

## **Matter 8 – Approach to site allocations and Green Belt release**

***Issue – Is the Plan’s approach to identifying site allocations (housing, employment and mixed use), safeguarded land and Green Belt releases soundly based and in line with national policy?***

### **Policy PLP 6**

- a) Has the Council undertaken a robust and comprehensive assessment of development capacity within existing urban areas and other areas outside the current Green Belt?

Much of the Land in the village of Gomersal is within a mining area and most planning applications in this area require mining reports and comprehensive investigation work as many of the mining works are not mapped.

Attached are two reports from the then NCB regarding the land at H591 (Appendices 1-6)

To allow development on this Green Belt land could cause the mine workings to be disturbed and subsidence to occur to any properties built on the land and potentially any surrounding properties.

### **ALTERNATIVE SITES**

During the public consultation process by Kirklees Council it was suggested that a more suitable and larger site located less than half a mile from H591 which was known as Whiteleys Mill and which has been derelict for a considerable time after being purchased by Tesco and now cleared and for sale with residential potential but appears to have been ignored by Kirklees.

The Whiteley's Mill site has at least two access points both with good visibility and on to much wider and A class highways with passing public transport routes.

## **TRAFFIC ASSESSMENT AND ADVERSE AFFECT ON EXISTING TRANSPORT INFRASTRUCTURE**

I am of the opinion that the inclusion of site H 591 falls down on at least sub paragraphs 2 and 3 of the NPPF Guidelines Paragraph 32

National Planning Policy Framework

32. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure
- **safe and suitable access to the site can be achieved for all people**
- **improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe**

Site H591 is currently a number of fields within the current Green Belt within the village of Gomersal and is bounded by two lanes, Ferrand Lane and Cliffe Lane, Ferrand Lane is narrow and unmade giving access to Throstle Nest Farm and Fan Woods Scout and Guide Centre.

Cliffe Lane is tarmac and made up to Highways standard having a speed limit of 30 mph but at the Point where access to H591 is proposed is only 21Ft or 6.4 Metres wide and is used as access to nearby residential, horticultural and agricultural properties.

To enable access to the site it is proposed to narrow the width of Cliffe Lane even further in order to facilitate the required visibility splay as this cannot be achieved with the access currently.

From 13th August 2013 and 3rd February 2014 Kirklees Council Highways Department installed a Speed Indicator Device (SID) adjacent to the proposed access to H591 (APPENDIX A) which recorded that 302,185 vehicles passed this location and average of 1,737 vehicles per day. This time period included the Christmas and New Year.

Kirklees Council have approved App 2015/62/94048/E for W.S. Bentley less than quarter of a mile west of the site which currently generate up to 16 large HGV movements in Cliffe Lane per day, 365 days per year past the proposed access with a Transport and Traffic Plan which states that the number of vehicle will increase once the development is complete.

In recent years Kirklees Council approved development of the former Thomas Burnleys Mill site for 360 houses less than quarter of a mile east of the site and the former Roundhill Mill site for 18 houses approximately quarter of a mile west of the site. The traffic generated from these developments use Cliffe Lane.

If the Site H591 is included in the approved Local Plan it is proposed that at least 136 residential properties will be built, using the National Travel Survey 2002-2014 formulae of 3.5 vehicle movements per household per day the H591 site would generate an extra 476 vehicle movements onto an already stretched transport Infrastructure in and surrounding the village of Gomersal.

Just this week 22/08/2017 Kirklees Council Pollution Officers have requested the Cabinet to declare certain areas Air Quality Management Areas including Birkenshaw and Heckmondwike, Gomersal is between these two areas, after pollution levels have been found too high and exceed the annual levels of NO<sub>2</sub> (Nitrogen Dioxide). The report further states “**Declaring such an area is a legal requirement where pollution levels have been shown to exceed the National Air Quality Objectives, which are the pollution limits set by Government to comply with European Union directives on air quality and health**”

The report adds: “**The declaration of an AQMA is a positive step for the health of the residents of Kirklees as we have identified areas of the borough where there are unacceptable levels of pollution and we can then start the process of action planning to reduce the levels of pollution in these areas to acceptable levels**”

To allow more vehicles onto the roads in such areas is bad for the health of residents and countering the work of the Pollution Officers of the same authority. The current site H591 is Green Belt and as such does through natural plant photosynthesis absorb pollutants from the atmosphere through natural processes and would be lost to natural pollution controls if built on.

Appendix 1

Allerton Bywater,  
Castleford.

DR REF: 2288/192/EE.  
YOUR REF: 30/280.  
Messrs. Burton, Mason & Wilson,  
Solicitors,  
City House,  
New Station Street,  
Leeds,  
LS1 1JX.

10th March, 1970.

Dear Sir(s),

RE: Proposed Development by Messrs. Cooper & Wood,  
Bawson Cliffe, Cliffe Lane, Gomersal.  
Thank you for your letter of

You will, of course, be aware that the Board's working plans are open for inspection on payment of a small statutory fee and it is usual for surface owners or their professional advisers to inspect these plans when enquiring into the mining position.


However, on the basis that I am not hereby creating a precedent and purely as a matter of courtesy, I give below a short note of the position as it affects your/clients' property mentioned above.

1.	<u>SEAMS WORKED</u>	<u>THICKNESS</u>	<u>DEPTH FROM SURFACE</u>	<u>DATE WORKED</u>
	Silkstone	3'6"	31 yards	Old.
	Blocking	2'4"	67 yards	Old.
	Low Beeston	2'6"	130 yards	1957.
2.	<u>SEAMS TO BE WORKED</u>	<u>THICKNESS</u>	<u>DEPTH FROM SURFACE</u>	<u>DATE TO BE WORKED</u>
	Possible - Black Bed	2'2"	200 yards	15 - 20 years.

3. REMARKS  
 Any subsidence due to past coal mining operations would have ceased over 12 years ago. Further settlement would occur in the future if the workings referred to in 2 above take place. This however is a very remote possibility but one which should not be ignored entirely.  
 There is an old mine shaft in this vicinity but provided that development is restricted to the area shown coloured red on your plan then it should be of no consequence.  
 The dates in 2 above are based on our future planning as seen at the present date, and no guarantee can be given that our plans will not be altered in the light of future circumstances.

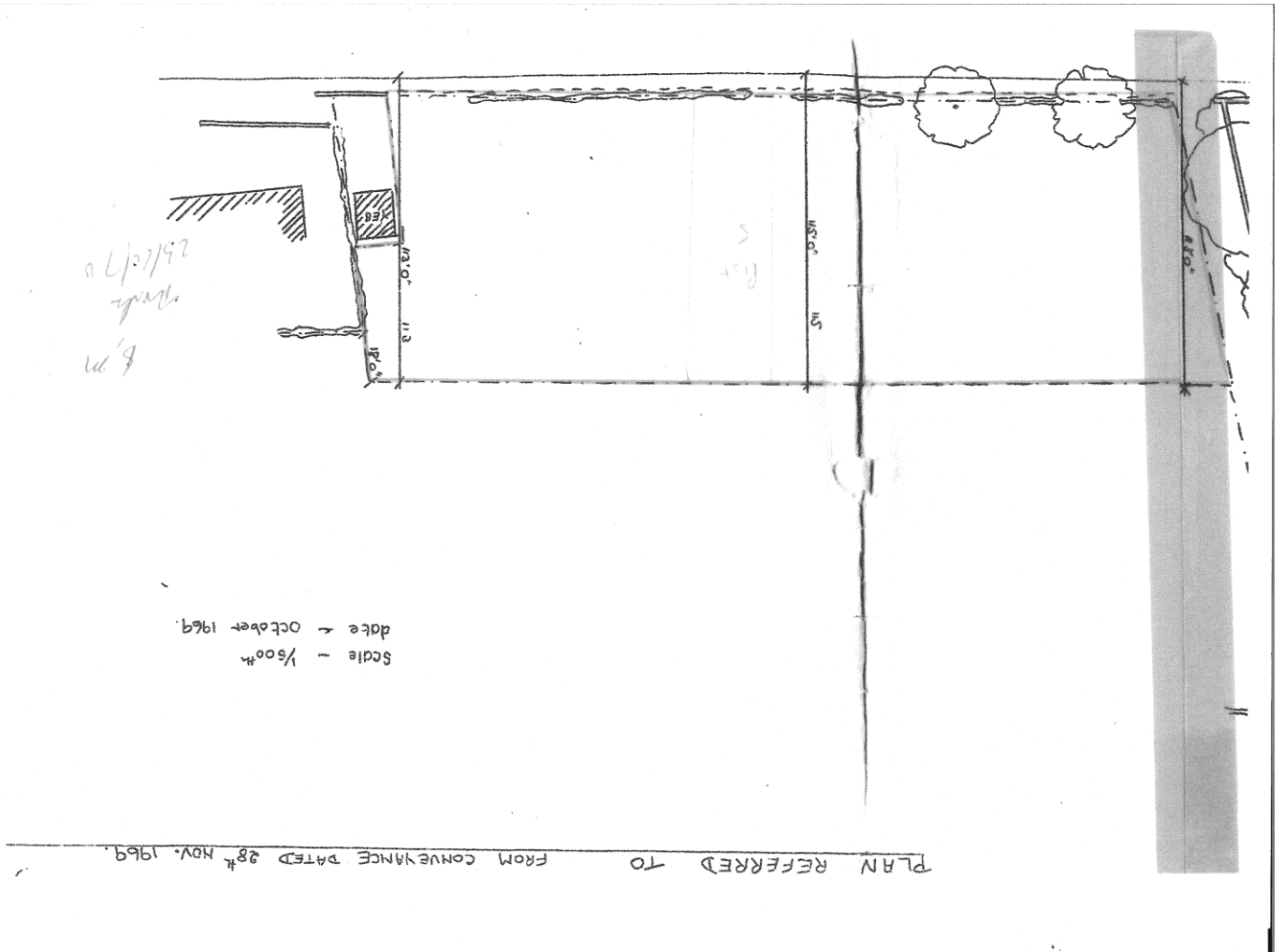
I should appreciate it if you would remit ~~the sum of 21/-~~ <sup>the further sum of 10/-</sup> in respect of the cost of investigation and collection of the information given above.

*In account with the  
founded*

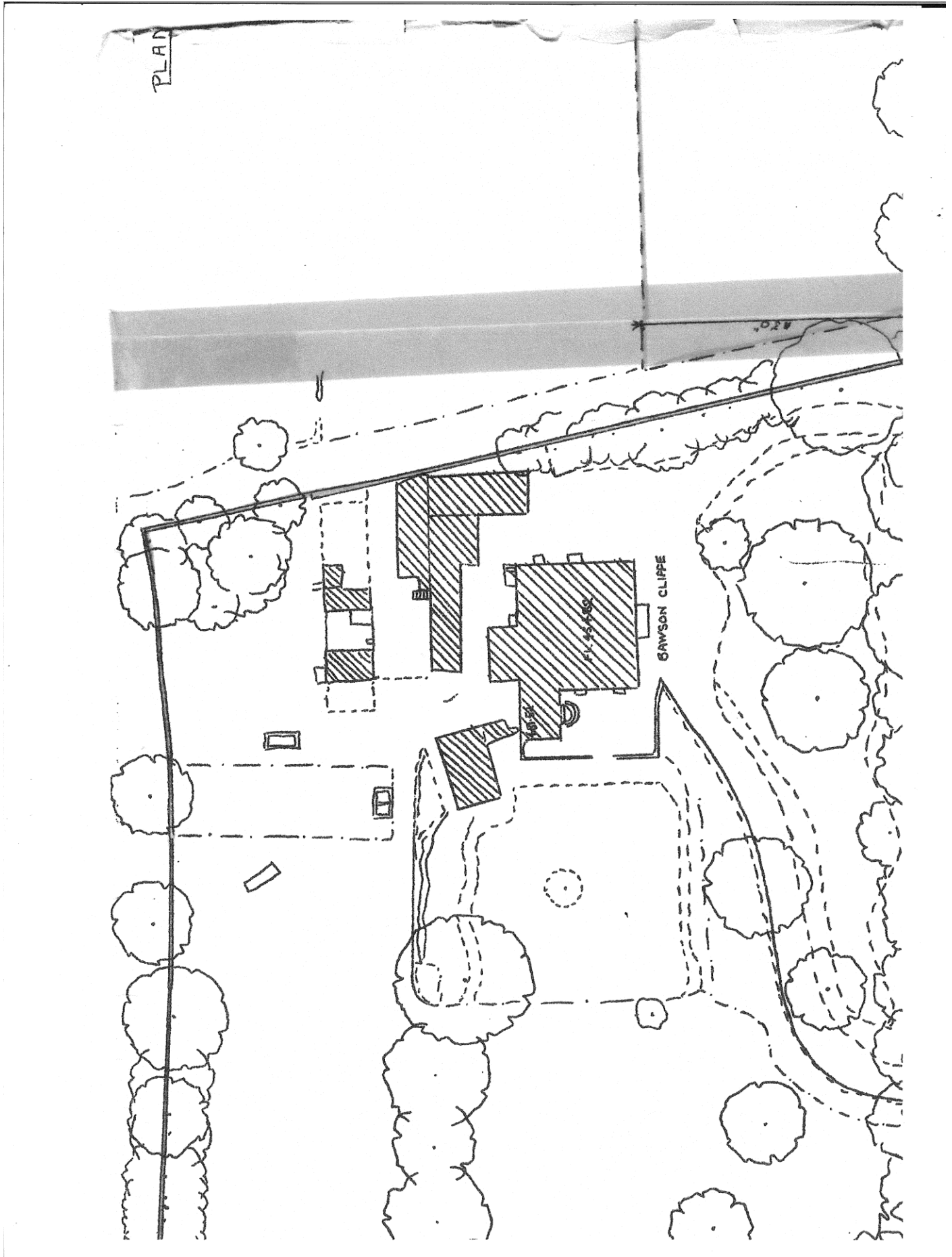
Yours faithfully,  


for Area Surveyor and Minerals Manager

# Appendix 2



# Appendix 3



# Appendix 4

Our Ref: 22 NW/2026/GPB. Your Ref: R/KET/82973.1

Messrs. Dibb, Lupton & Co.,  
Solicitors,  
6, Butts Court,  
Leeds,  
LS1 5JX.

National Coal Board,  
North Yorkshire Area,  
ALLERTON BYWATER,  
Castleford, West Yorkshire,  
WF10 2AL.

Tel: No. Castleford 556511.  
Extension 2325.

Date 19th October, 1978.

Telephone Enquiries to :

Mr. G.P. Bratley.

C O P Y

Dear Sir(s),

Re: "Bawson Cliffe", Cliffe Lane, Gomersal,

Cleckheaton, West Yorkshire.

Thank you for your letter dated 13th October, 1978.

The details given below indicate the mining position as it affects the site to which you refer.

	Thickness Cms.	Depth from Surface - Metres	Date worked or to be worked
1) <u>Seams Worked</u>  Subsidence to the site resulting from past workings should have long since ceased.			
2) <u>Seams not yet Worked</u>  This site is situated within the abandoned coalfield and therefore will not be affected by any further workings.			
3) <u>Remarks</u>  The published Ordnance Survey Geological Map indicates the calculated line of outcrop of a coal seam nearby the site. There is a possibility, therefore, that very old shallow workings may have taken place. We have no record of any such workings.  Should the seam be encountered during site excavations then any coal which is not of necessity removed should be sealed from the atmosphere with some inert material in order to minimise any danger of spontaneous combustion. It would be prudent also to test the site for voids which may exist near the surface.			

The above information is submitted as being the mining position at the date of this report and the Board cannot be prejudiced by the views expressed. No guarantee can be given that our plans will not be altered in the light of future circumstances.

Thank you for your remittance value £4.32.

Approved :-

A.S. & M.M. \_\_\_\_\_

A.P.E. \_\_\_\_\_

Yours faithfully,

G. RICHARDSON  
Area Surveyor and Minerals Manager.

## Appendix 5

rd  
North Yorkshire Area, P.O. Box 13  
Allerton Bywater, Castleford West Yorkshire WF10 2AL  
Telephone: Castleford 556511  
Telegrams: Coal Area, Allerton Bywater, Castleford

**NCB**

Telephone Enquiries to Miss B. Fenton Ext.2325.

Our ref 22NW/2026/BF

Your ref ML/JB

Lee and Priestley,  
Queen Anne Chambers,  
41/43 Sunbridge Road,  
Bradford

1st September 1980

Dear Sir,

"Bawson Cliffe", Cliffe Lane, Gomersal, Cleckheaton

Thank you for your letter dated 21st August 1980.

The details given below indicate the mining position as it affects the site to which you refer.

### PAST WORKINGS

Any ground movements associated with past workings should have ceased long ago.

The published Ordnance Survey Geological Map indicates the calculated line of outcrop of a coal seam on the site.

There is a possibility, therefore, that very old shallow workings may have taken place. We have no record of any such workings.

It would therefore be prudent to test the site for voids which may exist near the surface. Should the seam be encountered during site excavations then any coal which is of necessity removed should be sealed from the atmosphere with some inert material in order to minimise any danger of spontaneous combustion.

### FUTURE WORKINGS

This site is situated within the abandoned coalfield and therefore will not be affected by any further workings.

### REMARKS

The above information is submitted as being the mining position at the date of this report and the Board cannot be prejudiced by the views expressed. No guarantee can be given that our plans will not be altered at some later date

Some or all of the information upon which this report is based may have been obtained from records not made by the Board and it is not practicable for the Board to verify these.

The Board will not accept liability for any loss, injury or damage resulting from inaccuracy in or incompleteness of records not made by them and on which the information given above is based.

CH1200,1



# Appendix 6

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Thank you for your remittance value £4.60.

Yours faithfully,

Area Surveyor & Minerals Manager

