

**From:**  
**To:** [DCAdmin](#)  
**Cc:**  
**Subject:** Planning Application No: 2023/91933 - Formal Objection  
**Date:** 03 August 2023 03:28:06  
**Importance:** High

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To whom it may concern,

In response to the letter dated 03/07/23 that we received from Kirklees Council Planning Department regarding application number 2023/91933, we would like to formally lodge our objection to the proposed development to the rear of our property.

We would like to highlight that we are sending this objection via email as the facility to comment on the application via the Kirklees Planning Portal (as noted in your letter) has been closed for some reason despite the letter received highlighting (in bold) that any comments could be made up until 07/08/2023. This seems slightly odd given the circumstances as we understand very few properties affected by said proposals have actually been notified of the application formally by letter. Even more concerning is the fact that we have found only one public displayed notice relating to the application on Richard Thorpe Avenue, which is on the opposite side of the Castle Hall Academy Site, outside of properties that will have no view onto the proposed monopole location. The residents of Towngate, Camm Lane, Dunbottle Lane, Fenhurst Lane and Westfields Avenue, which will all have a direct view of the proposed location do not seem to have been notified apart from myself and two neighbours. Anyone who would wish to comment on this application may well now be deterred from doing so as the option isn't there unless they have the email address printed in the letter we received. In the interests of openness we have shared this with our fellow neighbours to allow them to have the opportunity to comment on the application.

Our household strongly object to the proposed development for the following reasons:

- Negative visual impact from the rear of our property and the surrounding area. The proposed monopole at 25m is unsightly and out of context with the local area. In recent dealings with the council regarding a previous application (2020/90115) relating to the crown reduction of (TPO) trees to the boundary of Castle Hall Academy, which in our opinion are causing an actionable nuisance with branches overhanging our boundary by over 2m and regular large branches falling. The works were refused by the council on the grounds that "These trees are a prominent landscape feature in the locality and as such they contribute significantly to the public amenity". Based upon this we are not sure how the council can support the installation of the proposed monopole in the location suggested without having a negative impact on exactly the same vista they sought to protect in 2020.
- We were interested to read the document titled 'Site Specific Supplementary

Information' uploaded as part of the application. It suggests that the pre-app consultation with Kirklees Council and some of its Councillors was sought with no response. We would be interested to understand why no response was given on this significant blot on the landscape to deter the full application in the first instance. The document also highlights alternative sites that were considered. We would question whether the applicant actually visited the sites to undertake a review or merely sought out an open space behind some trees for the new location. The selection of these sites seem baffling to us.

- Pavement locations where the equipment required for this type of installation would block the pavement. We would argue that this wasn't a suitable location for equipment in the first place.
  - A pavement location that would also affect drivers visibility splay exiting a car park. Again, not suitable for reasonable consideration.
  - A street works option directly outside a properties window. Again, not suitable for reasonable consideration.
  - In close proximity to overhead power lines. Again, not suitable for reasonable consideration.
  - In close proximity to Grade II & II\* listed Building and Scheduled Monument. Why was this even suggested?
  - But perhaps most importantly two locations that were rejected due to the close proximity of 'highly residential areas' that would be 'visually intrusive'. We would question why the applicant selected the area on the playing fields, which is also in a 'highly residential area' and 'visually intrusive' to many more properties than the areas previously discounted. This suggests that the applicant has little or no understanding of topography of the area and simply looked for the easiest space closest to the area of the existing installation.
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- The same document details the 'Notice to Quit' served by Castle Hall Academy forcing the operator to remove its equipment from the roof of the school building whilst it undertakes essential repairs. Why can't the equipment be re-sited on the roof once the repairs have been completed? This position is acceptable now so why hasn't been considered? If it is 'purely to replace an existing telecommunications installation that is being removed' (page 5) then why isn't this a like for like replacement in the same location? Or even a like for like installation on another commercial building at high level elsewhere?
  
  - The footprint and design of the overall installation is intrusive on vital green space utilised by the community. With 2.4m high fences and razor wire surrounding the installation it suggests that the applicant is concerned over the security of the apparatus. So why hasn't the apparatus been sited within the secure grounds of castle Hall Academy on the private playing field? Again this wasn't considered by the applicant. We would note that another monopole has recently been installed on the junction/crossroads of Sunny Bank Road and Leeds Road and this has no fencing surrounding it. Again, this underlines the proposed site being unsuitable if it requires fortification to protect it from the public. We too have security concerns and fear that the proposed development could attract people loitering around the development and anti-social behaviour right on the doorstep of our property. The mast appears to have a ladder scaling the full height of it. Is the planning department satisfied that determined individuals couldn't scale the fence, bypass the razor wire with carpet and climb the mast risk injury or possible death? West Yorkshire Police suggest that

the use of razor wire is not advisable and you could be liable to civil action in the event of injury in a domestic situation. So why is it deemed acceptable in a active public space? What if kids kick a football into the compound and attempt to retrieve the ball causing injury? it is a Football field at the end of the day so not outside the realms of possibility!

- The document states that the installation ‘‘will be sited along a row of tall and mature trees within the school grounds which will provide a back drop of trees that will help conceal the equipment.’’ The trees will not conceal the equipment from the majority of residential properties that look over the playing fields from the opposite and adjacent 3 sides. They even go on to say that the location selected will provide good service ‘‘whilst avoiding the stie [sic] visually intrusive to local residents’’. This statement is ill conceived and again suggests that the typography of the land and the close proximity of residential properties hasn’t been considered.
- The document suggests that the new location will be ‘‘sited in the school grounds in a well screened location’’. As previously noted this isn’t well screened from anyone but the school and would also question the legitimacy of this being land owned by the school. Locally we understand the land has been gifted to the people of Mirfield by the Walker Family for the use of Mirfield residents. There is also suggestion that there is a covenant over the land which prohibits building work. We suggest that the Planning Department review the ownership of the land considering no clear identified boundary plan was submitted with the application.
- The application reiterates its position again stating ‘‘it will not be visually intrusive to a high volume of residential properties surrounding the site’’. We strongly challenge this statement for the reasons outlined above.
- When trying to align the development with policy LP4 the statements about the proposed development having no visible detriment to the area and would not result in demonstrable harm. Our arguments above disprove this statement once again. If affects the outlook of more properties that the other sites rejected in the earlier appraisal.
- They go on to claim that the proposed development ‘fully accords’’ with the requirements of NPPF. We will not quote the statement in full as it is plain for you all to consider in your appraisal of the application but to suggest that the design of the installation ‘‘is considered to be the least visually intrusive option available’’ is truly staggering. The proposed height, scale and materials used are ugly, overpowering and not in keeping with a pleasant green public space.
- In relation to the typography of the land, the proposed elevations drawing suggests that the location of the installation is level. This is not the case and we would query

whether the 25m height of the monopole actually aligns with neighbouring trees especially those on the boundary of the academy site and the residential properties on Towngate (numbers 57, 59, 61, 63, 65 & 67). The land slopes towards Towngate so it is safe to assume that the trees further down the hill are lower than the mast further up the hill (even if they were all 25m high above ground level). The trees on the proposed elevations to the left hand side are drawn lower but the council need to understand that these are set back from the boundary and lateral to the installation meaning the view isn't 'well screened' at all, especially from the aforementioned properties. This will only be emphasised during the winter months where there will be no leaf cover to hide the monopole at all. It will dominate the view from all the properties looking onto the Academy field from Towngate.

- On the Developers Notice the applicant states that they will be applying to 'Wirral Council' for the prior approval. You are Kirklees Council and this suggests they just scatter these ill conceived applications far and wide as they are protected under permitted development rights backed by central Government on the 5G rollout across the country. We urge the elected local council to object to this application in the strongest possible terms.
- We are concerned about the well documented health risks of 5G masts being installed so close to residential spaces and the school. The field is also used by junior sports teams for training and matches as well as the school for PE lessons during term time. You will be aware that ICNIRP 'exclusion zones' (also known as Compliance Limit Distances) are required to be calculated for this structure, as per Ofcom guidelines. This has been referred to in the application but no details shared.
- The fear that the proposed installation could have a negative impact on property prices in the area. It is unfair for hard working people to be potentially affected in this way due to an ill conceived assessment of the siting of this development.
- The trees neighbouring the installation and the field upon which it is sited is home to many wild animals including birds, bats, squirrels, field mice and frogs. We are concerned that this will have a negative affect on our natural habitat - a big reason we chose to move into an area with abundant green space. The land on which the mast is proposed to be sited is shown on the Kirklees (East) policies map as Urban Green space, ref: UG245. This is a siting issue; it is incompatible and an unacceptable use of land. On the YouGov site there is an article under "Communities get power to protect green spaces" in which it states: Communities and Local Government reported: "Green spaces are incredibly important to local life which is why this government is committed to protecting them. These are special areas that invigorate communities like local beauty spots, wildlife habitats or even local playing fields so important for healthy activities".
- We fear if this application is approved it will open the floodgates for further sites and installations of this manner as technology advances, further diminishing

essential green space in our communities further.

To be clear we are not opposed to the advances in technology and understand the necessity for 5G masts but there must be other more suitable sites in the local area which would not be detrimental to health, safety and welfare of local residents, children, wildlife and green space. We would urge the Planning Department, supported by the elected councillors of Mirfield, to refuse this application and ask the applicant to consider an alternative location.

We would be most grateful if you could confirm receipt of our objection and, as we are not able to, please upload this objection to the planning portal so it can be considered as part of the decision.

Yours Faithfully

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