

Submission HS1 2022/93154

This submission is made by Cllr Munro in my capacity as Ward councillor on behalf of residents opposed to this development.

1-There is a significant need for what is termed affordable housing across South Kirklees, as identified in the SHMA (Strategic Housing Market Assessment) 2016 - 25% of which now must be "First Homes"

Initially this site formerly known as HS1 was for the development of 68 homes and all were planned to be "affordable" and affordable rental housing – if this number had been built, it would have satisfied the entire number of affordable houses required to be built in South Kirklees in any specific year (49 are required to be built annually) in accordance with the Local Plan.

The Council did not adopt the Charging schedule/ CIL, providing an opportunity for developers to change their plans and build private housing on the site instead along with the statutory number of affordable houses which was far fewer totalling 14 only. Planning permission was eventually granted for 68 houses on the site of which 14 affordable houses are required to be built. While I appreciate there was some opposition to the initial plans for all the houses on site to be "affordable" - building the number required by statute should be adhered to.

The current applicants then purchased the site and submitted a viability report offering a comparatively small sum of £140,000 towards section 106 contributions with no offer to build affordable houses.

In the meantime, the developers updated the plans for surface water drainage, by planning to build an attenuation tank on the opposite side of Penistone Rd on green belt land. I understand this building/work on open green belt land will result in a permanent track across the land and other associated works, potentially impacting the openness of the green belt and the views across the valley to Woodsome and Castle Hill.

The cost of incorporating the attenuation tank on green belt land, according to the viability report Appendix 4 page 21 sections H;J and L below is £579,070, for abnormal costs of construction so more than half a million pounds.

Unfortunately, it is not clear how much the costs would be of siting an attenuation tank on site HS1 itself, as shown in planning application 2023/90773 (id 1002020) so before this application proceeds any further I feel it is only right that this figure is calculated, so we can better understand the situation.

I do not currently know if the developers/applicants have also purchased the field on the opposite side of the road where they plan to site the tank in this application and build the track and associated works. Have the developers already purchased this land? If so when was this? Or is it the case that purchase of the field is dependent on approval of this

application? Has the owner agreed to development of this field and a purchase price? Is there a written agreement? By incorporating this additional field in the Plans only adds to a further loss of public greenspace. Has this additional loss been calculated and the Section 106 contribution adjusted accordingly?

I also understand that if the developer only builds 7 affordable homes and pays section 106 contributions of £497,156 instead of the sum of £140,000, initially offered they will still make a profit of 17.5% which is well above the threshold of 16%. Can officers calculate how many additional affordable houses could be built if the developers received 16.5% profit?

It seems the viability process in this case has been used as a bargaining tool, starting low until agreement is reached. Developers making money at the expense of residents, wildlife, the well-being of residents, loss of public open space/green space (which will be even greater if the tank is located in the opposite field), biodiversity and the likelihood of increased pollution in Fenay Beck is unacceptable, (there is a SSI site slightly further downstream in Fenay Bridge). Allowing greater profit than is necessary for developments that will have detrimental consequences in an area, should not be endorsed by this Council. If approved this will send a further signal to other developers. Not having sufficient funds/profit to build affordable homes, due to high so called "abnormal costs" which include the siting of the attenuation tank on the opposite side of the road (Is this absolutely necessary), and the widening of the road for a ghost lane which in my opinion is highly dangerous, as this stretch of road in Fenay Bridge is used by some motorists like a race track, should be really carefully considered.

Fenay Beck floods increasingly more often. It has been disclosed that sewage was dumped 26 times in location 1 in Fenay Bridge for 59 hours between 2021 and 2022 and at location 2 also in Fenay Bridge sewage was dumped 31 times equating to 68 hours (Top-of-The-Poops.org) Resolving the issue of sewage dumping could take years. In addition, there is the likelihood of pollution from nutrients from construction works, all impacting on wildlife and the SSI slightly further downstream in Fenay Bridge.

Finally-

This field floods when there are storms such as Storm Ciara a few years ago. We know we can expect an increase in severe storm surges rainfall and flooding in the future, so this does not bode well.

In the meantime, if biodiversity net gain cannot be met on site HS1, could this additional field/ land be repurposed for biodiversity?

I have noticed that following local storms when the Beck has flooded, a lot of wild birds seem to appear on this field and others next to the Beck, no doubt pecking the ground after it has been washed over by flood waters as it will contain rich nutrients.

	Abnormals Main Siteworks					
H	On-Site Abnormal Sewers					
	Surface Water - EO for abnormal pipeworks	1	Item	11,800	£ 11,800.00	Based on average EO rates
	Surface Water - EO for MH's	1	Item	37,550	£ 37,550.00	Based on average EO rates
	Surface Water - Trenching / Backfill / Associated works	1	Item	22,370	£ 22,370.00	Based on average EO rates
	Foul Water - EO for abnormal pipeworks	1	Item	8,500	£ 8,500.00	Based on average EO rates
	Foul Water - EO for MH's	1	Item	8,300	£ 8,300.00	Based on average EO rates
	Foul Water - Trenching / Backfill / Associated works	1	Item	28,450	£ 28,450.00	Based on average EO rates
	SW Attenuation Tank	540	m3	475	£ 256,500.00	
J	Off-Site Abnormal Sewers					
	Thrustbore under Penistone Road	1	Item	150,000	£ 150,000.00	PC Sum Allowance
	Outfall from Tank - Headwall / Connection etc.,	1	Item	25,000	£ 25,000.00	PC Sum Allowance
K	On-Site Abnormal Site Works					
	Export surplus topsoil following strip	3524	m3	23	£ 81,052.00	
	Site Cut	31060	m3	9	£ 279,540.00	
	Site Fill	7987	m3	9	£ 71,883.00	
	Export surplus topsoil from C&F	19969	m3	23	£ 459,287.00	
L	Off-Site Abnormal Site Works					
	Track to Attenuation Tank	204	m3	150	£ 30,600.00	