

BOLTED Submission Matter 11



Matter 11 Minerals Allocations

1. The Birds Edge and District Opposition to Large Turbines and Environment Destruction (BOLTED) – is a local action group formed after a public meeting in November 2016 with the remit to oppose the inclusion of site ME1965a in the Kirklees Local Plan. BOLT(ED) has already submitted representations in relation to this issue and trust that the Inspector has these representations (including appendices and dvd) and will take them in to consideration. In those submissions BOLTED detailed how the inclusion of Site ME1965a in the Plan is not justified, effective or consistent with national policy and the policies of the Plan. In addition, BOLT(ED) wishes to make the following comments in relation to the Questions in Matter 11, as raised by the Inspector. BOLT(ED) also wish to speak at the hearing in relation to Matter 11.

Issue: Whether the provision in the Plan for allocated mineral sites is justified, effective and consistent with national policy and the policies of the Plan.

Question a) SA effect

2. As previously stated in Matter 10 question a) we have outlined our concerns about the sustainability appraisal. We also have concerns about the initial site selection. KMC have stated that all mineral sites submitted to them in their call for sites exercise had a willing land owner and promoter. We feel we must refute this. Through FOI requests we have been able to determine that this was not the case for instance sites ME1970, ME1971 and ME1972 – sites at 70 Acre Farm in Honley did not have a willing land owner. Also sites ME2267 and ME2264 had no promoters and yet were still put forward for consultation. Why given these constraints were these sites even put forward in the 2015 plan?
3. They further state that other sites where there is no willing land owner have been allocated as preferred or search sites. Through FoI we have discovered that four sites – all with the same promoter - were removed from the 2015 plan because the promoter had not provided sufficient evidence. These were Sites ME2314, ME2315, ME2313 and ME2312. However the outcome for each varies. ME2314 became an MSA, Sites ME2315 and ME 2313 were totally removed whilst ME 2312 was split into two sites ME 2312a and b and became MSAs. As outsiders looking in we struggle to see how this shows consistency in decision making. The only factor we can see is that ME2314 and ME2312a and b are next to existing quarries. Whilst ME2315 and ME2313 are on new sites.

Question b) ME1965a Site Objection

4. From our previous representations we have outlined in detail why site ME1965a should be removed from the plan. In addition to those comments and those already made in this MIQ submission we make the following comments in response to the KMC response to consultation as outlined in document EX24.
5. **Mitigation/Use of buffer zone/standoff/screening -**
KMC in EX24 state that to avoid issues of dust, noise, loss of amenity etc for residences etc a stand-off distance would be required and for the two water courses referred to by KMC as rivers, buffer zones would also be required. KMC in document SD5 (Sustainability Appraisal Report) pages 685-686 state “Any subsequent planning permission would be subject to the provision of adequate standoff distances from residential properties to reduce any associated impact. This would mean that a substantial proportion of the proposed allocation would not be worked for mineral”
6. So in determining what scale of distances should be required we have sort guidance from various KMC and BGS documents.
7. In the 2012 LDF submission to Government prepared by consultants Urban Vision it was recommended that to prevent harm to the River Dearne that an appropriate buffer zone usually 250m would be required to mitigate harm. Given that there are two rivers on the site then it would seem logical to apply the same criteria to the other – Park Dike.
8. Urban Vision in their document LE100 “Identifying future mineral sites” state “Where appropriate the Council may also seek to achieve a buffer zone of 250m from the urban area to protect residents from the noise and dust that can be created through quarrying activities.”
9. Therefore the houses at Park Head, Dearne Grange, Springfield Farm and Meadow Nook, Fairleigh House etc. should all be afforded a stand-off of 250m from the quarry workings.
10. In addition Urban Vision in their document LE102 “Mineral Safeguarding Report” at para 5.19 state “For the purposes of this paper it is recommended that the buffer zone for coal and sandstone is 500 metres. The buffer zone for sand and gravel and clay is 250 metres. These distances are accepted as standard by Minerals Planning Authorities based on examples produced in the BGS guidance.” As ME1965a will be a deep sandstone quarry then a 500m buffer should be applied.
11. Possibly it could be argued that this applies to new developments around potential mineral sites and not existing developments. The Kirklees UDP (LE1) adopted in March 1999 at para 6.15 states “Whilst workable mineral reserves normally occur within the green belt, **even the limited development acceptable under green belt policies could**

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sterilise them or hinder extraction or the subsequent restoration of extraction sites using imported fill. New development need not necessarily take place directly on mineral reserves to have such an effect; new residential development immediately adjacent could sterilise a reserve. The identification of mineral reserves will in itself create no presumption that proposals for mineral extraction will be acceptable.”

12. Site ME1965a was not put forward as a MSA in 1999 although BGS data showed some sandstone was present but Site ME 2263 was - the extension to Appleton Quarry also owned by the ME1965a promoter. Since March 1999, 10 new houses have been developed around site ME1965a. (See table).

Planning App	Location	Development
2012/92874	Meadow Nook Farm	Conversion of barn to make accom to farm house
2009/91929	Meadow Nook Farm	Conversion of farm buildings to make 3 new houses
2007/95415	Dearne Grange Barn	1 into 2 plus extension
2003/92271	Springfield Farm	Barn and extension to form dwelling
2001/92990	Dearne Grange Farm	2 dwellings from 1
2001/90153	Rusby Cottage (Plot3)	New house with double garage
2000/91528	Park Head Farm	Adapt house and form new dwelling from dairy
1999/90068	Park Head Farm	Barns to form 2 dwellings new dwelling and detached double garage

13. The maps at Appendix A show the effect of applying the recommended buffer zones/stand-off distances, As can be seen due to the presence of the two rivers and location of these 10 new developments site ME1965a has been made sterile for the purposes of mineral extraction. (The promoter of this site fully supported stand-off distances of 250m and 500m recommended in 2015. The promoter has owned/worked Appleton Quarry since 1989)

14. Naming of Site

KMC have continued to maintain that ME1965a should be called Appleton Quarry. It has repeatedly been pointed out that ME1965a is not a Quarry. Through FoI requests we have established that the promoter refers to the site as Land at Dearne Grange and in the 2012 LDP the site was referred to as the Southern extension to Appleton Quarry. What we would point out is that there is a physical separation of Appleton Quarry from site ME1965a – Park Head Lane. This makes it no different from the physical separation of the A629 which separates the Appleton and Sovereign Quarries. Two separate entities extracting from the same seam of sandstone.

15. We are concerned about KMCs continued approach to naming this site as a Quarry, continuing to ignore consultation feedback.

16. **Size of Site**

ME1965a is a very large site it is 74% larger than the existing quarry. ME1965a would be the second largest blockstone quarry in Kirklees. Combined with Appleton at 40.56Ha it would be the biggest sandstone quarry in Kirklees. Of the 15 existing quarries 7 are less than 5Ha, 8 are less than 10Ha, 13 are less than 15 Ha and 14 are less than 16Ha. The largest existing site is 40.48Ha. There are currently already 143.11Ha of land judged to belong to operational sandstone quarries. Appleton Quarry is already a large enough site it was described by a KMC planner in 2007 in a letter to the promoter's agents as one of considerable size 14Ha.

17. From information supplied for the 2012 LDF it was estimated that site ME1965a would yield approximately 250,000 tonnes of blockstone. For a site of 24.43Ha this seems like a very low yield particularly when reserves attributable to Moorland South 23Ha (1,000,000 tonnes) and Site ME1965b 1Ha (40,000 tonnes (LDF 2012)) are taken into account. So either the sandstone is sparsely spread across the 24Ha or it is concentrated in a particular area as indicated by the BGS.

18. **Traffic flow/routing of traffic around area or through existing Appleton Quarry/ need for highways improvement**

There are significant access problems with the Site. With Dearne Dike Lane now being part of the Trans Pennine Trail and deemed unsuitable - entry has been limited to a small section of Park Head Lane. There are problems with visibility splays, lack of footpaths, other none mechanical road users, proximity to housing etc. To overcome these problems it has been suggested that access could be gained to ME1965a by use of a service road from the existing Appleton Quarry and the use of traffic lights on Park Head Lane. The use of Appleton Quarry as a means of accessing site ME1965a is not a new issue - from FoI we learned that in the 2012 LDF such access was considered by means of a tunnel. However an overriding constraint against this is that Appleton Quarry needs to be fully restored by 2042 and all machinery etc connected with quarrying activity must be removed from the site which is to be made into amenity woodland. Given this future status of the site and conditions already imposed via planning permissions access from the current Appleton Quarry to site ME1965a is not feasible.

19. **Progressive site restoration/Phased working – Temporary use of Land.**

The Quarries at Appleton and Sovereign have been in operation since before 1899 (source BGS records). In that time sandstone has been quarried from both sites. Sovereign Quarry (site ME2244) is a site of 7.96 Ha whilst Appleton (ME 2243) is a site of 14.01Ha with a 2.12Ha extension site (ME2263).

20. The Sovereign Quarry was refused planning permission by KMC in November 2001 (P.App 98/93111) because “the development would generate additional HGV traffic which the local road network does not have sufficient capacity at present to

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accommodate without additional danger being caused to users of the highway.” And “The application proposals would give rise to noise which would have an unacceptable impact upon the amenity of local residents” and “Insufficient information has been submitted in support of the application to ensure that nearby domestic and/or licenced groundwater sources or other water sources would not be adversely affected as a result of the application proposals”. Yet with no road improvements and other new developments in the area etc planning permission was given in May 2007 (P App 2006/92787) for a five phase extraction. The promoter asked for an extension to time limits for phase 1 in 2012 (P App 2012/90558) this was approved in October 2012. Phases 2 to 5 of the extraction are yet to begin. Extraction from the site should be completed by 2042. This means that the Sovereign Quarry a site of less than 8Ha will have been operational for almost 150 years.

21. Whilst site ME2263 originally given planning permission in 2009 has had two extensions 2012/90997 and 2015/93832 currently taking its permission to extract until 2022. Like Sovereign Quarry - Appleton is currently inactive. The Appleton quarry has currently permission to carry out extraction until 2042 – this would mean that Appleton Quarry a site of 14Ha will have been in operation for around 150 years.

22. Both quarries have been subject to phased development and restoration yet both will have been operational for around 150 years – the average lifespan for permanent structures such as a house is 60years. This is the equivalent of six generations of a family. This does not feel like a temporary use of land.

23. It is also interesting to note the comments of M Clayton the promoters representative in the 2015 consultation process “Whilst progressive restoration is desirable, it isn't always a practical proposition. Its viability will vary according to site circumstances.”

24. **Site promoter has identified a business need to identify sites during the plan period. Considered against their current reserves and need for jobs**

The business need of the promoter seems to take precedence over the needs of a community. Previously we outlined how a number of mineral sites operated by the promoter are currently dormant and how the promoter has on a number of occasions sought extensions to planning permissions and that planning permission on the sites which contain considerable reserves last until 2042 – well beyond the lifetime of the KMC LP.

25. In addition to Appleton and Sovereign Quarries the promoter also operates another Quarry in Kirklees. Moselden Heights Quarry (ME2254 a site of 14.33 Ha). This quarry was estimated in August 2013 to have a reserve of 383,000 tonnes of blockstone and had permission to extract until 2040. Initially the quarry had been given permission in 1993 (PP 93/02271 refers) to extract all sandstone by 2015. In 2009 just like the

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Appleton and Sovereign Quarries the extraction of sandstone had been less than anticipated and an extension to the time limit was given to 2027 (PP 2009/93649). In August 2014 two extensions were permitted to the quarry and the time for extraction was again extended this time to 2040 (PP 2013/92690). At that time reserves were estimated to be at least 27 Years.

26. Hence all the promoter's current Kirklees quarries have planning permissions well beyond the time scale of the KMC LP and have considerable reserves yet to be quarried.
27. In neighbouring Calderdale the Promoter has 4 quarries Cromwell at Halifax, Cromwell Woods Quarry at Southowram (PP until 2044), White Rock at Sowood (PP until 2044) and Pasture House at Southowram (PP until 2042). In the Calderdale LDP there are only two proposals for additional ME sites - Pasture House Quarry Extension A (Site LP1122 13.97 Ha) and Extension B (Site LP0354 6.4Ha). It would appear that these are from the promoter of Site ME1965a. The promoter has also invested in new sheds with new technology at their Cromwell Quarry, Southowram site (PP 16/01331/191 refers)
28. The promoter also has sandstone sites in Cumbria, Leeds, Lancashire and the Peak District. In total they have around 16 sandstone quarry sites.
29. In February 2016 it was announced by the promoter that 17 jobs out of 23 had to go at Appleton Quarry. The Managing Director of the promoting company stated: "Following a review of its operations it has been decided that for greater efficiency the processing of natural stone paving products should be consolidated into one location." "In order to minimise the impact of this proposal, which could affect 17 positions, wherever possible we are considering voluntary redundancies, as well as transferring as many positions as possible." See <http://www.examiner.co.uk/news/west-yorkshire-news/quarrying-firm-marshalls-lay-staff-10960889ee>. KMC have been made aware of this situation in both the 2015 and 2016 consultation exercises.
30. Given this statement of reducing jobs when there are considerable reserves left at both the Sovereign and Appleton Quarries we are at a loss as to why KMC state that the site will either sustain or improve the number of people working for the promoter. Particularly when Paragraph 15.3 of the LP is taken into account – "The release of allocated sites will be linked to a demonstrated need for the mineral and in general permission will only be granted when an operators remaining reserves are approaching exhaustion". There is no need/demand for sandstone from this area,
31. Whatever the case the demand for the specific blockstone from the Shepley Quarries remains low and therefore existing reserves in the Shepley area are far in excess of the LP time period. Given this it does not appear to us to be acceptable to designate Site Me1965a as a mineral extraction site.

32. **Biodiversity and Land Grade**

KMC state the land is agricultural land grade 4, it is not particularly sensitive as regards to its ecological value and that after extraction it will be returned to agricultural land which will afford the opportunity to improve biodiversity. In terms of the land being graded as 4 – in our submission we detailed local knowledge of the use of the land and that surrounding it and do believe that a classification of Grade 4 does not recognise the versatility of this particular site. We are surprised that given the feedback received about this site that KMC have not considered commissioning a more detailed local assessment of the land grade.

33. In terms of biodiversity we are at a loss as to how destroying an ecological bio-diverse system by means of deep quarrying (from bore hole data for site ME2263 blockstone was seen at depths of 50metres), damaging two rivers etc and then returning the land after several generations to agricultural use will improve biodiversity. In our original submission we gave details of the type of biodiversity that are present and this year have obtained further photographic evidence of its variety – these include roe deer, birds of prey, curlews and brown hares. The Don Catchment Rivers Trust and West Yorkshire Wildlife Trust have both raised significant issues about the site.

34. We believe that given our previous submissions plus this additional information supplied in this MIQ then the need for this particular mineral considered against the many constraints on this site and its likely impact there is insufficient justification to allocate this site for mineral extraction. On balance the benefits are not outweighed by the harm. Site ME1965a should be removed from the LP.

Question c) Cumulative Impact

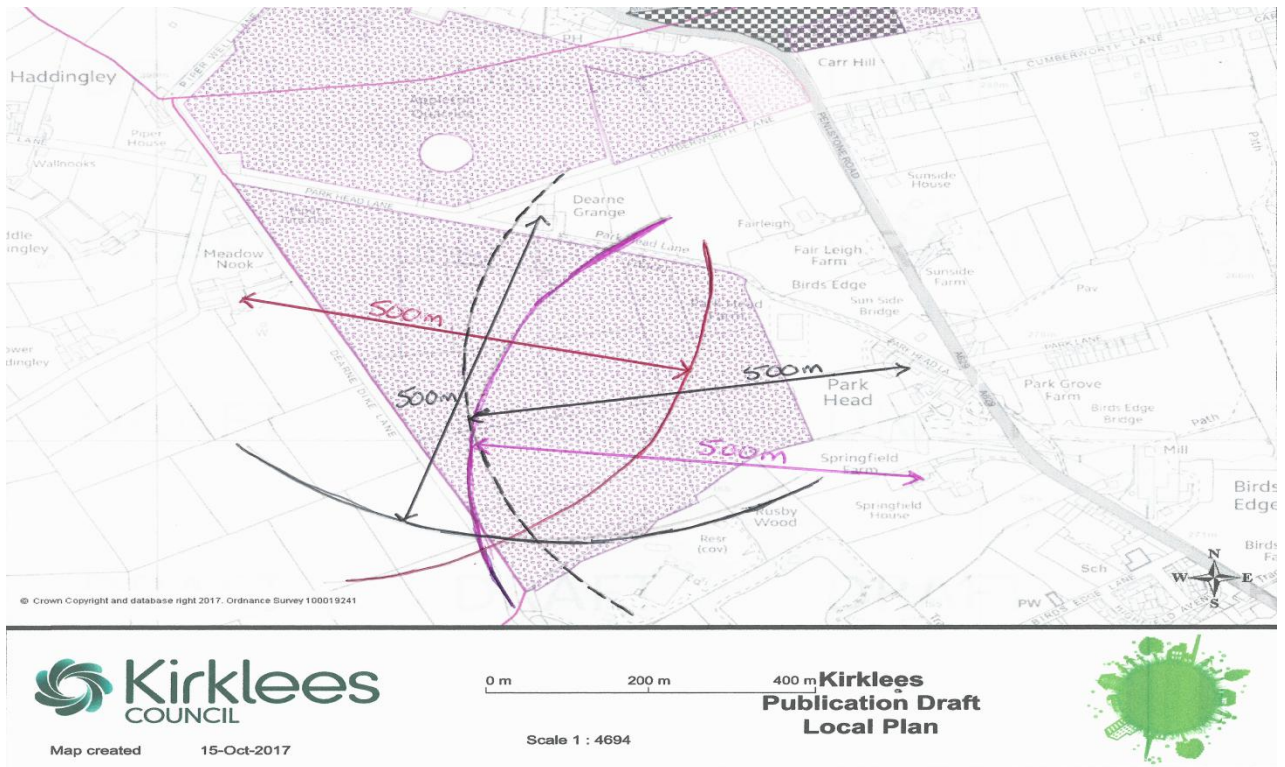
35. A look at a map in our original representation shows just how many quarries and how large a land mass has been given over to quarries in this area of Kirklees. Of the 4 new quarries proposed in the LP 3 are in the Denby Dale ward (There are 23 wards in Kirklees). The cumulative impact is not just about visual intrusion but it is also about impact on quality of life.
36. The three houses at Dearne Grange would have quarries/quarry workings covering over three quarters of the land surrounding the development.
37. As we have already pointed out Appleton and Sovereign Quarries have been operational since at least 1899 – impacting on many generations. This proposed site would mean that this impact would be extended for many generations to come. Given historic extraction rates – extraction from ME1965a could last for nearly 200 years or a further 8 generations. This must be a significant cumulative impact.

Appendix

Maps of recommended buffer zones applied to site ME1965a

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With 500m buffer zones applied the site is totally sterile.



Even with buffers of 250m applied from Meadow Nook, Dearne Grange, Fairleigh House, Park Head, Springfield Farm, the River Dearne and Park Dike the vast majority of the site is sterile. (The hatched area represents the available site).

