

Matter 11: Minerals Allocation

Submission from Mark & Wendy Burrell. Dearne Grange Barn



October 2017

Mark Burrell

Matter 11 Minerals Allocations

Whether the provision in the Plan for allocated minerals sites is justified, effective and consistent with national policy and the policies of the Plan

My comments on this matter have been submitted at both the consultation stages but with disregard from people at KMC running this. This highlighted the flaws in the DLP for the inclusion of Site ME1965a in the Plan and why it's not justified, or consistent with national policy and the policies of their Plan. I would like to add that my family and I fully support the submission made by BOLT(E)D and confirm we have helped in a small way with the content. I would very much like to speak on Matter 11 at the public hearing but as per my e-mail to Yvonne I am in Abu Dhabi that week for an Oil and Gas Exhibition and regrettably cannot change my plans.

Question b) Objection to Site ME1965a

A :

I expected KMC to act in a way to meet both the needs of the Council and those of the local area and its residents. The information gathered clearly does not meet several legal requirements including Human Rights. Legally KMC will have ensured that they conform with their obligations surrounding such issues as the Human Rights Act recognising that all should be treated equally and fairly wherever they live. I expected KMC to listen to the communities involved but they failed to do so on both occasions. I am shocked that despite all the objections of which over 550 were made in the two consultations by over 400 different people, we had a letter from our local MP, the objections of all the local councillors from all parties and various Wildlife and Environment trusts. It had huge concerns raised by the biggest local employer fearing for his business should the river courses feeding the ponds needed to run the production are left empty because of this ludicrous plan. We had no response from KMC but they still put ME1965A in the LDP.

B:

A very detailed submission made by the local action group BOLTED which had no legal or professional input was presented to KMC with the backing of a public meeting attended by over 75 people including all local councillors again this was simply ignored by KMC which begs the question how can the plan be sound and legal if they haven't followed the national and local guidelines.

This proposed site has 3 homes within 5 metres of its Northern boundary, the western edge has the Trans Pennine trail running its full length, on the Eastern boundary are numerous houses within 50 metres of it and to the South for its full boundary runs the very beginning of the River Dearne. Also within 30 metres of the Northern Boundary runs Dearne Dike again for the full length of the proposed site. Now tell me how that doesn't warrant a great deal of concern for the locals and why nothing has been done by KMC to consider our concerns. It certainly appears that something is not in order in the approach made by KMC towards ME1965A and that the Company wanting this quarry are driving not KMC.

C:

Proposed site ME1965a has had many visitors to see for themselves why there are such a large amount of objections including Paula Sheriff our local MP who unlike KMC DLP members has actually visited the site. We did have one visit about 18 months ago from a KMC planner who actually said to my wife in front of witness's " I thought those buildings were derelict" he was referring to the 3 houses of Dearne Grange one of which is mine and which are only 5 metres from the edge of ME 1965a. Incompetence comes to mind with that comment. It also reinforced my theory that this has been a desktop driven plan and no consideration has been made for the physical and moral aspects for including ME1965A in the LDP. This is the only site that Paula has commented upon in the whole LDP and must be taken very seriously. Many issues about the site have been raised such as how it does not comply with the NPPF, NPPG, and KMC's own policies and objectives as set out in their 2015 and 2016 plans. It also does not comply with the current UDP Policies.

D:

I have carried out a survey as best I could reviewing **Buffer Zone's** from the Plans both draft and implemented of most of the regions in England and Wales and a few in Scotland (time wasn't on my side to complete Scotland)

Of the 32 in England all have a buffer zone set of between 250 metres and 500 metres and in the case of Blockstone this is usually set at 500 metres, KMC had buffer zones in an earlier LDP's but saw fit to remove them in later ones – Why ?

In Wales and Scotland there are definitive Buffer zones set by policy around mineral workings but not in England. Our lives are as precious as those of our British friends and must be implemented also. The findings are attached. Standoffs or Buffer Zones are required to protect residents from the noise and dust created when quarrying, different minerals require different distances. Anyone who knows the area of the proposed site knows it's generally windy most of the time and on many of these days it's well above 20 mph given the height and openness of its location. Those who also knows the area will be fully aware these winds more often than not come from the South, South West or Westerly direction. Again taking weather information available for the whole Country I looked at the impact of winds on the village and also the houses of Dearne Grange. Using readily available web based information it's easy to find average wind speeds and direction.

Between Jan 2000 and October 2017 the average annual wind speed is 10.5 mph and for the winter months of October through to March averaged 12.5 mph.

The Dearne Grange Houses sit on the Northern border and therefore the wind direction in that same period comes from the West 26%, South West 23%, South 8%, South East 11% and East 7% meaning for 75% of the year at an average speed over 11 mph our houses would be blasted with dust and debris from ME1965a. We already get lots of sand and dirt particles blowing from the open fields into the house when doors are open or when closed this can be found in the door bases etc. You can see this for yourself if a visit is made as I haven't cleaned the patio door base for 6 months now and already significant sand particles can be seen.

In the case of Birds Edge village including the school which is located on the eastern edge of ME1965A the wind directions are North West 12%, West 26% and South West 23% so 61% of the year it's often buffeted by very strong winds.

Buffer zones must be implemented to protect the health, Safety and wellbeing of all residents along ME1965a borders by implementing strong and robust Stand offs/buffer zones. In addition to this the two river courses situated in the ME1965a site must be protected also by suitable buffer zones to prevent loss of jobs and the protection of the numerous types of wildlife that feed and drink from it, I personally have seen Deer, Bats, Herons, Geese, Voles and Newts using Park Dike itself.

When we bought Dearne Grange Barn in August 2013 our solicitors search brought up the quarry and the buffer zone of 250 metres. Had we known the quarry was likely to be within 5 metres of our house we would never have gone ahead with the purchase on health and safety grounds.

www.weatheronline.co.uk/weather/maps/city?LANG=en&PLZ=____&PLZN=____&WMO=03345&CONT=ukuk&R=0&LEVEL=162®ION=0003&LAND=UK&MOD=tab&ART=WDR&NOREGION=0&FMM=1&FYY=2000&LMM=11&LYY=2017

KMC's topsy turvy policy on buffer zones is set out in BOLTED's report but is obviously being tailored to suit the Quarrying Companies not the National or its own policy's and certainly with total disregard to local residents human and animal.

I also don't believe KMC are aware there is an underground reservoir known as Rusby Wood 2000 owned and managed by Yorkshire Water. This stores and supply's drinking water to many of the local villages as including Shelley, Shepley, Skelmanthorpe, Denby Dale, Clayton West, Cumberworth and Birds Edge. How can a quarry be dug when such critical basic Utilities are serviced from this natural resource.

In summary KMC have taken no notice of public opinion, have ignored reports they have implemented using independent specialists and provided a site promotor driven desk top approach to ME1965a and I dare say the same level of incompetence on other proposed housing and development sites throughout Kirklees that I have read about in local media outlets.

ME1965a should be removed from the LDP because it is neither sound nor legal period.

Thank You for taking the time to consider my points.

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SEARCH

Address [REDACTED]

Planning & Building Regulations	
1.1 Decisions and Pending Applications	
What applications for any of the following (if applicable) have been granted, refused or are now pending:	
(a) Planning permissions	Yes Summary Attached
(b) Listed building consents	None
(c) Conservation area consents	None
(d) Certificates of lawfulness existing use or development	None
(e) Certificates of lawfulness or proposed use of development	None
(f) Building regulation approvals	2004/9296 Erection of Extension No Date 2008/75/00924/E Extension and internal alterations to form dwellings Passed 14/04/2008
(g) Building regulation completion certificates	None Revealed
(h) Any Building regulations certificate or notice issued in respect of work carried out under a competent person self-certificate scheme	None Revealed enquires should also be made with the owner/occupier Certificate should be produce by owner/occupier
How can copies of any of the above be obtained?	If required please contact us on 01924 860782
1.2 Planning Designations and proposals	
What designations of land use for the property or the area, and what specific proposals for the property, are contained in any current adopted or proposed development plan?	Outside Development Limits Within Green Belt Within 250m Safeguarded Mineral Reserve
2 Roads	
Which of the roads, footways and footpaths abutting the property are:	
(a) highways maintainable at public expense	Parkhead Lane is adopted
(b) subject to a current legal agreement for adoption and if so is the agreement supported by a bond or other financial security	None
(c) to be made up at the cost of the frontagers under a current council resolution	None

Country	Region of UK	Min Buffer Zone	Buffer Range	Info Source	Date	Location	Comments
E	Bedford	250m	100m-250m	Minerals evidence base 2		section 3.2 page 7	Note 1
E	Buckinghamshire	200m	100m-200m	Mineral and Waste LP 2004-2016	Jun-06	Page 27	
E	Calderdale	250m	250m-500m	Calderdale Minerals Evidence Report	2017	Page 18	Note 2
E	Cheshire	250m		Cheshire Local Plan	1999	Page 84	
E	Cornwall	250m	250m-500m	Cornwall Safe Guarding DPD	Jun-17	DM12 Page 86	Note 3
E	Derbyshire	200m	200m-475m	Rocblast Ltd Quarry plan for Moya Ltd	Feb-14		
E	Devon	See comments		Devon MLP Part A	2014		Note 4
E	Dorset	100m		Government Inspectors report for Bournemouth and Poole CC	May-14		
E	Durham	500m		Durham MLP Technical Consulting report	2016	Page 45 and others	
E	East Riding	See comments		East Riding Joint Minerals Plan	2004	Section 3.13 Page 14	Note 5
E	Essex	100m		Essex Minerals Plan	Jul-14	Section 5.2 Page 101	Note 6
E	Gloucestershire	500m	250m-500m	Gloucestershire MLP 2014	Jun-14	Page 24	
E	Leicester	500m	250m-500m	British Geological survey for Leicestershire CC	Jul-16	section 4.2.3 and 4.2.4	
E	Leicester	500m	250m-500m	Leicestershire BGS for Leicester Council	Jul-16	Page 11	Note 7
E	Lincolnshire	500m	250m-500m	Lincolnshire Minerals and Waste LP		Section 5.9 Page 47	Note 8
E	Norfolk	See comments		Norfolk Minerals and Waste Development Framework			Note 9
E	North Yorks	500m		York Council Minerals and Waste joint plan	Mar-15	section 2.3.5 page 23	Note 10
E	North Yorkshire	500m		York CC and North Yorks Moors National Park MWJP	Mar-15	Page 24	
E	Nottinghamshire	250m		Hoveringham Area plan		Page 1	
E	Somerset	400m		Somerset MSA Paper 6 V2	Jan-14	Table 1	Note 11
E	Staffordshire	250m		Staffordshire Minerals Plan	Feb-17	Section 7.24 Page 44	
E	Warwickshire	200m				Page 8	
E	West Sussex	250m		West Sussex MLP mentioned on numerous pages and maps	2016	Various	
E	Wiltshire	100m		Wiltshire Local Plan		Section 3.2.4 Page 1	Note 12
E	East Sussex	250m	100-250m	East Sussex, South Downs and Brighton & Hove MLP	Feb-17	Page 35 SP11	Note 13
E	Hampshire	250m	100-250m	Hampshire MWP	Feb-16	Page 20	Note 14
E	Hertfordshire	100m		Hertfordshire MWP	Mar 20017	Page 45 Policy 18	
E	Kent	500m		Kent MWLP	Jul-16	Page 117 Table 1	Note 15
E	Northamptonshire	See comments		Northamptonshire MLP	May-06	policy 15	Note 16
E	Oxfordshire	200m		Oxfordshire MWLP	Feb-17	numerous mentions	
E	Suffolk	250m		Suffolk MWLP Issues and Options consultation 2016	Jul-05	Various	
E	Surrey	See comments		Surrey CC Inspectors report	May-11	Various	Note 17
							Note 18
W	Bleau Gwent	500m		Minerals Background Paper	Mar-11	Section 8 Page 21	Note 19
W	Snowdonia	200m		Snowdonia National Park Auth		MTAN Para 71	
W	Rhonda	200m		Rhonda Cynon Taf - Development Control Committee	2014-2015	Policy Context page 10	Note 20
W	Wales NHS	500m		Wales Impact Assesment Support Unit NHS	Mar-11		
W	Conwy	200m		Conway Deposit LDP 2007 to 2022	2011	section 6 page 22	Note 21
W	Cardiff	200m	225m-468m	Cardiff LDP 2006-2026		section 6 page 7	
W	Cardiff	200m		Background Technical Paper No 9	Sep-13	Page 8	
W	Torfaen	200m		Torfaen LDP Background	Mar-11	Page 18	
W	Bridgend	200m		Bridgend DLP 2006-2021	May-12	Page 12	
W	Pembroke	200m		Supplementary Planning Guide MS Buffer		Page 5	
W	Flintshire	200m		Flintshire UDP 2000-2015		Page 8	
W	Caerphilly	200m		BR8 Paper 2014	2014	Section 10.8	
S	East Ayshire	1000m	1000m-2000m	EAST AYRSHERE MINERALS LDP MAIN ISSUES REPORT,	Dec-16	Page 48	
S	Fife			Fife MPP (basically case by case basis)	Aug-15	6.38 and 6.55	Note 22

Note:							
1	Many mentions of buffer zones for different materials. Any blasting site must be 100m min						
2	No Blasting within minimum 250m						
3	Supported by the Agregate Industries board - Agregate min 500m nd Build Stone Min 250m						
4	No specific distances but recognised they will be required.						
5	Minerals development will not be allowed directly adjoining existing or proposed land uses where unacceptable impacts would arise. Case by Case basis						
6	100m Minimum						
7	250m for Sand and Gravel - 500m for Limestone						
8	250m for Sand and Gravel - 500m for Limestone						
9	No distances mentioned but does state that a buffer zone must be implemented to safeguard local amenity.						
10	BGS reports evidence www.northyorks.gov.uk/mwevidence .						
11	Page 79						
12	Also states Rivers must have 16-50m stand off section 3.5.24						
13	250m for sand and gravel facilities, 100m for Gypsum, Clay and minerals infrastructure.						
14	States " standard practice to have buffer zones/stand off areas between mineral/waste sites & nearby properties & sensitive receptors " 250m - sites in Rural areas and 100m around urban sites &/or where water courses are present						
15	Requires 500m from any site creating dust.						
16	No distances mentioned but does state that a buffer zone must be implemented to safeguard local amenity.						
17	Distances not mentioned but stand offs are required to protect local housing and amenity.						
18	50m around ancient woodland and 250m near sensitive receptors						
19	Section 3 page 3 specific to buffer zones and distances.						
20	Nearest current houses 450m and quarrying not to get to less than 200m.						
21	Min 100 for sand and 200m for rocks						
22	The evidence from, and outcome of, the assessment should lead to buffer zones being proposed in the application which will protect all sensitive areas from unacceptable risks. Where proposed distances are considered inadequate planning permission will be refused.						