatens jobs and will drive visitors from the area, reducing local commerce. Site ME1965a fails to meet the requirements of the Kirklees Economic Strategy. In addition the site will cause disturbance to local residents and to walkers, riders, cyclists, runners using the country roads for leisure activities. THE TRANS PENNINE TRAIL RUNS ACROSS ONE SIDE OF THIS SITE. Wind direction: The prevailing winds blow from the site towards houses, carrying dust particulates and noise. Local roads are not wide enough to take heavy quarry traffic. There are no pavements and barely room for two normal sized vehicles to pass in opposite directions. Though no one is allowed the right to a view in planning law, the loss of visual amenity to a significant number of houses becomes a cause for public concern.

Soundness - Consistent with National Policy Site ME1965a does not comply with the National Planning Policy Framework paragraphs 1,7,9,10,14,15,17,28,58,61,64,69,73,74,75,70,80,81,86,88,109,110,120,122,123,125,126,131,142,150,151,152,155,157,158 and 163

Proposed Change Requested Removal of Site ME1965a from the local plan.

Council Response No change. 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 policy 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. As part of the site appraisal 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. The need for the mineral – as presented by the site promoter – has been considered against other economic impacts in line with NPPF para 142, 143 and NPPG para’s 10 and 86-89 (minerals chapter). It is considered that through appropriate levels of mitigation the potential for economic loss could be successfully mitigated. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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: **ME1965a**

Consultee: **1049223 Dr Iain Fielden**

Agent:

Rep ID: **PDLP_AD437**

Soundness - Justified

Turning a substantial area of green belt into an industrial quarry is not sound. There are objections to the visual impact of the quarry which will affect more people and more views than the existing quarry and to the health impact on school children at Birdsege First School which is in close proximity. The health and safety concerns are associated with the extraction of sandstone and the effect of dusts of silica and silicates on adults and particularly children being carcinogens and causes of silicosis.

Proposed Change Requested

Site ME1965a should be removed from the plan and remain as green belt land.

Council Response

No change. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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

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

process. The site is currently in the green belt and will remain in the green belt. NPPF acknowledges that minerals operations are an appropriate use within the green belt. Based on the technical appraisal of the site West Yorkshire Ecology and Natural England have concluded that there are no significant constraints to the local wildlife network, habitats - including of principal importance – and species of principle importance. The site allocation reflects the area of land required to achieve a viable area for extraction, space to accommodate associated minerals infrastructure and sufficient land to implement the required levels of mitigation to offset any potential impact on sensitive receptors – including wildlife.

Paragraph/Site: **ME1965a**

Consultee: **1049234 Mr Mark Thomas**

Agent:

Rep ID: **PDLP_AD441**

Soundness - Justified

Kirklees is already over-supplied with mineral extraction sites and quarries ensuring supplies beyond the timespan/range of this plan so there is no need to quarry here. West Yorkshire currently has a 26 years reserve of mineral aggregates, ensuring supplies as far ahead as 2040. This local plan is only supposed to be effective to 2030.

Proposed Change Requested

The removal of site ME1965a.

Council Response

No change. 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. 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 echo's 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: **ME1965a**

Consultee: **1049310 Mr Steve Ritchie**

Agent:

Rep ID: **PDLP_AD491**

Soundness - Justified

ME1965a will significantly compromise the quality of life for everyone in Birdsedge. The village will be affected by dust from prevailing winds, noise and visual impact which will permanently degrade the aesthetic character and bucolic charm of the village. Property values will plummet.

Proposed Change Requested

Remove site ME1965a.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Impact on house prices is not a planning consideration.

Paragraph/Site: **ME1965a**

Consultee: **1049334 Mr Brian Bedford**

Agent:

Rep ID: **PDLP_AD514**

Soundness - Positively Prepared

The site ME1965a does not meet the requirements of the Kirklees Vision or LP Objectives 1,3,5,6,7,8, and 10 . Site ME1965a does not comply with objectives and policies of the LDP – in particular policies 1, 2, 6, 7, 10, 19, 20, 21, 25, 30, 48, 51, 52, 55, 38, and 39 Site ME1965a does not comply with LP policy 36 “ Proposal for Mineral Extraction” I feel that Kirklees planners have included this site without adequate local knowledge or recognition of the number of objections received at the initial consultation stage. 206 objections received represents 55% of the population of Birdsedge.

Soundness - Justified

Site ME1965a fails to meet the requirements of the Kirklees Joint Health and Well-being Strategy . Birdsedge first school will be downwind of any quarrying at Site ME1965a . Respirable dusts of silica and silicates, such as would probably be produced by cutting/crushing/extracting sandstone, are known human carcinogens, as well as being long-known causes of silicosis. Data exists on adults exposed to silica dusts in the workplace, but it is normal for growing children to be more strongly affected by carcinogens etc than adults, so adult safe exposure levels are not necessarily a good guide. Marshalls, or whoever is promoting the use of Site ME1965a for quarrying should be asked to fund proper research into the issue of sandstone dusts and childhood exposure.

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

Undertaking silica dust-raising activity close to, and upwind of, a primary school is potentially hazardous to health. Also in terms of health and wellbeing, the narrow roads around site ME1965a have no footpaths. Having even more heavy goods vehicles using those roads is an accident waiting to happen. I walk my dog around the roads surrounding ME1965a and have been forced to jump for safety into the ditch on more than one occasion.

Soundness - Consistent with National Policy

Site ME1965a does not comply with the National Planning Policy Framework paragraphs 1,7,9,10,14,15,17,28,58,61,64,69,73,74,75,70,80,81,86,88,109,110,120,122,123,125,126,131,142,150,151,152,155,157,158 and 163 Kirklees planners have ignored their own guidelines and national planning policy in order to include site ME1965a on the local plan for mineral extraction.

Proposed Change Requested Council Response

Removal of site 1965a from the Local Plan.

No change. 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 policy 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. As part of the site appraisal 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. Refer to representation PDLP_AD3634 for response to Local Plan Objectives. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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: **ME1965a**

Consultee: **1049357 Mr Alwyn Van Haazel**

Agent:

Rep ID: **PDLP_AD535**

Soundness - Justified

It is too near the school and I believe quarry traffic will even in error go down the school road. There is the issue of noise, dust. The children at the school deserve to learn in peace and they have a legal and moral right not to have their education disturbed or even risked to be disturbed by the quarry. The quarry has been described as a bad neighbour.

Proposed Change Requested Council Response

ME1965A be removed from the plan it is too near a school and provides too much of a risk from noise and pollution.

No change. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process.

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

However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required.

Paragraph/Site: **ME1965a**

Consultee: **1049389 Mr George Burrell**

Agent:

Rep ID: **PDLP_AD562**

Soundness - Justified

The assessment of the site has not accurately assessed the impact on directly adjacent properties. The site has over 40 receptors within 100 metres and 178 within 500 metres including a school and football fields that would be at risk of noise, dust and light pollution. The roads are too small for lorries and those that do use them already cause danger to the many users of the local lanes that surround the site, adding more 50 tonne lorries would only increase the danger. The 3 crossroads within 1 mile of this site are each accident black spots and these slow lorries would increase the danger levels greatly. The two water courses literally within the proposed site contain wildlife including deer, pheasants, newts and bats. Bats feed in our court yard every summer. These will all be destroyed.

Soundness - Consistent with National Policy

The DLP is flawed in terms of its contravening the PLP and NPPG in so many ways.

Proposed Change Requested

Remove ME1965a from the plan.

Council Response

No change. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. 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: **ME1965a**

Consultee: **1049390 Mr Jack Burrell**

Agent:

Rep ID: **PDLP_AD568**

Soundness - Positively Prepared

The quarry is not legal and has not been planned using the national NPPG and local PLP guidelines so how can it make the overall plan sound, if this is as flawed as it is then the plan cannot be sound.

Soundness - Justified

Dust - the wind which is always blowing means the quarry dust will blow towards our house. Highway safety - Large lorries would be chaos on these narrow lanes, which are used by joggers, walkers, horse riders and learner drivers. The village is idyllic and does not deserve to have this eyesore dwarfing it. The two rivers that are in the middle of the planned site have a lot of wildlife - newts, frogs and bats.

Soundness - Consistent with National Policy

The quarry is not legal and has not been planned using the national NPPG and local PLP guidelines so how can it make the overall plan sound, if this is as flawed as it is then the plan cannot be sound.

Proposed Change Requested

Remove the site from the plan.

Council Response

No change. 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 policy 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

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

prospect of planning permission being granted during the plan period in compliance with paragraph 8 of NPPG. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. 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: **ME1965a**

Consultee: **1049394 Mr Dean Groombridge**

Agent:

Rep ID: **PDLP_AD557**

Soundness - Justified

The site would create traffic disruption on local road, affecting the trans Pennine trail, walkers, runners and cyclists. The site would cause noise, dust and disruption.

Soundness - Consistent with National Policy

They have failed to follow their own policies and those of the national guidelines.

Proposed Change Requested

Remove ME1965a.

Council Response

No change. 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 policy 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. 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: **ME1965a**

Consultee: **1049395 Mr Ian Kirk**

Agent:

Rep ID: **PDLP_AD556**

Soundness - Justified

1. Cause materially significant disturbance and nuisance - re: dust, noise and vibration which will impact on local health, wildlife and general quality of life. 2. Traffic volume through quiet village....Birdsedge Lane, Windmill Lane, Carr Hill Lane 3. Pollution of water 4. inappropriate development of greenbelt area 5. Destroy local landscape

Proposed Change Requested

The removal of site ME1965a.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.

Paragraph/Site: ME1965a

Consultee: 1049403 Mrs Helen Morecroft

Agent:

Rep ID: PDLP_AD560

Soundness - Justified

- It will cause materially significant disturbance and nuisance by the generation of dust, noise and vibration by the site operations and associated transport; it will impact on people's health and quality of life.
- Air pollution. The prevailing winds will carry dust and particulates towards the village houses and the primary school.
- Noise pollution: Even without blasting, the cutting and removal of stone requires a constant tap-tap-tap from a machine which pecks at the stone, so this will result in not one occasional big bang but an annoying constant series of smaller, regular 'jackhammer' bangs. Appleton Quarry already has a bad reputation for working outside its designated time periods and thus causing additional disruption to neighbours. I can already hear noise from the other quarry sites it starts as early as 6 -7am and is very annoying.
- Traffic: It will prejudice highway safety through the volume and nature of vehicle movements onto and from the site possibly along Birds Edge/ Windmill Lanes/Carr hill road to the A629. The TransPennine Trail runs along one edge of the site ensuring walkers, cyclists and horseriders will be in danger from quarry traffic. There are no pavements along these roads to protect pedestrians.
- Everyday there is a large quarry truck driving fast along the road. I walk up and down Carr Hill Road on a regular basis and it is dangerous with no pavements and just cars travelling along the road exceeding the speed limit. Despite the weight limit on the road this is only one way along the road and heavy trucks travel up the road. To add another quarry will make the road busier and more dangerous.
- It will be materially detrimental and polluting to the local environment and affect the watercourses of the River Dearne and Park Dike which run through the proposed site. The river Dearne supplies water to Hinchliffe's Mills in Birdsedge and Denby Dale, a local employer of 350 people. Kirklees Council and Urban Vision have produced a paper on 'Identifying Future Mineral Extraction Sites' (October 2016). Paragraph 5:14 states that ground water sources are a primary constraint (Category One) when identifying areas of search for Mineral Extraction, and that river valleys are a Category Two constraint. According to Kirklees own paper there are two Category One constraints and one Category Two constraint on Site ME1965a with TWO Water courses and a river valley.
- Kirklees is already over-supplied with mineral extraction sites and quarries ensuring supplies beyond the timespan/range of this plan so there is no need to quarry here. West Yorkshire currently has a 26 years reserve of mineral aggregates, ensuring supplies as far ahead as 2040. This local plan is only supposed to be effective to 2030.
- The best Yorkshire stone - i.e. that reserved for architectural and paving use is not found on Site ME1965 except for a very small band at the north end. The rest of the site would only provide poor quality stone for crushing. This stone could be extracted from anywhere.
- It will result in permanent loss of agricultural grazing land
- Cumulative effect. There are already too many quarries in this part of Kirklees
- It will not preserve the setting and character of the village within the greenbelt and cause unacceptable

detriment to a valued landscape. This is a public cause for concern. • It will cause unacceptable detriment to local visual and residential amenity - a quarry on this site will be clearly visible from many areas of Birdsedge and the local area, including the ancient monument of Castle Hill, Denby Dale (that's the one at High Flatts but is classed as Denby Dale by Kirklees). It will impact on the archeologically important ancient monument and protected site of Castle Hill.

Proposed Change Requested

The removal of site ME1965a.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo’s 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 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. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.

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

Soundness - Positively Prepared	The proposal is not consistent with Local Plan policies
Soundness - Justified	The site should not be located so close to houses and the school. The existing Appleton Quarry has not finished being quarried yet. The lorries on local roads are a danger as they speed along lanes only wide enough for 1 1/2 cars and have no regard to the numerous cyclists, horse riders, joggers and walkers who are in that area every day during the daylight hours when the area is used by many people using the area for their recreation especially the older generation out getting their exercise.
Soundness - Consistent with National Policy	The plan is not consistent with National Policy.
Proposed Change Requested	Remove ME1965a from the plan.
Council Response	No Change. 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 policy 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 proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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: **ME1965a**

Consultee: **1049446 Mr Alan Blakemore**

Agent:

Rep ID: **PDLP_AD604**

Soundness - Positively Prepared	Over 200 objections at the consultation stage (55% objection rate from the local population) have been ignored.
Soundness - Justified	Due to the generation of dust, noise and vibration by the site operations and associated transport, it will greatly impact on people's health and quality of life. It will cause significant safety on the highway because of the volume of vehicle movements from the site. It will greatly impact on the local environment and affect the watercourses of the River Dearne and Park Dike that run through the proposed site, which in turn will result in pollution of water resources and interrupt the land drainage. It will be a significant blight on the landscape
Proposed Change Requested	Remove site ME1965a from the plan.
Council Response	No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have

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

a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment.

Paragraph/Site: **ME1965a**

Consultee: **1049449 Dr Edward Shaw**

Agent:

Rep ID: **PDLP_AD774**

Soundness - Justified

The population below ME1965a is very likely one of a handful of genetically distinct indigenous populations that still remain in the Don Catchment. Further downstream (from Hinchcliffe Mill in Denby Dale and onwards downstream) historic heavy pollution meant the Dearne was fishless until the 1980s. Trout have subsequently been stocked in lower parts of the Dearne using fish not indigenous to the catchment. However the impassable weir at Hinchcliffe Mill means that the population of indigenous trout between Birdsedge and the weir remains genetically distinct. Quarrying in the ME1965a allocation poses a threat to the upper Dearne for two main reasons: 1. The quarrying of the site will have a profound effect on the hydrology of the site. 2. The second concern regards the impact on water quality. Quarrying creates large quantities of fine sediments, much of which becomes entrained in water.

Proposed Change Requested

To negate the threat to the River Dearne ecosystem it will be necessary to minimise any quarry's impact on groundwater, on its capture of runoff, and of the input of fine sediments into the Dearne, which would seemingly necessitate no or a very limited degree of quarrying on the allocation.

Council Response

No change. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission.

Paragraph/Site: **ME1965a**

Consultee: **1049450 MR Michael Crowther**

Agent:

Rep ID: **PDLP_AD616**

Soundness - Positively Prepared

This plan does not meet the requirements of the Kirklees vision or LP objectives no. 1, 3, 5, 6, 7 8 and 10. Site ME1965a does not meet the requirements of the Kirklees Joint Health and Wellbeing strategy. Selecting this site is not consistent with the National Planning Framework and the councils own policy PLP 36.

Soundness - Justified

The stone was suggested to be of high quality, this is not true and only a small proportion of the stone in a small band at the north end is of this quality the rest is of poor quality and could be extracted from anywhere. The prevailing winds would carry the dust towards the adjacent villages and primary school. There are already too many quarries servicing this area, another one is not required. Road infrastructure is not adequate to support the volume and vehicle type. The roads are used by horse rider, cyclists and walkers; they are narrow country roads with no footpaths. It will be noisy and dangerous. It will cause pollution to the watercourses of the River Dearne and Park Dike.

Proposed Change Requested

Removal of site ME1965a.

Council Response

No Change. 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 policy 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. As part of the site appraisal 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. Refer to representation PDLP_AD3634 on Local Plan objectives. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission.

Paragraph/Site: **ME1965a**

Consultee: **1049466 Miss Lisa Lane**

Agent:

Rep ID: **PDLP_AD614**

Soundness - Positively Prepared

Over half the population of the area objected and their objections were not listened to. The plan does not meet the requirements of the Kirklees vision; LP objectives (no. 1, 3, 5, 6, 7 8 and 10) or the Kirklees Joint Health and Wellbeing Strategy. Selecting ME1965a is not consistent with the council's own policy PLP36.

Soundness - Justified

Only a small proportion of the stone to be extracted is of high quality, the rest is poor quality. The prevailing winds would carry the dust towards the adjacent villages and primary school. There are already too many quarries servicing this area, another one is not required. Road infrastructure is not adequate to support the volume and vehicle type. The roads are used by horse rider, cyclists and walkers; they are narrow country roads with no footpaths. It will be noisy and dangerous. It will cause pollution to the watercourses of the River Dearne and Park Dike.

Soundness - Consistent with National Policy

Selecting site ME1965a is not consistent with the NPPF.

Proposed Change Requested

Remove site ME1965a from the plan.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. As part of the site appraisal 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. 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 policy 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts

could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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: **ME1965a**

Consultee: **1049468 Ms Annabel Sleigh**

Agent:

Rep ID: **PDLP_AD620**

Soundness - Positively Prepared

Site ME1965a contravenes the Council's own Policy PLP 36.

Soundness - Justified

Site ME1965a is in GREENBELT and is designated and is currently agricultural land. Site ME1965a if quarried/mined will create air pollution for local residents and Birdsedge school children due to prevailing and constant West winds. Site ME1965a if quarried/mined will provide constant noise for local residents and Birdsedge school children. Site ME1965a if quarried/mined will exacerbate the existing traffic problems along A629 and Sovereign Junction area. Site ME1965a if quarried/mined will create another eyesore such as that which exists around the Sovereign Junction area. Site ME1965a if quarried/mined will disturb the River Dearne and Park Dike waters courses, flow and table. Site ME1965a if quarried/mined will cause loss of jobs in the community due to the loss of industry caused by upsetting the water which Z.Hinchliffe & Sons Ltd are so dependent on as yarn spinners. Site ME1965a if quarried/mined will lead to the death of the community as no one will want to live in area with the above issues or live beside a great scar/crater in the landscape. Site ME1965a does not provided good quality stone to even mine/quarry and certainly not good enough to destroy a community. The area is known for its scenic beauty and special topography as has become better known for outdoor pursuits such as cycling/walking which are beneficial to the health and well being of people.

Soundness - Consistent with National Policy

Site ME1965a contravenes the National Planning Policy Framework.

Proposed Change Requested

Remove Site ME1965a from the plan.

Council Response

No change. 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 policy 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. 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. 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 impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. 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: **ME1965a**

Consultee: **1049489 Emma Worsley**

Agent:

Rep ID: **PDLP_AD1541**

Soundness - Positively Prepared

Fails to meet the requirements of the Kirklees Joint Health & Well Being Strategy.

Soundness - Justified

This is part of the Trans Pennine Trail.

Soundness - Consistent with National Policy

Does not comply with NPPF.

Proposed Change Requested

Removal of the site from the plan.

Council Response

No change. As part of the site appraisal 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. The allocation has been assessed based on NPPF and NPPG requirements. In particular the need for the

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

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: **ME1965a**

Consultee: **1049490 Rachel Alsop**

Agent:

Rep ID: **PDLP_AD1547**

Soundness - Justified

Breach of the Human Rights Act. Detrimental to landscape. Trans Pennine Trail.

Soundness - Consistent with National Policy

Does not comply with NPPF.

Proposed Change Requested

Removal of site from plan.

Council Response

No change. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. 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: **ME1965a**

Consultee: **1049492 Richard Haynes**

Agent:

Rep ID: **PDLP_AD1572**

Soundness - Justified

Will cause disturbance and nuisance. Generation of dust, noise and vibration. Impact on peoples health and quality of life. Too close to receptors.

Soundness - Consistent with National Policy

Does not comply with NPPF.

Proposed Change Requested

Remove site from the plan.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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.

Paragraph/Site: **ME1965a**

Consultee: **1049496 Keith Charlesworth**

Agent:

Rep ID: **PDLP_AD1655**

Soundness - Justified

To close to houses, the school and village life. Impact on peoples health and quality of life. Breach of Human Rights. Will cause unacceptable detriment to the landscape.

Soundness - Consistent with National Policy

Does not comply with National Policy.

Council Response

No change. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 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

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

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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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: **ME1965a**

Consultee: **1049497 J Cawthorpe**

Agent:

Rep ID: **PDLP_AD1656**

Soundness - Justified

It will cause noise, dust pollution. Roads cannot stand anymore heavy traffic. There are no footpaths.

Soundness - Consistent with National Policy

Does not comply with National Policy.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: **ME1965a**

Consultee: **1049513 Ruth Alsop**

Agent:

Rep ID: **PDLP_AD1661**

Soundness - Justified

Too close to habitation. Present quarry working has not been returned to natural state. Increased traffic. Will destroy the countryside. Totally inappropriate in scale and location.

Soundness - Consistent with National Policy

Does not comply with National Policy.

Proposed Change Requested

Removal of the site from the plan.

Council Response

No change. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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: **ME1965a**

Consultee: **1049561 Mrs Helen Parkin**

Agent:

Rep ID: **PDLP_AD639**

Soundness - Justified

Noise and air pollution. Will prejudice highway safety through the volume and nature of vehicle movements and there are no pavements. The TransPennine Trail runs along one edge of the site ensuring walkers, cyclists and horse riders will be in danger from quarry traffic. Detrimental and polluting to the local environment and affect the watercourses of the River Dearne and Park Dike which run through the proposed site. The river Dearne supplies water to

Hinchliffe's Mills in Birdsedge and Denby Dale, a local employer of 350 people. Kirklees is already over-supplied with mineral extraction sites and quarries - cumulative effect. The best Yorkshire stone is not found on this site. It will result in permanent loss of agricultural grazing land. It will not preserve the setting and character of the village within the greenbelt and cause unacceptable detriment to a valued landscape. It will cause unacceptable detriment to local visual and residential amenity - a quarry on this site will be clearly visible from many areas of Birdsedge and the local area, including the ancient monument of Castle Hill, Denby Dale.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo’s 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 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. 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.

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

Paragraph/Site: ME1965a

Consultee: 1049582 S V M Catchpool

Agent:

Rep ID: PDLP_AD1410

Soundness - Justified

Undermine the whole community area.

Council Response

No change. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.

Paragraph/Site: ME1965a

Consultee: 1049597 James Capewell

Agent:

Rep ID: PDLP_AD3104

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, ‘Supporting the rural economy’) and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, ‘Design’; Policy PLP 35, ‘Historic environment’). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, ‘Core walking and cycling network’), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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.

plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are

positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Open watercourses were identified as category 1 constraints in the Urban Vision minerals site allocation methodology paper. This did not, however, result in the preclusion of sites affected by them. The Environment Agency has confirmed that both watercourses crossing this option are classed as 'ordinary watercourses'. Therefore the standard 8 meter buffer strip would be required. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo's 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 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.

plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the

site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Open watercourses were identified as category 1 constraints in the UV minerals site allocation methodology paper. This did not, however, result in the preclusion of sites affected by them. The EA has confirmed that both watercourses crossing this option are classed as ‘ordinary watercourses’. Therefore the standard 8 meter buffer strip would be required. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo’s 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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.

Paragraph/Site: **ME1965a**

Consultee: **1049604 Grace Redman**

Agent:

Rep ID: **PDLP_AD2973**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing -

can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a**

Consultee: **1049605**

Tasha Chambers

Agent:

Rep ID: **PDLP_AD3031**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have

either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, ‘Supporting the rural economy’) and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, ‘Design’; Policy PLP 35, ‘Historic environment’). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, ‘Core walking and cycling network’), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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

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

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: **ME1965a**

Consultee: **1049609 Emily Mather**

Agent:

Rep ID: **PDLP_AD3039**

Soundness - Positively Prepared - The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified - There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy - Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested Removal of site ME1965a will make the plan sound

Council Response No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in

the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, ‘Supporting the rural economy’) and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, ‘Design’; Policy PLP 35, ‘Historic environment’). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, ‘Core walking and cycling network’), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: ME1965a

Consultee: 1049611 Harriet Milner

Agent:

Rep ID: PDLP_AD3044

Soundness - Positively Prepared - The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified - There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at

Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive

hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing – can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a**

Consultee: **1049612 Lisa Tait**

Agent:

Rep ID: **PDLP_AD3050**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the

views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and

cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing – can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a**

Consultee: **1049615 Molly Bryant**

Agent:

Rep ID: **PDLP_AD3064**

Soundness - Positively Prepared - The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified - There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy - Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested Removal of site ME1965a will make the plan sound

Council Response No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity

to make extraction viable. 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. 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: **ME1965a**

Consultee: **1049617 Jamie Keogh**

Agent:

Rep ID: **PDLP_AD3078**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through

the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ – or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, ‘Supporting the rural economy’) and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, ‘Design’; Policy PLP 35, ‘Historic environment’). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, ‘Core walking and cycling network’), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing – can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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,

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

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: **ME1965a** Consultee: **1049618 Mr Andrew Murfin** Agent: Rep ID: **PDLP_AD2010**

Soundness - Positively Prepared Not in accordance with the Local Plan.

Soundness - Justified Too close to the village of Birdsedge.

Soundness - Consistent with National Policy Not carried out in accordance with National Policy.

Proposed Change Requested Removal of site from the plan.

Council Response No change. 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 policy 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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: **ME1965a** Consultee: **1049618 Mr Andrew Murfin** Agent: Rep ID: **PDLP_AD644**

Soundness - Positively Prepared No Comments.

Soundness - Justified No Comments.

Soundness - Effective No Comments.

Soundness - Consistent with National Policy No Comments.

Council Response No change.

Paragraph/Site: **ME1965a** Consultee: **1049620 Mr Thomas Calues** Agent: Rep ID: **PDLP_AD3045**

Soundness - Positively Prepared - The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified - There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated

impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a**

Consultee: **1049622 Mr Callum Bower**

Agent:

Rep ID: **PDLP_AD3065**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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

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

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: **ME1965a**

Consultee: **1049626 Sue Tuddenham**

Agent:

Rep ID: **PDLP_AD2227**

Soundness - Justified

- Negative impact upon the community, including walkers and other recreational activities - Impact of dust, noise and light pollution - Increased traffic will cause highways safety issues - Impact upon the setting and character of Birds Edge within the green belt - Negative impact upon the local school

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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.

Paragraph/Site: **ME1965a**

Consultee: **1049633 J Hindley**

Agent:

Rep ID: **PDLP_AD2224**

Soundness - Positively Prepared

- Impact on the green belt

Soundness - Justified

- Quarrying would be detrimental to the whole community - Impact of HGV traffic - Dust and noise pollution - Too close to primary school and residents

Proposed Change Requested

Removal of site ME1965a would make the plan sound

Council Response

No change 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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.

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

Paragraph/Site: ME1965a

Consultee: 1049635

William Greggson

Agent:

Rep ID: PDLP_AD3079

Soundness - Positively Prepared - The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified - There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy - Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested Removal of site from the plan.

Council Response No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral

development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a**

Consultee: **1049638 B Avery**

Agent:

Rep ID: **PDLP_AD2940**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this

site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to

ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing – can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a**

Consultee: **1049646 T Sellens**

Agent:

Rep ID: **PDLP_AD2919**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' – or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing -

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

can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a** Consultee: **1049647 Josie Hetherington** Agent: Rep ID: **PDLP_AD2220**

Soundness - Positively Prepared - The Council has failed to acknowledge clear objections from the majority of the community - The allocation contravenes all the Council's own guidelines

Soundness - Justified - Very poor analysis has been carried out on this site - Failed to recognise the Trans Pennine Trail - The road network is inappropriate with no pavement for pedestrians

Soundness - Consistent with National Policy - The site has not been identified in accordance the national planning guidelines - The allocation contravenes all national planning guidelines

Proposed Change Requested Removal of site ME1965a would make the plan sound

Council Response No changes Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation 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 policy LP1 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 Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users All Minerals Extraction Sites have willing landowners and have been promoted by the minerals industry in accordance with our call for sites exercise. Those sites without willing landowners have either been allocated as Preferred Areas or Areas of Search which do not require a willing landowner. This approach is in accordance with NPPG 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: **ME1965a** Consultee: **1049651 M Sellens** Agent: Rep ID: **PDLP_AD2923**

Soundness - Positively Prepared - The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local

plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning

permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing – can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a**

Consultee: **1049654 Lisa Smith**

Agent:

Rep ID: **PDLP_AD2218**

Soundness - Positively Prepared

- The council has ignored the communities total objection to this plan

Soundness - Justified

- Site is incorrectly named on the plan as Appleton Quarry - Too many receptors are affected by this site

Soundness - Consistent with National Policy

- Site breaches all planning guidelines and would never get planning permission

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. When the site was originally named in the Draft Local Plan (consulted on November 2015) it was recognised that the site promoter was the same minerals operator on neighbouring land. The two parcels of land making up the new option were considered as one. Because part of the option (now ME1965b) was a physical

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

extension to Appleton Quarry site ME1965 was named to reflect this fact. As work progressed on the submission version of the plan the site was split and site references amended - to reflect the different allocations accepted on them -but the naming was retainedAll receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identifiedThe 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: **ME1965a**

Consultee: **1049656 Liam Robinson**

Agent:

Rep ID: **PDLP_AD2929**

Soundness - Positively Prepared - The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified - There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy - Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested Removal of site ME1965a will make the plan sound

Council Response No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, ‘Supporting the rural economy’) and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, ‘Design’; Policy PLP 35, ‘Historic environment’). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, ‘Core walking and cycling network’), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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.

plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning

permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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: **ME1965a**

Consultee: **1049660 John Spikings**

Agent:

Rep ID: **PDLP_AD2213**

Soundness - Justified

- No evidence that the poor quality aggregate is required - Impact on school and residents - Site ME1965a will create noise and dust - Impact on highways and people's safety

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change 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 Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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

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

planning application processThe impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this siteAdditional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users

Paragraph/Site: **ME1965a**

Consultee: **1049662 Fiona Roman**

Agent:

Rep ID: **PDLP_AD2217**

Soundness - Justified

- Proximity to primary school - Negative impact upon the environment - The aggregate is of poor quality and there is no shortage of the mineral

Proposed Change Requested

Removal of site ME1965a

Council Response

No changeImpact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 processAll receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identifiedThe 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 143Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable

Paragraph/Site: **ME1965a**

Consultee: **1049665 Mr Jonathan Wade**

Agent:

Rep ID: **PDLP_AD658**

Soundness - Positively Prepared

The plan is illegal and does not meet PLP36 guidelines so must be removed.

Soundness - Justified

It will cause devastation. Views will be destroyed. It will not do anything to improve jobs or lifestyle.

Soundness - Consistent with National Policy

The plan is illegal and does not meet NPPF guidelines so must be removed.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change.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 policy 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.Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.The need for the mineral –as presented by the site promoter – has been considered against other economic impacts in line with NPPF para 142, 143 and NPPG para’s 10 and 86-89 (minerals chapter). It is considered that through appropriate levels of mitigation the potential for economic loss could be successfully mitigated. 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: **ME1965a**

Consultee: **1049789 Ben Steeples**

Agent:

Rep ID: **PDLP_AD1725**

Soundness - Positively Prepared

Does not meet the requirements of the Kirklees Vision, Local Plan Objectives, the Joint Health & Well-being Strategy or the Economic Strategy.

Soundness - Justified

Effect quality of life and health. Increased noise and dust. Road Infrastructure - increased traffic would impact on highway safety. These are narrow country roads with no pavements. Amenity - this is green belt land. Cumulative effect - There are already a number of quarries in the area. Lack of need - The best

<p>Soundness - Consistent with National Policy</p>	<p>Yorkshire Stone is not found on this site. Does not meet the requirements of NPPF.</p>
<p>Council Response</p>	<p>No change. 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 policy 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. As part of the site appraisal 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. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. 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 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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.</p>

<p>Paragraph/Site: ME1965a</p>	<p>Consultee: 1049792</p>	<p>Rebecca Steeples</p>	<p>Agent:</p>	<p>Rep ID: PDLP_AD1428</p>
<p>Soundness - Positively Prepared</p>	<p>Does not meet the requirements of the Kirklees Vision, Local Plan Objectives, Joint Health & Well-being Strategy or the Economic Strategy.</p>			
<p>Soundness - Justified</p>	<p>Quality of life, health and mental wellbeing. Noise, dust. Traffic - increased traffic on narrow roads with no footpaths. Amenity - Greenbelt land with walkers etc.. Cumulative effect Lack of need - the best Yorkshire stone is not found on this site. It would only provide poor quality stone for crushing.</p>			
<p>Soundness - Consistent with National Policy</p>	<p>Does not comply with NPPF.</p>			
<p>Council Response</p>	<p>No change. as part of the site appraisal 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. 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 policy 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</p>			

there is a reasonable prospect of planning permission being granted during the plan period in compliance with paragraph 8 of NPPG. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. 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. 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 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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: ME1965a

Consultee: 1049824 Mr Russell

Agent:

Rep ID: PDLP_AD712

Soundness - Positively Prepared

The site fails to comply with the Councils Policy PLP 36.

Soundness - Justified

The site is with a short distance of Birdsedge school and local community. There are numerous house within a short distance of the site. Loss of greenbelt and agricultural land. The roads are inadequate for large transport and as a runner/cyclist in the area this will be dangerous for me and others who use this area. There is no need for further quarries in the area. Detrimental to the local visual and residential amenity.

Soundness - Consistent with National Policy

The site fails to comply with NPPF.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. 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 policy 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. 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. 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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: **ME1965a**

Consultee: **1049827 Kathy Russell**

Agent:

Rep ID: **PDLP_AD731**

Soundness - Positively Prepared

Impact upon the green belt. Allocating site ME1965a conflicts with the objectives set out in the Council’s Joint Health and Wellbeing Strategy, Kirklees Economic Strategy and the Equality Impact Assessment. The allocation fails to comply with Policy PLP 36 of the Local Plan, its Vision and Objectives.

Soundness - Justified

Impact on schools, recreational activities and residential homes. Development of the site will affect exposed receptors (walkers, riders, cyclists). The water courses feed the mill ponds that serve Hincliffe Mills which could lead to the potential loss of employment. Loss of agricultural land. Kirklees has an excess of quarries - this site is not required. Increase in industrial vehicles will be a danger as the roads are single track with no footways. This will have a significant effect on the village of Birdsedge's residents.

Soundness - Consistent with National Policy

Allocation does not comply with NPPF

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. 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. As part of the site appraisal 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. 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 policy 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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: **ME1965a**

Consultee: **1049831 Mr John Nock**

Agent:

Rep ID: **PDLP_AD728**

Soundness - Positively Prepared

Several hundred objections to the mineral extraction plan ME1965a appear to have been ignored. Does not comply with Strategic Objectives: 'to protect and improve green infrastructure to support the well being of local residents' and 'to facilitate the sustainable use and management of minerals'.

Soundness - Justified

Mining 28 hectares of green belt will cause an increase in noise pollution, dust and increased levels of heavy traffic on road infrastructure not designed or capable of sustaining such traffic loads. Impact on the well-being of local inhabitants. Causes damage to the environment.

Soundness - Consistent with National Policy

NPPF is clear that LA's should work closely with local communities to set out 'positive' vision for that area.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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 impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. 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: ME1965a

Consultee: 1049948 Dale Stocks

Agent:

Rep ID: PDLP_AD2086

Soundness - Positively Prepared The allocation fails to comply with Policy 36 of the Local Plan.

Soundness - Justified Assessment of the site assumes Dearne Grange is uninhabited. There are gaps in the analysis of the site, much of which has been based on a study carried out in 2012. It will cause noise, dust and light pollution. Development of this site will affect exposed receptors - walkers, school, Trans-Pennine Trail. Impact on highways - narrow roads, no infrastructure. Two water courses - The River Dearne and Park Dike – run through the site and are category one constraints. There is no need for more quarries in Kirklees - cumulative effect. The mineral is of poor quality. Loss of agricultural land. Impact upon landscape and the setting and character of Birds Edge within the greenbelt. Impact on Castle Hill, Denby Dale an Ancient Monument. and Roman Iron Mining site of Burnt Cumberworth.

Soundness - Consistent with National Policy Site option has not been promoted by the site owner in accordance with NPPG.

Proposed Change Requested Removal of the site from the plan.

Council Response No change. 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 policy 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 proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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 echo's 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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: ME1965a

Consultee: 1049959

Mary Stephenson

Agent:

Rep ID: PDLP_AD2119

Soundness - Positively Prepared The allocation fails to comply with Policy 36 of the Local Plan.

Soundness - Justified Assessment of the site assumes Dearne Grange is uninhabited. There are gaps in the analysis of the site, much of which has been based on a study carried out in 2012. It will cause noise, dust and light pollution. Development of this site will affect exposed receptors - walkers, school, Trans-Pennine Trail. Impact on highways - narrow roads, no infrastructure. Two water courses - The River Dearne and Park Dike – run through the site and are category one constraints. There is no need for more quarries in Kirklees - cumulative effect. The mineral is of poor quality. Loss of agricultural land. Impact upon landscape and the setting and character of Birds Edge within the greenbelt. Impact on Castle Hill, Denby Dale an Ancient Monument. and Roman Iron Mining site of Burnt Cumberworth.

Soundness - Consistent with National Policy Site option has not been promoted by the site owner in accordance with NPPG.

Proposed Change Requested Removal of the site from the plan.

Council Response No change. 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 policy 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 proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water

courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo's 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 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. 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: **ME1965a**

Consultee: **1049961 Beverley Atkinson**

Agent:

Rep ID: **PDLP_AD2139**

Soundness - Positively Prepared The allocation fails to comply with Policy 36 of the Local Plan.

Soundness - Justified Assessment of the site assumes Dearne Grange is uninhabited. There are gaps in the analysis of the site, much of which has been based on a study carried out in 2012. It will cause noise, dust and light pollution. Development of this site will affect exposed receptors - walkers, school, Trans-Pennine Trail. Impact on highways - narrow roads, no infrastructure. Two water courses - The River Dearne and Park Dike – run through the site and are category one constraints. There is no need for more quarries in Kirklees - cumulative effect. The mineral is of poor quality. Loss of agricultural land. Impact upon landscape and the setting and character of Birds Edge within the greenbelt. Impact on Castle Hill, Denby Dale an Ancient Monument. and Roman Iron Mining site of Burnt Cumberworth.

Soundness - Consistent with National Policy Site option has not been promoted by the site owner in accordance with NPPG.

Proposed Change Requested Removal of the site from the plan.

Council Response No change. 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 policy 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 proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise

and visual screening arrangements etc. would be required. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo's 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 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. 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: ME1965a

Consultee: 1049962 John Cannon

Agent:

Rep ID: PDLP_AD2157

Soundness - Positively Prepared The allocation fails to comply with Policy 36 of the Local Plan.

Soundness - Justified

Assessment of the site assumes Dearne Grange is uninhabited. There are gaps in the analysis of the site, much of which has been based on a study carried out

in 2012. It will cause noise, dust and light pollution. Development of this site will affect exposed receptors - walkers, school, Trans-Pennine Trail. Impact on highways - narrow roads, no infrastructure. Two water courses - The River Dearne and Park Dike – run through the site and are category one constraints. There is no need for more quarries in Kirklees - cumulative effect. The mineral is of poor quality. Loss of agricultural land. Impact upon landscape and the setting and character of Birds Edge within the greenbelt. Impact on Castle Hill, Denby Dale an Ancient Monument. and Roman Iron Mining site of Burnt Cumberworth.

Soundness - Consistent with National Policy

Site option has not been promoted by the site owner in accordance with NPPG.

Proposed Change Requested

Removal of the site from the plan.

Council Response

No change. 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 policy 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 proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo's 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 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. 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: **ME1965a**

Consultee: **1049965 Loretta Geibel**

Agent:

Rep ID: **PDLP_AD2170**

Soundness - Positively Prepared The allocation fails to comply with Policy 36 of the Local Plan.

Soundness - Justified Assessment of the site assumes Dearne Grange is uninhabited. There are gaps in the analysis of the site, much of which has been based on a study carried out in 2012. It will cause noise, dust and light pollution. Development of this site will affect exposed receptors - walkers, school, Trans-Pennine Trail. Impact on highways - narrow roads, no infrastructure. Two water courses - The River Dearne and Park Dike – run through the site and are category one constraints. There is no need for more quarries in Kirklees - cumulative effect. The mineral is of poor quality. Loss of agricultural land. Impact upon landscape and the setting and character of Birds Edge within the greenbelt. Impact on Castle Hill, Denby Dale an Ancient Monument. and Roman Iron Mining site of Burnt Cumberworth.

Soundness - Consistent with National Policy Site option has not been promoted by the site owner in accordance with NPPG.

Proposed Change Requested Removal of the site from the plan.

Council Response No change. 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 policy 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 proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has

classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo’s 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 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. 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:	ME1965a	Consultee:	1049968 Carl Hawarden	Agent:	Rep ID:	PDLP_AD2180
Soundness - Positively Prepared	The allocation fails to comply with Policy 36 of the Local Plan.					
Soundness - Justified	Assessment of the site assumes Dearne Grange is uninhabited. There are gaps in the analysis of the site, much of which has been based on a study carried out in 2012. It will cause noise, dust and light pollution. Development of this site will affect exposed receptors - walkers, school, Trans-Pennine Trail. Impact on highways - narrow roads, no infrastructure. Two water courses - The River Dearne and Park Dike – run through the site and are category one constraints. There is no need for more quarries in Kirklees - cumulative effect. The mineral is of poor quality. Loss of agricultural land. Impact upon landscape and the setting and character of Birds Edge within the greenbelt. Impact on Castle Hill, Denby Dale an Ancient Monument. and Roman Iron Mining site of Burnt Cumberworth.					
Soundness - Consistent with National Policy	Site option has not been promoted by the site owner in accordance with NPPG.					
Proposed Change Requested	Removal of the site from the plan.					
Council Response	No change. 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 policy 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 proximity of dwellings has been identified					

as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing – can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. 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 echo's 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. 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.

Soundness - Positively Prepared Inclusion of the site contravenes the Councils own policy PLP36.

Soundness - Justified

1) There are gaps in the analysis of the site, much based on an analysis undertaken in 2012. Assumptions in the analysis of the site suitability are out of date. For example the council believed that the homes at Dearne Grange were uninhabited and derelict. This is not the case, I have lived in one of these houses for in excess of six years. The whole analysis is thin. Therefore the Local Plan is unsound while ever the site remains included for mineral extraction. 2) When developed the site will cause dust, noise and light pollution to receptors including houses at Dearne Grange (5 meters away) and Park Head (100 meters away) as well as the primary school. Most are down wind of the prevailing wind. There are 40 houses (receptors) within 100 meters of the site and a total of 178 receptors within 500 meters of the site, including the highly regarded primary school, recreation ground, sports field and school playing field. 3) Development of the site will affect exposed receptors such as walkers, horse riders and cyclist of which there are many. The Trans Pennine Trail runs alongside site ME1965a. Exposed receptors include children attending the school yard/field, recreation ground and people at Cumberworth Football club matches and events. 4) It will prejudice highway safety with vehicle movement along Park Head Lane/Carr Hill Road to the A629. There are no footpaths to protect pedestrians. This area does not have the road infrastructure to support the site during the lifetime of the plan. In the last twelve years there have been 9 accidents with 22 casualties in close proximity to the Carr Hill junction. 5) It will be materially detrimental to the local environment and affect the watercourses of the River Dearne and Park Dike which runs through and alongside the proposed site. The River Dearne supplies water Hincliffes's Mill in Denby Dale, a local employer of 350 individuals. The paper 'Identifying Future Mineral Sites' produced by Urban Vision and Kirklees Council states that there are constraints on water courses when identifying sites, and secondary constraints on river valleys. Site ME1965a has two category 1 constraints and one category 2 constraints according to Kirklees own research paper. 6) There is no need for more quarries. Kirklees already has mineral extraction sites/quarries ensuring supplies beyond the lifetime of this plan. The West Yorkshire reserve of mineral aggregates is currently sufficient for 26 years-in excess of the lifetime of this plan. 7) It will result in permanent loss of good agricultural grazing land for cattle and sheep. 8) It will adversely affect the setting and character of Birdsedge Village within the greenbelt. There are currently no quarries in Birdsedge. The Appleton quarry is on the other side of a steep ridge and can't be seen or heard from Birdsedge. Because of the lie of the land the proposed quarry will be seen from all over the village. It will impact on the ancient monument and protected site of Castle Hill, Denby Dale. It will be seen from Castle Hill monument, Huddersfield. It will potentially destroy part of the Roman iron mining site of Burnt Cumberworth (still to be excavated). It will be visible from the Upper Denby Woodlands and Trans Pennine Trail. It will cause detriment to the local visual amenity. It will cause unacceptable detriment to a valued landscape within the Green Belt.

Soundness - Consistent with National Policy

Inclusion of the site contravenes the National Planning Policy Framework.

Proposed Change Requested

Removal of Site ME1965a will make the plan sound.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the

existing Appleton Quarry thus minimising the impact upon road safety for other users. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. 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.

Paragraph/Site: **ME1965a**

Consultee: **1050062 Dr clare shaw**

Agent:

Rep ID: **PDLP_AD772**

Soundness - Positively Prepared

I feel that you have ignored 208 objections at the consultation stage (a 55% objection rate from the local population.) In what way does this show you have listened to the objections at the public consultation stage The site ME1965a does not meet the requirements of the Kirklees Vision or Local Plan Objectives 1,3,5,6,7,8,and 10, or policies 1, 2, 6, 7, 10, 19, 20, 21, 25, 30, 48, 51, 52, 55, 38, and 39 the Kirklees Joint Health and Well-being Strategy, the Kirklees Economic Strategy. Site ME1965a does not comply with LP policy 36 “Proposal for Mineral Extraction”

Soundness - Justified

It will cause materially significant disturbance and nuisance by the generation of dust, noise and vibration by the site operations and associated transport; it will impact on people's health and quality of life . Air pollution. The prevailing winds will carry dust and particulates towards the village houses and the primary school. Noise pollution will be caused Traffic: It will prejudice highway safety through the volume and nature of vehicle movements onto and from the site possibly along Birds Edge/ Windmill Lanes/Carr hill road to the A629. The TransPennine Trail runs along one edge of the site ensuring walkers, cyclists and horse riders will be in danger from quarry traffic. There are no pavements along these roads to protect pedestrians. It will be materially detrimental and polluting to the local environment and affect the watercourses of the River Dearne and Park Dike which run through the proposed site . Kirklees is already over-supplied with mineral extraction sites and quarries ensuring supplies beyond the timespan/range of this plan so there is no need to quarry here. West Yorkshire currently has a 26 years reserve of mineral aggregates, ensuring supplies as far ahead as 2040. This local plan is only supposed to be effective to 2030. The best Yorkshire stone - i.e. that reserved for architectural and paving use is not found on Site ME1965 except for a very small band at the north end. The rest of the site would only provide poor quality stone for crushing. This stone could be extracted from anywhere. It will result in permanent loss of agricultural grazing land Cumulative effect. There are already too many quarries in this part of Kirklees It will not preserve the setting and character of the

village within the greenbelt and cause unacceptable detriment to a valued landscape. This is a public cause for concern. It will cause unacceptable detriment to local visual and residential amenity - a quarry on this site will be clearly visible from many areas of Birdsedge and the local area, including the ancient monument of Castle Hill, Denby Dale (that's the one at High Flatts but is classed as Denby Dale by Kirklees). It will impact on the archeologically important ancient monument and protected site of Castle Hill.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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. As part of the site appraisal 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. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo’s 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. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic

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

character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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.

Paragraph/Site: **ME1965a**

Consultee: **1050064 Mr Dave Lavy**

Agent:

Rep ID: **PDLP_AD769**

Soundness - Justified

It will be materially detrimental and polluting to the local environment and affect the watercourses of the River Dearne and Park Dike which run through the proposed site. The river Dearne supplies water to Hinchliffe's Mills in Birdsedge and Denby Dale, a local employer of 350 people.

Council Response

No change. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission.

Paragraph/Site: **ME1965a**

Consultee: **1050068 Mr Jonathan Shaw**

Agent:

Rep ID: **PDLP_AD775**

Soundness - Positively Prepared

The site ME1965a does not meet the requirements of the Kirklees Vision or LP Objectives 1,3,5,6,7,8, and 10 and fails to meet the requirements of the Kirklees Joint Health and Well-being Strategy and Kirklees Economic Strategy Site. ME1965a does not comply with objectives and policies of the LDP – in particular policies 1, 2, 6, 7, 10, 19, 20, 21, 25, 30, 48, 51, 52, 55, 38, and 39 Site ME1965a does not comply with LP policy 36 "Proposal for Mineral Extraction"

Soundness - Justified

It will cause materially significant disturbance and nuisance by the generation of dust, noise and vibration by the site operations and associated transport; it will impact on people's health and quality of life. Air pollution. The prevailing winds will carry dust and particulates towards the village houses and the primary school. Noise pollution: Even without blasting, the cutting and removal of stone requires a constant tap-tap-tap from a machine which pecks at the stone, so this will result in not one occasional big bang but an annoying constant series of smaller, regular 'jackhammer' bangs. Appleton Quarry already has a bad reputation for working outside its designated time periods and thus causing additional disruption to neighbours. Traffic: It will prejudice highway safety through the volume and nature of vehicle movements onto and from the site possibly along Birds Edge/ Windmill Lanes/Carr hill road to the A629. The TransPennine Trail runs along one edge of the site ensuring walkers, cyclists and horse riders will be in danger from quarry traffic. There are no pavements along these roads to protect pedestrians. It will be materially detrimental and polluting to the local environment and affect the watercourses of the River Dearne and Park Dike which run through the proposed site. The river Dearne supplies water to Hinchliffe's Mills in Birdsedge and Denby Dale, a local employer of 350 people. Kirklees Council and Urban Vision have produced a paper on 'Identifying Future Mineral Extraction Sites' (October 2016). Paragraph 5:14 states that ground water sources are a primary constraint (Category One) when identifying areas of search for Mineral Extraction, and that river valleys are a Category Two constraint. According to Kirklees own paper there are two Category One constraints and one Category Two constraint on Site ME1965a with TWO Water courses and a river valley. Kirklees is already over-supplied with mineral extraction sites and quarries ensuring supplies beyond the timespan/range of this plan so there is no need to quarry here. West Yorkshire currently has a 26 years reserve of mineral aggregates, ensuring supplies as far ahead as 2040. This local plan is only supposed to be effective to 2030. The best Yorkshire stone - i.e. that reserved for architectural and paving use is not found on Site ME1965 except for a very small band at the north end. The rest of the site would only provide poor quality stone for crushing. This stone could be extracted from anywhere. It will result in permanent loss of agricultural grazing land Cumulative effect. There are already too many quarries in this part of Kirklees It will not preserve the setting and character of the village within the greenbelt and cause unacceptable detriment to a valued landscape. This is a public cause for concern. It will cause unacceptable detriment to local visual and residential amenity - a quarry on this site will be clearly visible from many areas of Birdsedge and the local area, including the ancient monument of Castle Hill, Denby Dale (that's the one at High Flatts but is classed as Denby Dale by Kirklees). It will impact on the archeologically important ancient monument and protected site of Castle Hill.

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

Soundness - Consistent with National Policy

Site ME1965a does not comply with the National Planning Policy Framework paragraphs 1,7,9,10,14,15,17,28,58,61,64,69,73,74,75,70,80,81,86,88,109,110,120,122,123,125,126,131,142,150,151,152,155,157,158 and 163.

Proposed Change Requested

The removal of site ME1965a

Council Response

No change. 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 policy 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. As part of the site appraisal 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. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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.

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

Paragraph/Site: ME1965a

Consultee: 1050074 mr paul somerville

Agent:

Rep ID: PDLP_AD776

Soundness - Positively Prepared The site ME1965a does not meet the requirements of the Kirklees Vision or LP Objectives 1,3,5,6,7,8,and 10. Site ME1965a fails to meet the requirements of the Kirklees Joint Health and Well-being Strategy. Site ME1965a fails to meet the requirements of the Kirklees Economic Strategy.

Council Response

No change.As part of the site appraisal 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.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 policy 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.

Paragraph/Site: ME1965a

Consultee: 1050078 Mr Jason Alsop

Agent: 1050077 Mr Jason Alsop

Rep ID: PDLP_AD778

Soundness - Positively Prepared Inclusion of the site contravenes the Councils own policy PLP36.

Soundness - Justified

1) There are gaps in the analysis of the site, much based on an analysis undertaken in 2012. Assumptions in the analysis of the site suitability are out of date. For example the council believed that the homes at Dearne Grange were uninhabited and derelict. This is not the case , I have lived in one of these houses for in excess of six years and run a business from these premises. The whole analysis is thin. Therefore the Local Plan is unsound while ever the site remains included for mineral extraction. 2) When developed the site will cause dust, noise and light pollution to receptors including houses at Dearne Grange (5 meters away). This will adversely affect my business. 3) It will prejudice highway safety with vehicle movement along Park Head Lane/Carr Hill Road to the A629. This area does not have the road infrastructure to support the site during the lifetime of the plan. In the last twelve years there have been 9 accidents with 22 casualties in close proximity to the Carr Hill junction. I do not wish to expose my employees to added danger of increased HGV traffic. 4) There is no need for more quarries. Kirklees already has mineral extraction sites/quarries ensuring supplies beyond the lifetime of this plan. The West Yorkshire reserve of mineral aggregates is currently sufficient for 26 years-in excess of the lifetime of this plan. 5) It will cause materially significant disturbance and nuisance by the generation of dust, noise and vibration by the site operations and associated transport; it will impact on my employees and quality of their working life 6) Noise pollution: Even without blasting, the cutting and removal of stone requires a constant tap-tap-tap from a machine which pecks at the stone, so this will result in not one occasional big bang but an annoying constant series of smaller, regular 'jackhammer' bangs. Appleton Quarry already has a bad reputation for working outside its designated time periods and thus causing additional disruption to my employees working conditions.

Soundness - Consistent with National Policy

Inclusion of the site contravenes the National Planning Policy Framework.

Proposed Change Requested

Removal of Site ME1965a will make the plan sound.

Council Response

No change.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 policy 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.Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them.The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required.The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact

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

upon road safety for other users. 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. 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: **ME1965a**

Consultee: **1050088 Dr Richard Durr**

Agent:

Rep ID: **PDLP_AD786**

Soundness - Positively Prepared I moved to the area for its beauty, farmland, green areas and lack of built up areas.... I don't wish to see another quarry spoiling this area....

Council Response No change. 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: **ME1965a**

Consultee: **1050122 Mr Steve Lawson**

Agent:

Rep ID: **PDLP_AD808**

Soundness - Positively Prepared As a visitor to the area for over 15 years I am somewhat surprised that this element of the plan was ever considered, particularly given the level of local objection. Having read with interest the comments made regarding the nearby villages and particularly the school, I share those concerns. The potential detrimental impact on residents and children seems to have been overlooked.

Soundness - Justified I live close to two quarries and can confirm the concerns expressed by others, that the increase in traffic, dust and noise will be detrimental to the area. The quarries can be seen for miles around, and that is in a relatively 'built up' area compared to the one proposed here, which would decimate the character of Birdsedge as well having a negative visual impact on the surrounding area. There are already sufficient mineral aggregate reserves in West Yorkshire to ensure supply well beyond the lifetime of this plan.

Soundness - Consistent with National Policy I do not consider that the identification exercise has been conducted in accordance with the criteria given in the National Planning Policy Guidance.

Proposed Change Requested Removal of site ME1965a

Council Response No change. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact.

Paragraph/Site: **ME1965a**

Consultee: **1050135 Mr Gerard Morris**

Agent:

Rep ID: **PDLP_AD810**

Soundness - Justified Because the proposed quarry would have a serious deleterious impact on the local environment and water resources in the River Dearne catchment. The proposals have not considered the environmental impact and is unsound .

Soundness - Consistent with National Policy The scale of the quarrying proposal is unsound and non compliant against the Water Framework Directive regulations.

Council Response No change. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of

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

the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment.

Paragraph/Site: **ME1965a**

Consultee: **1050187 Luke Armour**

Agent:

Rep ID: **PDLP_AD1481**

Soundness - Positively Prepared Ignored over 200 objections at the consultation stage. Contravenes Policy PLP 36.

Soundness - Justified Too close to houses. Noise, blasting, dust. Increased traffic. Visual impact and loss of green belt land. Too many quarries in Kirklees.

Soundness - Consistent with National Policy Contravenes NPPF.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. 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 echo's 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 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: **ME1965a**

Consultee: **1050189 Aimee Armour**

Agent:

Rep ID: **PDLP_AD1477**

Soundness - Positively Prepared Ignored over 200 objections at the consultation stage. Contravenes Policy PLP 36.

Soundness - Justified Too close to houses. Noise, blasting, dust. Increased traffic. Visual impact and loss of green belt land. Too many quarries in Kirklees.

Soundness - Consistent with National Policy Contravenes NPPF.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most

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

appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. 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. 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: **ME1965a**

Consultee: **1050191 Martin Armour**

Agent:

Rep ID: **PDLP_AD1478**

Soundness - Positively Prepared

Ignored over 200 objections at the consultation stage. Contravenes Policy PLP 36.

Soundness - Justified

Too close to houses. Noise, blasting, dust. Increased traffic. Visual impact and loss of green belt land. Too many quarries in Kirklees.

Soundness - Consistent with National Policy

Contravenes NPPF.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. 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: **ME1965a**

Consultee: **1050194 Julie Armour**

Agent:

Rep ID: **PDLP_AD1479**

Soundness - Positively Prepared

Ignored over 200 objections at the consultation stage. Contravenes Policy PLP 36.

Soundness - Justified

Too close to houses. Noise, blasting, dust. Increased traffic. Visual impact and loss of green belt land. Too many quarries in Kirklees.

Soundness - Consistent with

Contravenes NPPF.

National Policy

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. 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 echo's 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 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: **ME1965a**

Consultee: **1050199 Paula Sherriff**

Agent:

Rep ID: **PDLP_AD1677**

Soundness - Justified

- Not an extension of existing adjacent Appleton Quarry. Ridge separates the two, existing works cannot be seen from Birdsedge. - Potential creation of noise, dust, vibration, air pollution, detrimental impact on health and well being of local residents. - Increased traffic, increased highways safety risks Birdsedge/Windmill Lanes/Carr Hill Road. No pavements pedestrians and cyclists put at greater risk. - Impact on local environment, detrimental impact on character of village and surrounding landscape. Loss of visual amenity, concerns about loss of agricultural land and impact on natural land drainage. - Watercourses of River Dearne and Park Dike may be affected. Could negatively affect supply to Hinchliffe's Mills in Birdsedge and Denby Dale.

Council Response

No change. When the site was originally named in the Draft Local Plan (consulted on November 2015) it was recognised that the site promoter was the same minerals operator on neighbouring land. The two parcels of land making up the new option were considered as one. Because part of the option (now ME1965b) was a physical extension to Appleton Quarry site ME1965 was named to reflect this fact. As work progressed on the submission version of the plan the site was split and site references amended - to reflect the different allocations accepted on them -but the naming was retained. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any

associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission.

Paragraph/Site: **ME1965a**

Consultee: **1050449 Annabel Sleigh**

Agent:

Rep ID: **PDLP_AD1272**

Soundness - Positively Prepared

Contravenes the Councils own Policy PLP 36. GREENBELT and is designated and is currently agricultural land. 208 objections at the consultation stage (a 55% objection rate from the local population.) have been ignored.

Soundness - Justified

Will create air pollution for local residents and Birdsedge school children due to prevailing and constant West winds. Will provide constant noise for local residents and Birdsedge school children. Exacerbate the existing traffic problems along A629 and Sovereign Junction area. Will create another eyesore such as that which exists around the Sovereign Junction area. Will disturb the River Dearne and Park Dike waters courses, flow and table. Will cause loss of jobs in the community due to the loss of industry caused by upsetting the water which Z. Hinchliffe & Sons Ltd are so dependent on as yarn spinners. Will lead to the death of the community as no one will want to live in area with the above issues or live beside a great scar/crater in the landscape. It does not provided good quality stone to even mine/quarry. The area is known for its scenic beauty and special topography as has become better known for outdoor pursuits such as cycling/walking which are beneficial to the health and well- being of people.

Soundness - Consistent with National Policy

Contravenes the National Planning Policy Framework.

Council Response

No change. 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 policy 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. 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Quarrying in this area has taken place for more than a century and is

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

therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. 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: **ME1965a**

Consultee: **1050451 Anne Ellis**

Agent:

Rep ID: **PDLP_AD1415**

Soundness - Positively Prepared Destruction of the green belt.

Soundness - Justified Too close to houses and the school. Pollution caused by noise and traffic.

Council Response

No change. 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. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users.

Paragraph/Site: **ME1965a**

Consultee: **1050563 Jim Parlin**

Agent:

Rep ID: **PDLP_AD2007**

Soundness - Positively Prepared Not consistent with Local Plan guidelines. Green belt land.

Soundness - Justified Too close to housing and the school. Too close to a nature reserve and 2 waterways. Dust and noise pollution would be dangerous to health. Roads too narrow for big lorries. Already several quarries around Birdsedge. Will have a negative impact on jobs.

Soundness - Consistent with National Policy

Not carried out in accordance with National Policy.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. 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 policy 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. 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. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Based upon the technical appraisal of the site, neither

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

the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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 echo’s 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 need for the mineral – as presented by the site promoter – has been considered against other economic impacts in line with NPPF para 142, 143 and NPPG para’s 10 and 86-89 (minerals chapter). It is considered that through appropriate levels of mitigation the potential for economic loss could be successfully mitigated. 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: **ME1965a**

Consultee: **1050567 Jimmy Brothers**

Agent:

Rep ID: **PDLP_AD2015**

Soundness - Positively Prepared Impact on the landscape.

Soundness - Consistent with National Policy Not carried out in accordance with National Policy.

Proposed Change Requested Remove Site ME1965a from the Local Plan.

Council Response No change. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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: **ME1965a**

Consultee: **1050571 Gillian Wood**

Agent:

Rep ID: **PDLP_AD2016**

Soundness - Justified Increase in lorries would be a major issue.

Soundness - Consistent with National Policy Was not carried out in accordance with National Policy.

Proposed Change Requested Removal of site from the plan.

Council Response No change. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the

impact upon road safety for other users. 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: ME1965a

Consultee: 1050573 Lee Wood

Agent:

Rep ID: PDLP_AD2116

Soundness - Positively Prepared The allocation fails to comply with Policy 36 of the Local Plan.

Soundness - Justified Assessment of the site assumes Dearne Grange is uninhabited. There are gaps in the analysis of the site, much of which has been based on a study carried out in 2012. It will cause noise, dust and light pollution. Development of this site will affect exposed receptors - walkers, school, Trans-Pennine Trail. Impact on highways - narrow roads, no infrastructure. Two water courses - The River Dearne and Park Dike – run through the site and are category one constraints. There is no need for more quarries in Kirklees - cumulative effect. The mineral is of poor quality. Loss of agricultural land. Impact upon landscape and the setting and character of Birds Edge within the greenbelt. Impact on Castle Hill, Denby Dale an Ancient Monument. and Roman Iron Mining site of Burnt Cumberworth.

Soundness - Consistent with National Policy Site option has not been promoted by the site owner in accordance with NPPG.

Proposed Change Requested Removal of the site from the plan.

Council Response No change. 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 policy 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 proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the

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

site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. 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: ME1965a

Consultee: 1050575 Ross Lyttle

Agent:

Rep ID: PDLP_AD2006

Soundness - Justified

More traffic and lorries on narrow lanes. Remedial work on the existing quarry has not been carried out.

Soundness - Consistent with National Policy

Not carried out in accordance with National Planning Policy.

Proposed Change Requested

Removal of the site from the plan.

Council Response

No change. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. 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. 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: ME1965a

Consultee: 1050581 B Blackburn

Agent:

Rep ID: PDLP_AD2005

Soundness - Justified

Objects to the proposal, loss of views.

Soundness - Consistent with National Policy

Not carried out in accordance with National Planning Policy.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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: ME1965a

Consultee: 1050584 Cheryl Frith-Clarkson

Agent:

Rep ID: PDLP_AD2530

Soundness - Positively Prepared - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill - Urban Vision methodology paper states that water courses are a category 1 constraints to site identification, and river valleys are secondary constraints - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact upon highways safety - There are gaps in the site analysis, much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes and primary school - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclists and tourists - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect on receptors

Soundness - Consistent with National Policy - Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested Removal of site ME1965a will make the plan sound

Council Response No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Analysis of the site has been carried out in accordance with the Council’s own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient

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

evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo's 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 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: **ME1965a**

Consultee: **1050803 Cllr Kenneth Sims**

Agent:

Rep ID: **PDLP_AD3682**

Soundness - Justified

At the current rate of extraction, there is sufficient land available still to quarry for the life time of the local plan and well beyond and there is no demand or need at this time to include 1965a in the plan for immediate extraction. If this land is intended to become part of the Appleton Quarry the current quarry operator already has existing permissions on ME2243 and ME2244 and ME2263 to quarry stone that will last beyond the lifetime of the plan.

Proposed Change Requested

ME 1965a should be removed from the Publication Local Plan. Given the existing permissions locally, it is not needed in the life time of the plan

Council Response

No change. 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.

Paragraph/Site: **ME1965a**

Consultee: **1050805 Cllr Donald Firth**

Agent:

Rep ID: **PDLP_AD3681**

Soundness - Justified

At the current rate of extraction, there is sufficient land available still to quarry for the life time of the local plan and well beyond and there is no demand or need at this time to include 1965a in the plan for immediate extraction. If this land is intended to become part of the Appleton Quarry the current quarry operator already has existing permissions on ME2243 and ME2244 and ME2263 to quarry stone that will last beyond the lifetime of the plan.

Proposed Change Requested

ME 1965a should be removed from the Publication Local Plan. Given the existing permissions locally, it is not needed in the life time of the plan

Council Response

No change. 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.

Paragraph/Site: **ME1965a**

Consultee: **1050866 V Gilmore**

Agent:

Rep ID: **PDLP_AD2256**

Soundness - Positively Prepared

- It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill - Urban Vision methodology paper states that water courses are a category 1 constraints to site identification, and river valleys are secondary constraints - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact upon highways safety - There are gaps in the site analysis, much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes and primary school - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclists and tourists - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect on receptors

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Open watercourse were identified as category 1 constraints in the Urban Vision minerals site allocation methodology paper. This did not, however, result in the preclusion of sites affected by them. The Environment Agency has confirmed that both watercourses crossing this option are classed as ‘ordinary watercourses’. Therefore the standard 8 meter buffer strip would be required. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No objections from Historic England, the council's Conservation and Design Team and West Yorkshire Archaeological Advisory Service. However, predetermination archaeological survey will be required at the planning application stage as the 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 potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Impact on residential amenity can be satisfactorily mitigated through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Analysis of the site has been carried out in accordance with the Council’s own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. Impact upon schools,

recreational activities and residential homes can be satisfactorily mitigated 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. 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: **ME1965a**

Consultee: **1050867**

Vivien Heplinstall

Agent:

Rep ID: **PDLP_AD2543**

Soundness - Positively Prepared

- It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill - Urban Vision methodology paper states that water courses are a category 1 constraints to site identification, and river valleys are secondary constraints - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact upon highways safety - There are gaps in the site analysis, much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes and primary school - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclists and tourists - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect on receptors

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant

adverse impact on local water regimes prior to any grant of planning permission. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Analysis of the site has been carried out in accordance with the Council’s own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo’s 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 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: ME1965a

Consultee: 1050868 E Dickinson

Agent:

Rep ID: PDLP_AD2582

Soundness - Positively Prepared

- It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill - Urban Vision methodology paper states that water courses are a category 1 constraints to site identification, and river valleys are secondary constraints - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact upon highways safety - There are gaps in the site analysis, much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes and

primary school - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclists and tourists - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect on receptors

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Analysis of the site has been carried out in accordance with the Council’s own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo's 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 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: **ME1965a**

Consultee: **1050869 Mark Heptinstall**

Agent:

Rep ID: **PDLP_AD2598**

Soundness - Positively Prepared

- It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill - Urban Vision methodology paper states that water courses are a category 1 constraints to site identification, and river valleys are secondary constraints - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact upon highways safety - There are gaps in the site analysis, much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes and primary school - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclists and tourists - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Impact upon schools, recreational activities and residential homes

can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo's 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 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: **ME1965a**

Consultee: **1050870 Trevor Clarkson**

Agent:

Rep ID: **PDLP_AD2608**

Soundness - Positively Prepared

- It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill - Urban Vision methodology paper states that water courses are a category 1 constraints to site identification, and river valleys are secondary constraints - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact upon highways safety - There are gaps in the site analysis, much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes and primary school - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclists and tourists - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Analysis of the site has been carried out in accordance with the Council’s own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo’s 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: ME1965a

Consultee: 1050871 D Clarkson

Agent:

Rep ID: PDLP_AD2621

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at

Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would

detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo's 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment.

Paragraph/Site: **ME1965a**

Consultee: **1050873**

Ronald Mittermuller

Agent:

Rep ID: **PDLP_AD2622**

Soundness - Positively Prepared

- It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt - The allocation fails the tests set out in Local Plan policy PLP 36

Soundness - Justified

- Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill - Urban Vision methodology paper states that water courses are a category 1 constraints to site identification, and river valleys are secondary constraints - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact upon highways safety - There are gaps in the site analysis, much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes and primary school - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclists and tourists - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a would make the plan sound

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. 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 policy 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Analysis of the site has been carried out in accordance with the Council’s own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. 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. The need for the extraction of sandstone is demand led and therefore only pursued by an operator if the demand exists. Bearing in mind planning requirements to use indigenous sources of mineral in the construction of new developments and the repair of existing buildings, (para 143 of NPPG) the Council is satisfied that the demand for this mineral over the plan period will continue. 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 echo’s this

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

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 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: **ME1965a**

Consultee: **1050874 Jamie Mittemuller**

Agent:

Rep ID: **PDLP_AD2904**

Soundness - Positively Prepared - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt - The allocation fails the tests set out in Local Plan policy PLP 36

Soundness - Justified - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill - Urban Vision methodology paper states that water courses are a category 1 constraints to site identification, and river valleys are secondary constraints - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact upon highways safety - There are gaps in the site analysis, much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes and primary school - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclists and tourists - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees

Soundness - Consistent with National Policy - Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested Removal of site ME1965a will make the plan sound

Council Response No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. 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 policy 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its

ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo's 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 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: **ME1965a**

Consultee: **1050875**

Christine Mittermuller

Agent:

Rep ID: **PDLP_AD2905**

Soundness - Positively Prepared

- It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt - The allocation fails the tests set out in Local Plan policy PLP 36

Soundness - Justified

- Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill - Urban Vision methodology paper states that water courses are a category 1 constraints to site identification, and river valleys are secondary constraints - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact upon highways safety - There are gaps in the site analysis, much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes and primary school - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclists and tourists - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of

Soundness - Consistent with National Policy

good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site ME1965a will make the plan sound

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. 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 policy 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo’s 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: ME1965a

Consultee: 1050877 Brenda M Clarkson

Agent:

Rep ID: PDLP_AD2238

Soundness - Positively Prepared The plan is not legally compliant as the Council ignored 206 objections to this site at the draft Local Plan consultation stage. The allocation fails to comply with many aspects of the Local Plan.

Soundness - Justified Impact on highways (lanes are not suitable etc.) Impact upon landscape and the setting and character of Birds Edge. Impact upon the setting of the Castle Hill Ancient Scheduled Monument. Impact upon the Roman Iron mining sites of Burnt Cumberworth. Two water courses - The River Dearne and Park Dike – run through the site and are category one constraints. There are gaps in the analysis of the site, much of which has been based on a study carried out in 2012. Assessment of the site assumes Dearne Grange is uninhabited. Will cause noise, dust and light pollution. Impact on schools, recreational activities and residential homes. Development of the site will affect exposed receptors. The mineral is not rare or there is no need / demand for the mineral. The mineral is of poor quality. Permanent loss of agricultural land. Cumulative effect - too many quarries in this part of Kirklees.

Soundness - Consistent with National Policy Site option has not been promoted by the site owner in accordance with NPPG. Allocation does not comply with NPPF.

Proposed Change Requested Removal of site from the plan.

Council Response No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Analysis of the site has been carried out in accordance with the Council’s own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. Paragraph 13 of NPPG indicates that one of the principle issues MPAs should address when considering minerals development is the potential loss of

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

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 echo's 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 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: **ME1965a**

Consultee: **1050916 Mrs Winnie Newman**

Agent:

Rep ID: **PDLP_AD2246**

Soundness - Positively Prepared The plan is not legally compliant as the Council ignored 206 objections to this site at the draft Local Plan consultation stage. The allocation fails to comply with many aspects of the Local Plan .

Soundness - Justified Impact upon landscape and the setting and character of Birds Edge. Impact upon the setting of the Castle Hill Ancient Scheduled Monument. Impact upon the Roman Iron mining sites of Burnt Cumberworth. Impact on highway safety, narrow lane with no pavements. There are gaps in the analysis of the site, much of which has been based on a study carried out in 2012. Assessment of the site assumes Dearne Grange is uninhabited. Two water courses - The River Dearne and Park Dike – run through the site and are category one constraints. Noise, dust and light pollution. Impact on schools, recreational activities and residential homes. Development of the site will affect exposed receptors. There is no need for the mineral and it is of poor quality. Cumulative effect - too many quarries in this part of Kirklees.

Soundness - Consistent with National Policy Site option has not been promoted by the site owner in accordance with NPPG. Allocation does not comply with NPPF.

Proposed Change Requested Removal of site from the plan.

Council Response No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. The impact of noise, dust and light pollution would be assessed in greater detail

through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo’s 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. All Minerals Extraction Sites have willing landowners and have been promoted by the minerals industry in accordance with our call for sites exercise. Those sites without willing landowners have either been allocated as Preferred Areas or Areas of Search which do not require a willing landowner. This approach is in accordance with NPPG.

Paragraph/Site: **ME1965a**

Consultee: **1050917 Mrs Dorothy Bower**

Agent:

Rep ID: **PDLP_AD2264**

Soundness - Positively Prepared

The plan is not legally compliant as the Council ignored 206 objections to this site at the draft Local Plan consultation stage. The allocation fails to comply with many aspects of the Local Plan (Policy 36).

Soundness - Justified

There are gaps in the analysis of the site, much of which has been based on a study carried out in 2012. Assessment of the site assumes Dearne Grange is uninhabited. Noise, dust and light pollution. Impact on schools, recreational activities and residential homes. Development of the site will affect exposed receptors. Impact on highway safety, narrow lanes with no pavements. Two water courses - The River Dearne and Park Dike – run through the site and are category one constraints. There is no need for the mineral and it is of poor quality. Cumulative effect - too many quarries in this part of Kirklees. Will result in the permanent loss of agricultural land. Impact upon landscape and the setting and character of Birds Edge. Impact upon the setting of the Castle Hill Ancient Scheduled Monument. Impact upon the Roman Iron mining sites of Burnt Cumberworth.

Soundness - Consistent with National Policy

Site option has not been promoted by the site owner in accordance with NPPG. Allocation does not comply with NPPF.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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. Analysis of the site has been carried out in accordance with the Council’s own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be

put in place where a need is identified. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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: **ME1965a**

Consultee: **1050920 Mrs Jean Jessop**

Agent:

Rep ID: **PDLP_AD2281**

Soundness - Positively Prepared

The plan is not legally compliant as the Council ignored 206 objections to this site at the draft Local Plan consultation stage. The allocation fails to comply with many aspects of the Local Plan (Policy 36).

Soundness - Justified

Impact upon landscape and the setting and character of Birds Edge. Impact upon the setting of the Castle Hill Ancient Scheduled Monument. Impact upon the Roman Iron mining sites of Burnt Cumberworth. There are gaps in the analysis of the site, much of which has been based on a study carried out in 2012. Assessment of the site assumes Dearne Grange is uninhabited. Noise, dust and light pollution. Impact on schools, recreational activities and residential homes. Development of the site will affect exposed receptors. Impact on highway safety, narrow lanes with no pavements. Two water courses - The River Dearne and Park Dike – run through the site and are category one constraints. There is no need for the mineral and it is of poor quality. Cumulative effect - too many quarries in this part of Kirklees. Will result in the permanent loss of agricultural land.

Soundness - Consistent with National Policy

Site option has not been promoted by the site owner in accordance with NPPG. Allocation does not comply with NPPF.

Proposed Change Requested

Removal of the site from the plan.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of

mitigation. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. Analysis of the site has been carried out in accordance with the Council’s own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo’s 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 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. All Minerals Extraction Sites have willing landowners and have been promoted by the minerals industry in accordance with our call for sites exercise. Those sites without willing landowners have either been allocated as Preferred Areas or Areas of Search which do not require a willing landowner. This approach is in accordance with NPPG. 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: ME1965a

Consultee: 1050921 Mrs Joan Horne

Agent:

Rep ID: PDLP_AD2312

Soundness - Positively Prepared

The plan is not legally compliant as the Council ignored 206 objections to this site at the draft Local Plan consultation stage. The allocation fails to comply with many aspects of the Local Plan (Policy 36).

Soundness - Justified

Cumulative effect - too many quarries in this part of Kirklees. Impact upon landscape and the setting and character of Birds Edge. Impact upon the setting of the Castle Hill Ancient Scheduled Monument. Impact upon the Roman Iron mining sites of Burnt Cumberworth. There are gaps in the analysis of the site, much of which has been based on a study carried out in 2012. Assessment of the site assumes Dearne Grange is uninhabited. Noise, dust and light pollution. Impact on schools, recreational activities and residential homes. Development of the site will affect exposed receptors - walkers, cyclists etc. Impact on highway safety, narrow lanes with no pavements. Two water courses - The River Dearne and Park Dike – run through the site and are category one constraints. There is no need for the mineral and it is of poor quality. Will result in the permanent loss of agricultural land.

Soundness - Consistent with National Policy

Site option has not been promoted by the site owner in accordance with NPPG. Allocation does not comply with NPPF.

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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

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

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: ME1965a

Consultee: 1050923 B Jessop

Agent:

Rep ID: PDLP_AD2334

Soundness - Positively Prepared The plan is not legally compliant as the Council ignored 206 objections to this site at the draft Local Plan consultation stage. The allocation fails to comply with many aspects of the Local Plan (Policy 36).

Soundness - Justified Cumulative effect - too many quarries in this part of Kirklees. Impact upon landscape and the setting and character of Birds Edge. Impact upon the setting of the Castle Hill Ancient Scheduled Monument. Impact upon the Roman Iron mining sites of Burnt Cumberworth. There are gaps in the analysis of the site, much of which has been based on a study carried out in 2012. Assessment of the site assumes Dearne Grange is uninhabited. Noise, dust and light pollution. Impact on schools, recreational activities and residential homes. Development of the site will affect exposed receptors - walkers, cyclists etc. Impact on highway safety, narrow lanes with no pavements. Two water courses - The River Dearne and Park Dike – run through the site and are category one constraints. There is no need for the mineral and it is of poor quality. Will result in the permanent loss of agricultural land.

Soundness - Consistent with National Policy Site option has not been promoted by the site owner in accordance with NPPG. Allocation does not comply with NPPF.

Proposed Change Requested Removal of site from the plan.

Council Response No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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. 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary

watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 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: **ME1965a**

Consultee: **1050925 Enid Greaves**

Agent:

Rep ID: **PDLP_AD2352**

Soundness - Positively Prepared The plan is not legally compliant as the Council ignored 206 objections to this site at the draft Local Plan consultation stage. The allocation fails to comply with many aspects of the Local Plan (Policy 36).

Soundness - Justified The mineral is of poor quality. Minerals extraction would negatively impact on agricultural land, resulting in permanent loss. Cumulative effect - too many quarries in this part of Kirklees. Impact upon landscape and the setting and character of Birds Edge. Impact upon the setting of the Castle Hill Ancient Scheduled Monument. Impact upon the Roman Iron mining sites of Burnt Cumberworth. There are gaps in the analysis of the site, much of which has been based on a study carried out in 2012. Assessment of the site assumes Dearne Grange is uninhabited. Noise, dust and light pollution. Impact on schools, recreational activities and residential homes. Development of the site will affect exposed receptors - walkers, cyclists etc. Impact on highway safety, narrow lanes with no pavements. Two water courses - The River Dearne and Park Dike – run through the site and are category one constraints. There is no need for more quarries in Kirklees.

Soundness - Consistent with National Policy Site option has not been promoted by the site owner in accordance with NPPG. Allocation does not comply with NPPF.

Proposed Change Requested Removal of site from the plan.

Council Response No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo's 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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 proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning

application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. 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: **ME1965a**

Consultee: **1050926 J H Greaves**

Agent:

Rep ID: **PDLP_AD2359**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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 policy 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. Analysis of the site has been carried out in

accordance with the Council’s own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo’s 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. 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.

Paragraph/Site: **ME1965a**

Consultee: **1050928 T Hampson**

Agent:

Rep ID: **PDLP_AD3035**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at

Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. All receptors have been considered as part of the site appraisal and no absolute constraints were identified. Appropriate levels of mitigation can be put in place where a need is identified. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any

mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo’s 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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. 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. 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: **ME1965a**

Consultee: **1050930 R Hampson**

Agent:

Rep ID: **PDLP_AD3040**

Soundness - Positively Prepared

- The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified

- There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy

- Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested

Removal of site from the plan.

Council Response

No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. 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. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. 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 echo's 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. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. 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.

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

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: **ME1965a**

Consultee: **1058006 Sue Wetherill**

Agent:

Rep ID: **PDLP_AD1044**

Soundness - Justified

Increased traffic. Unsafe to walk between upper and lower Cumberworth due to inadequate footpath provisions. Dust and noise pollution likely to have a negative impact on health. Dust and noise pollution having a negative effect on the nearby areas with protected species.

Council Response

No change. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Based on the technical appraisals supplied by Natural England and West Yorkshire Ecology the site is not particularly sensitive with regard to its ecological value and is not classed as the best or most versatile agricultural land. It is considered that the provision of buffer zones and the use of progressive site restoration would mitigate any impact. Final site restoration is likely to provide an opportunity to enhance local biodiversity. Any subsequent planning application would need to be supported by a full Environmental Impact Assessment.

Paragraph/Site: **ME1965a**

Consultee: **1058409 Mrs June Wagstaff**

Agent:

Rep ID: **PDLP_AD1140**

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. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site.

Paragraph/Site: **ME1965a**

Consultee: **1059502 Venessa Fewston**

Agent:

Rep ID: **PDLP_AD1298**

Soundness - Justified

Impact on health and quality of life. Disturbance and nuisance by the generation of dust, noise and vibration. Air pollution. Noise pollution. Traffic and impact on highway safety, lack of pavements. The TransPennine Trail runs along one edge of the site ensuring walkers, cyclists and horse riders will be in danger from quarry traffic.

Council Response

No change. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site.

Paragraph/Site: **ME1965a**

Consultee: **1059506 Mr Ian Morecroft**

Agent:

Rep ID: **PDLP_AD1302**

Soundness - Justified

Objects on the grounds of, the impact 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

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

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: **ME1965a**

Consultee: **1060194 Mr Peter Markham**

Agent:

Rep ID: **PDLP_AD1801**

Soundness - Positively Prepared Does not comply with policy PLP 36.

Soundness - Justified Impact on watercourses - Potential for pollution from sand, silt and clay by-products.

Proposed Change Requested Site should be removed from the LDP.

Council Response No change. 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 policy 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. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as ‘ordinary watercourses’ - or the Council’s Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission.

Paragraph/Site: **ME1965a**

Consultee: **1063252 Lisa Scarlett**

Agent:

Rep ID: **PDLP_AD3140**

Soundness - Positively Prepared - The allocation fails the tests set out in Local Plan policy PLP 36 - It is to the detriment of the community as highlighted by 206 objections at the draft local plan stage - Negative impact on the green belt

Soundness - Justified - There are gaps in the site analysis. Much of it was based on an outdated study undertaken in 2012 - Assessment has assumed that the high value homes at Dearne Grange were unoccupied - Impact of noise, dust and light pollution on residential homes, primary school and sport and recreational fields - There are 40 houses within 100 meters and 178 receptors within 500 meters of the site - Impact upon walkers, horse riders, cyclist, tourists and the historic environment - Impact upon highways safety - Negative impact upon the two watercourses crossing the site - The River Dearne supplies water to Hinchliffe's Mill – a local employer of 350 people - Urban Vision methodology paper states that water courses are a category 1 constraint to site identification, and river valleys are secondary constraints. ME 1965a has 2 category 1 constraints and 1 category 2 constraint - There is no need for more minerals sites. There is sufficient supply to cover the duration of the plan period for aggregates - which the site is only good for - The best Yorkshire stone is not to be found at this site other than a very small strip to the north of the allocation - Allocation will result in the loss of good agricultural land for grazing of livestock - Cumulative effect. Too many quarries in this part of Kirklees - Site ME1965a will not preserve the setting and character of Birds Edge - there are no quarries in Birds Edge - Impact upon the ancient monument and protected site of Castle Hill, Denby Dale and the Roman iron mining site of Burnt, Cumberworth - Impact upon the views from Upper Dearne Woodlands and the Trans Pennine Trail - Impact upon local and residential amenity - Impact will cause unacceptable detriment to a valued landscape within the green belt

Soundness - Consistent with National Policy - Identification of the site was not carried out in accordance with national policy / guidance

Proposed Change Requested Removal of site from the plan.

Council Response No change. 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 policy 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. Issues raised through the 206 comments were identified and formed part of the site reappraisal in determining site suitability for the Publication Draft Local Plan. It has been determined that the constraints identified through this process could be addressed through appropriate levels of mitigation. 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. Analysis of the site has been carried out in accordance with the Council's own site allocation methodology. Further consideration has also been given to the proposed methodology as set out in the minerals site methodology paper produced by Urban Vision in November 2015. All minerals sites options have either been rejected – due to insufficient evidence or an overriding constraint – or have been allocated based on the three categories as set out in NPPG paragraph 8 which reflects the level of evidence underpinning them. The impact of noise, dust and light pollution would be assessed in greater detail through the planning application process. However, the initial site assessment concluded that these impacts could be mitigated to acceptable levels. Blasting is precluded at all sites in Kirklees at present and is highly unlikely to be required at this site. The proximity of dwellings has been identified as a constraint irrespective of occupancy. Mitigation to protect the amenity of nearby residents through the provision of appropriate stand-off areas, noise and visual screening arrangements etc. would be required. Impact upon schools, recreational activities and residential homes can be satisfactorily mitigated 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. Additional minerals activity could lead to more heavy vehicles using highways in the vicinity of Carr Hill Road junction. However, it is considered that subject to highway improvements access can be satisfactorily achieved. Routing of associated minerals traffic could also be conditioned to ensure the most appropriate and least constrained routes are used. For example, potential routing could be through the existing Appleton Quarry thus minimising the impact upon road safety for other users. Based upon the technical appraisal of the site, neither the Environment Agency – who has classed both rivers as 'ordinary watercourses' - or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of planning permission. Based upon the technical appraisal of the site, neither the Environment Agency or the Council's Flood Management team have identified any absolute constraints regarding the two water courses crossing the site. However, the development of the site would be subject to comprehensive hydrological and hydrogeological surveys which would detail any likely impact on local water regimes and any mitigation required. The Council would need to be satisfied that any future mineral development would not have a significant adverse impact on local water regimes prior to any grant of 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 Kirklees Local Plan contains policies which will help to ensure that the needs of the rural tourism industry are positively supported (Policy PLP 10, 'Supporting the rural economy') and that development is sensitively designed to respect and enhance the character of the townscape, heritage assets and landscape (Policy PLP 24, 'Design'; Policy PLP 35, 'Historic environment'). The core cycling and walking network (as shown on the Policies Map) will be safeguarded and extended (Policy PLP 23, 'Core walking and cycling network'), thus protecting existing routes and providing further opportunities for leisure uses such as walking, cycling and horse riding. New proposals will be expected to integrate into the existing network by providing connecting links where appropriate. Quarrying in this area has taken place for more than a century and is therefore part of the historic character of this part of the district. It is considered that measures could be employed to reduce any associated impact on the village of Birds Edge. For example, a phased working programme with progressive restoration would help to ensure there is no significant increased negative impact. No public rights of way cross the site and the use of screen mounds/planting could be employed to reduce any impact on the experience of users of PROWs in the vicinity of the site. The potential impact on the Trans Pennine Trail would be considered in detail as part of the any future planning application, however, based on the site appraisal the Council is satisfied that appropriate levels of mitigation – through screening and traffic routing - can be secured in relation to this site. Mineral investigations have been carried out by the site promoter and the evidence supplied to the Council. Based on this evidence the Council is satisfied that the site promoter has demonstrated the mineral reserve is of a sufficient quality and is present in sufficient quantity to make extraction viable. The site promoter has indicated a

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.

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.