

## **Kirklees Local Plan – Minerals and Waste sections - Hearing Statement**

### **Response to the Matters, Issues and Questions document issued 28 September 2017**

#### **Matter 11 Mineral Allocations, specifically objections to Mineral Extraction site ME 2568 and Preferred Site ME 3324 from John Griffiths and Fiona Hartley (Consultee 1048836)**

##### **1.0 Our objection**

1.1 We are objecting to the allocation of site ME2568 at Arborary Lane and the designation of site ME 3324 as a Preferred Site at Intake Lane, South Crosland. Full details of our objections were submitted to the Council, dated 14 December 2016 and should be referred to for further information. The two sites realistically form one area, south of Intake Lane, so we will consider them together.

1.2 We have lived in South Crosland for approx. 40 years and have a keen interest in the village and its future. We were appalled to find these proposals coming forwards in the Local Plan both in themselves and in the manner in which they were introduced into the plan at a very late stage. They will have a grave impact on our living environment and the future environment of the village.

1.3 We are grateful for this opportunity to set out our objections in this Hearing Statement and have ordered our comments as requested in the MIQ ie

- in section 2 below our reasons for objection to sites ME2568 and ME3324. (Matter 11b)

- in section3 our comments on the cumulative impact on the Crosland Moor area. (Matter 11c)

1.4 In section 5 we comment on the Council's response to our submission.

##### **2.0 Reasons for objection**

###### **Landscape impact**

2.1 The proposal, ME 2568, is for a major new quarry in an open area of agricultural land, south of Intake Lane and site ME 3324 is adjacent between it and Intake Lane. The whole area is currently designated Green Belt. The sites cannot be considered as an extension of existing workings.

2.2 Quarrying as proposed will dominate the landscape and will be a long term intrusion into this open area. It will be visible from Castle Hill and the Peak District National Park. (We note this was a reason for deleting quarrying proposals at Honley ME1970-72). More locally, bunds promised to screen the site will be up to 18 ft high. They will have a significant local impact –particularly on Whitehead Lane where bunds of this height will convert a country lane with open views to one with the equivalent of a motorway embankment on one side. Nearby higher land eg Nopper Road and Black Lane mean there will still be local views into the site. The wide open views valued by us and many others as they move around in this area, by car, on foot, horse or bike, will be lost as they have been eg at Blackmoorfoot Road (where we note bunds designed to screen existing workings are now exceeded by a prominent pile of quarry workings visible from all around).

2.3 South Crosland sits in an open and mainly agricultural plateau, wholly within the Green Belt, connected only to Meltham Road by development via Church Lane and Crosland Spring Lane. If this development goes ahead then all other ways into the village will be through quarrying areas ie Sandy Lane, Madgin Lane/Whitehead Lane and Intake Lane. The environment of the village, a Conservation Area, will have become industrialised but there will be no direct benefit to the village from the proposal, only harm and disturbance.

## **Why these particular sites now?**

2.4 These sites were not included in earlier versions of the plan. They only became known to us and other residents as a Council proposal when these Local Plan proposals were published in November 2016 and following an exhibition held by Johnson Wellfield Quarries (JWQ) in October 2016.

2.5 The Crosland Moor plateau is extensive and could be said, in general terms, to extend from Thewlis Lane area/Dean Wood to the east, land north of Blackmoorfoot Road marked by a steep drop to the Colne Valley, Blackmoorfoot Reservoir/Crosland Edge to the west and land/woodland in the vicinity of Far Fields Lane to the south and South Crosland village itself – a distance in the order of 3kms from south west to north east. Currently only land in the north eastern part of this area is worked though there is some evidence of past workings elsewhere on the plateau.

2.6 Until now JWQ have extended their workings through extensions to existing workings. These proposals do not form a logical extension. They are isolated. There has been no comprehensive analysis published of what has been worked in this whole area, restored or otherwise and potential reserves to justify this particular choice of these sites. The proposal is not set in a proper context.

2.7 So why, in all this area, has the current proposal come forward? – affecting the part of the whole plateau area nearest substantial residential property and then within that the part nearest the village is proposed to be worked first? We note that the Sustainability Appraisal (SD5 p697/8) refers to the site promoter providing evidence regarding business need, quantity, quality and viability and the SA proposes allocation but with the further comment that ‘no representations were received’. How could there have been when this proposal was only introduced into the plan at this last stage? –see section 4.3 below.

2.8 Additionally in BP9 it is stated that the landowner is supportive. Is all this justification for allocating these sites in preference to other parts of the plateau sufficient to subject us and other residents to 20 years of disturbance? Why were other parts of the plateau more distant from residential properties not investigated for use? We are not satisfied that all possible locations closer to existing operations and further away from housing have been investigated.

## **Amenity**

2.9 The impact on the village itself will be substantial. We note that the SA generally considers the impacts neutral or minor negative but in our view insufficient consideration has been given to the totality of the cumulative impacts. We, and other residents, will feel the cumulative impact every day—not one at a time. It is proposed to work this site over a period of 20 years, starting with 10hA nearest the village. It is suggested, including by the Council, that the use would be temporary but we do not consider 20 years is temporary or even the 10 years proposed for phase 1. (Interestingly we note the Planning Minister Sajid Javid in reaching a decision on an application elsewhere (Planner Decisions Digest 10 July 2017)said that the fact that something could be reversed ‘after 30 years did not mean it would be perceived as temporary by local people’.

## **Conservation Area**

2.10 South Crosland is a relatively isolated village wholly within the Green Belt, an ancient community designated a Conservation Area and containing a number of listed buildings and other heritage assets including a pinfold and water troughs (which have the potential to be damaged by sandy run off from the proposed extraction site). Unfortunately the Council has never published an appraisal of the Area but we

note one for nearby Helme states that policies which affect the Green Belt should provide additional protection for the Conservation Area. Surely any development in proximity to a Conservation Area should not detract from it? Quarrying as proposed will negatively impact on the setting of this historic agricultural village when seen from afar and when approaching the village by car, on foot and at leisure and have other detailed impacts on us and other residents as follows.

### **Noise.**

2.11 Noise will be a serious issue. We are approx. 240m away from site but some houses are much closer than that- nearer 100m. The SA refers to this being 'minor negative' issue at 500m but we can frequently hear working taking place currently about 1km magnified when wind is from the north. Extending workings around the village in an arc will increase noise to the village (see further in section 4) from the west as well –the prevailing wind direction. This issue is understated.

### **Dust and fumes**

2.12 The SA notes that residents can be affected by dust up to 1 km away. We, and the whole village, are totally within this range. Issues of dust are dismissed on the basis of 1995 evidence but is this still valid over 20 years on? Note recent concern about diesel particulates, not considered a public issue only a few years ago. Also note that the prevailing wind direction is from the west ie towards us and the village. Fiona has an eye condition, corneal dystrophy and we are particularly concerned that increased levels of dust in the atmosphere will aggravate this condition. Again we feel the issue is understated.

### **Traffic**

2.13 Traffic is already a major concern in the area –with fast moving traffic on narrow lanes-without adding 50 heavy, large quarry vehicles vehicle movements each day. The crossroads adjacent to these sites has been a source of regular collisions –one nearly involving Fiona where she turned to see a vehicle on its side moving towards her. The SA proposes access for ME 2568 from Arborary Lane . The road itself is not wide enough, in places only approx. 4.5m, for heavy goods vehicles to pass cars let alone another HGV. It is bounded by 1.2m high stone walls, there are no pavements and almost no verges south of the crossroads meaning that pedestrians, cyclists and horse riders are already at risk. This will be magnified. ME3324 would be accessed from Intake Lane, which has similar issues as does nearby Nopper Road which provides the entrance and exit to the site from Blackmoorfoot Road. It should be noted that currently most JWQ quarrying movements seem to be internalised within their operational areas.

### **Drainage**

2.14 The sites drain mainly into Dean Brook which flows through a Local Wildlife site, Dean Wood. The main stream flows alongside School Hill and a tributary flows via (historic) water troughs and thence under Sandy Lane to Dean Brook. A large quarry will alter groundwater and alter current flows which may be reduced or even be increased through faster run off possibly including sandy material. All of this will have significant effects on the habitat of Dean Wood but none is recognised in the SA.

## **3.0 Cumulative impact**

3.1 The increase in the area covered significantly extends the total area of workings. JWQ already have access to some 68.48 hectares of land (sites listed in the allocations report), perhaps more. The effect of the new allocations is to extend these workings by approx. 50% to just over 100hA, into an arc around the village. This arc extends for 2.5kms from north east of Thewlis Lane across to Arborary Lane in the south

west. The proportion of land already worked and fully restored (to the extent that someone unfamiliar with the past would not be aware that working has taken place) is very small.

3.2 The overall impact of much of the restoration which has been carried out is lessened because it remains in a quarrying environment and/or is used for processing and storage activity. We are not aware that there is published plan for the progressive restoration to farmland or even other uses of these areas. A first priority must be to maximise extraction within already designated areas and to put in place a phased programme of restoration of these areas. Currently, although relatively close, the quarry workings are distant enough to not dominate the village. This will not be the case if these plans go ahead.

3.3 All the issues we have referred to in section 2 above will be amplified by the addition of the large areas of new mineral workings proposed.

#### **4.0 Council response to our objection**

4.1 The Council has provided a response to our objection. It seems to us this is telling us

- Consultation has been properly done
- Everything will be dealt with at the planning application stage
- Everything can be mitigated and controlled by condition.

There is no recognition of the validity of any of the objections we (and others) have made. Nor are any of their comments specific to our particular concerns. The Council's conclusion is 'No Change'. In our December 2016 submission we argued that these proposals were not sound or compliant for the reasons set out then. We still believe that, hence we continue to object to these proposals at this hearing.

4.2 In terms of consultation there was no specific publicity from the Council to us, other residents or in the village to the proposal nor were these proposals included in the Council's Local Plan summary leaflet. Conversely the deletion of a major quarry proposal in Honley ME1970-72 was included. No reasons have been given by the Council publicly or in their response for this change in approach and late inclusion. Has one proposal replaced the other? It is apparent from the SA that representations were made by the site sponsor at an earlier stage, and the sites were then included.

4.3 We and, we assume many other residents, of South Crosland were happy with the Council's previous proposal, ie Green Belt and no proposals for quarrying. Any lack of representations (as referred to in SD5) should not be taken as a carte blanche to include a major proposal. There was no prior opportunity to comment on this site, before November. We and other residents were not treated on a level playing field with Honley residents or the site sponsor.

4.4 A planning application for ME2568 was submitted by JWQ earlier in 2017. Most of these issues have not been resolved in our view but will be, we are told, covered by conditions etc. However the scale of these proposals, and their long term impacts, are such that the detailed issues we have raised need to be adequately examined at this Local Plan stage and the decision as to whether or not the site(s) should be allocated and not left to consideration of a planning application at a later date.

#### **5.0 Conclusion**

5.1 We do not think a case has been made for the creation of a quarry in this part of the Crosland Moor plateau. Therefore site ME2568 should not be allocated nor ME3324 designated as a Preferred Site. Both should remain designated Green Belt and these proposals for mineral working deleted.

**John Griffiths BA, MCD, MRTPI (Rtd) and Fiona Hartley 24 October 2017**