

Matter 9: Matters and Minerals Requirements

Submission from J A Maxwell



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Matter 9: Introductory Matters and Minerals Requirements

Coverage and Approach

Issue: Whether the minerals and waste section of the Plan has covered all the necessary matters set out in national guidance

1. I have previously commented upon this matter in 2015 and 2016 and I am sure that the inspector will have had sight of my submissions. I would like to add the following comments and will be happy to speak on Matter 9 at the public hearing.

Question b) NPPF NPPG

2. I do not think that KMCs have truly considered whether what is proposed is the best use of minerals to conserve their long-term conservation (NPPF para. 142). For instance most of the sandstone produced in Kirklees either ends up as paving stones or crushed rock. To me this does not seem to be the best use of a scarce resource.
3. I am also surprised that KMC have not worked with industry to identify the true sources of materials for historic buildings and protected them from sterilisation by creating Mineral Safeguarded Areas.(para. 143)
4. I also feel that KMC have not properly taken account of the role that substitute or secondary and recycled materials and mineral waste could make to the required supply of minerals. In the West Yorkshire Local Aggregate Assessment (WYLAA) KMC have not made any returns about recycled materials for several years. One of the things I have seen in the WYLAA is that the Government made an assumption that 31% of all aggregate need should be met by recycling. It is therefore very disappointing that KMC have not set a target for this or accounted for it when setting future reserve levels. (NPPF para. 143).
5. I also feel I must express my disappointment at the way KMC have approached the subject of mineral recycling in their Mineral Technical Paper (BP9) paras. 5.40 to 5.47.
6. The tone of the paper is dismissive of the part that recycled materials could play in reducing the need to quarry new minerals. It is almost as if accounting for recycled materials is too hard and best forgotten. It appears that KMC would feel it is easier for industry to quarry out cheap aggregate and then back fill the quarry with recycled materials that may include superior minerals. Surely this is contrary to para. 142 of the NPPF. KMC should have seized the opportunity presented by this Local Plan to influence and modify industry behaviour so that recycling of precious resources such as minerals is seen as the best way to do business, with the extraction of new minerals seen as a last resort. After all Local Governments have influenced

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community/household behaviour before e.g. the recycling of household waste. So clearly KMC has the ability to influence the behaviour of industry.

7. I feel that particularly in relation to Site ME1965a KMC have not fulfilled their duties relating to Para 155 of the NPPF. They have not listened to public. (I will explain this in greater details in my response to Matter 11 question b).

Vision and Strategic objectives

Issue: Whether policies for minerals and waste meet the strategic objectives elsewhere in the plan

Questions a) Vision.

8. I do not think that the vision adequately reflects the reality of life in Kirklees as it relates to minerals. KMC in document SD1 set out their vision at page 20. Amongst that vision KMC state: “In 2031, Kirklees will be a great place to live, work and invest in, delivered through an integrated approach to housing and employment. Development will have taken place in a sustainable way (balancing economic, social and environmental priorities) and by making efficient and effective use of land and buildings supported by necessary infrastructure and with minimal effect on the environment.”
9. And also “Places will be well-connected encouraging sustainable travel including increased opportunities for walking and cycling and improved links to other parts of the Leeds City Region and beyond. The local character and distinctiveness of Kirklees and its places will be retained. The natural, built and historic environment will be maintained and enhanced through high quality, inclusive design and safe environments, opportunities for play and sport, the protection and enhancement of green infrastructure, minimisation of waste, enhancement of distinctive and contrasting landscapes, tree and woodland protection, opportunities for local food growing, the enhancement of biodiversity and geodiversity and the protection and enhancement of heritage assets.”
10. In relation to paragraph 1 above I struggle to come to terms with this part of the vision. It seems like a contradiction to me that KMC state that Kirklees will be a great place to work etc yet they are putting in minerals policies that do not safeguard the rights of people who will have to live next to those sites. They have even removed any reference to standoff distances from their policies.
11. There is a lot of talk about how the minerals in Kirklees are of local and national importance but when the actual products produced by these sites are examined they are mostly for paving stones and aggregate. The promoters of the ME sites have made great store about how their products have been used to make streets of cities better. See <https://www.theguardian.com/uk/2010/nov/04/yorkshire-quarry-stone-monopoly> and in their planning applications they detail how their products have been used in London etc. It would appear such aesthetic changes have increased these areas desirability. Desirability is linked to people wanting to live in an area and surely average house price and increases reflect this. Looking at the recent BBC survey

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about how house prices have changed since 2007 (a measure of desirability) – London prices have soared whilst Kirklees prices have fallen. So digging a big hole in the Kirklees greenbelt, creating dust and noise and damaging the welfare of local residents is okay because it makes London a more desirable place.

12. Sarcasm aside I do appreciate that minerals need to be worked. And they can only be worked where they are found. Removing minerals from the ground is a dirty process that generates, noise, dust vehicle movement etc. It does impact upon people who have to live near these sites. People who live near these sites have, like everybody else the right to enjoy their homes and the right to the peaceful enjoyment of their possessions. They also have the right to be treated fairly and no different to anyone else. I appreciate at times that national or local need may supercede individual need. But when decisions need to be taken that conflict between the needs of the many and the needs of the few it is helpful if some form of framework is available so that all can have an agreed reference on which decisions are based.
13. When it comes to quarrying there is a need for that agreed reference, in my opinion to be stand-off distances or buffer zones.
14. In the 2015 plan KMC clearly stipulated the need for buffer zones and set then as 250m for clay and shale and 500m for sandstone – standard set via BGS guidance. This made it clear to everyone, the local community, land owners, industry, planners and decision makers what the requirements were to safeguard residents, as best as possible, from the effects of quarrying. As well as safeguarding minerals from the effects of future developments.
15. These standards were not just plucked from the air but had a sound basis – the British Geographical Society, other Local Authorities, expert advice (such as Urban Vision), professional bodies and industry itself – they are classed as best practice. It would have been very disappointing if such a forward thinking council as KMC had failed to grasp the opportunity offered by the Local Plan to clearly set out these standards. So in 2015 KMC set out what was required for buffer zones. But then, unbelievably, in the remodelled version of their plan published in 2016 without any apparent basis buffer zones were removed.
16. KMC need to re-instate defined buffer zones so that everyone is aware of the requirements. This is the only opportunity they will have in the next fifteen years to clarify this position and publicly accept and endorse best practice in this area.
17. Whilst the current situation exists then in relation to those elements of the vision outlined in paragraph 2, the reality of life for some of us if some of the proposed sites in the Plan were allowed to go ahead would be directly opposite to that outlined in the vision.