

## DCAdmin

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**From:**  
**Sent:** 17 January 2024 12:28  
**To:** DCAdmin  
**Subject:** Application number 2023/60/93539/E Ledgard Wharf

### Categories:

I would like to register my comments relating to the planning application for Ledgard Wharf, Mirfield

**Application number**  
2023/60/93539/E

I have read in the documents that  
*"The site is intended to be developed as a Build to Rent scheme as per the NPPF definition – i.e. purpose built housing which is typically 100% rented out.  
The development will provide a Build to Rent scheme which will have a positive impact for individuals, local couples and small families looking for good value rented property."*

My first query is whether any of the apartments are accessible by wheelchair/pram? The elevation plans appear to show steps to all of the building access points.

### **Social housing/affordable rents**

The Planning Application form refers to relevant housing categories being "*Social, Affordable or Intermediate Rent*" - how will this be enforced? The current rents for Ledgard Wharf are not affordable by many Mirfield-born/raised residents. What will stop the developers from charging astronomical rents and/or selling leases for some apartments in the future?

The Strategic Housing response to the planning application is that only 20% of the 76 units need to be affordable; seemingly because pre-application advice was sought the developer is exempted from the Kirklees planning requirement of 20-59% affordable housing. Also, there is no requirement for affordable home ownership, which is disappointing for Mirfield residents who have grown up in the area but are priced out of the local housing market.

Upon further reading it seems that the developer is reluctant to provide any affordable housing or rent, as per the Policy Planning Statement: "*Affordable housing – NPPF Paragraph 65 states that a normal provision of 10% of housing on major developments should be made available for affordable home ownership. It goes on to state that exemptions to this 10% requirement should also be made where the site or proposed development: (a) provide solely for Build to Rent homes.*

*Whilst it is acknowledged that national planning guidance appears to conflict with the NPPF with regard to the provision of affordable housing in Build to Rent schemes, the applicant's view is that*

*in the light of the Local Plan being silent on the matter of Build to Rent homes, NPPF Paragraph 65 remains the only definitive planning policy on this matter."*

The revised Policy Planning Statement has now included: *"Nevertheless, the applicant is willing to include 20% affordable housing in the event that the planning policy position for Build to Rent schemes is clarified and it is certain that . [sic] In terms of where these units would be positioned within the development, the applicant is willing to agree this with the Council during the course of the application."*

[my highlighting - my interpretation of the reluctance of the developer to provide affordable housing]

## **Flooding**

Currently the entrance to the car park periodically becomes flooded because the drain cannot cope with surface water.

When the River Calder breaches at Newgate, Back Station Road becomes a temporary river and residents are either trapped in their homes or unable to reach their home - might the proposed development make the flooding situation worse, or just mean that more Ledgard Wharf residents are affected?

The Yorkshire Water consultation response seems inadequate - are they aware of the significant flooding that has occurred in recent years? They appear to have simply accepted the Flood Risk Assessment report even though that report does not include the most recent significant flooding incidents. Have they considered whether the sewer system can cope with the addition of 76 x 2-bed properties, rather than simply stating where the foul water should discharge to?

The Canal and Rivers Trust consultation response seems inadequate - they do not appear to be able to consider the potential impact on canals and rivers just because they *"do not directly own or manage the waterside to the south of the application site"* and *"the direct implications of this application on the Trust's assets and interests are low."* - are they unaware of the significant damage that has already been done further downstream to their assets (locks) as a consequence of flooding?

The Flood Risk Assessment does not appear to be up-to-date - it refers to floods in 2000, 2002 and 2015 - there have been at least two other significant floods since 2015. The report refers to a one-in-one-hundred years event, however, including the years from their own report plus more recent instances, there has been flooding on at least 5 occasions in the period 2000 to 2023.

According to the Planning Policy Statement, *"A void is designed to allow water to pass through under the base of the ground floor of the building, as a flood resilient measure in the event of an extreme flood event."* - are they aware that in the existing building any void filled with water and ground floor apartments in the current building flooded?

Regardless of the claims made in the Planning Policy Statement, the REAL life experiences of people who have lived near Back Station Road since 2015 is that THE AREA FLOODS - it is foolish to pretend otherwise, and surely better to have a plan in place for when this event occurs? Although the proposed new building will have a void beneath it, this does not change the fact that surrounding areas will flood and residents will either be trapped in their homes or unable to reach their homes - inaccessibility is a concern.

## **Vehicular increase and associated impacts**

Noise, speed and volume of vehicles are all hazards for pedestrians - vehicles often speed down Back Station Road and there was a significant crash in September 2023 causing two cars and a

garden wall to be written off; it is fortunate pedestrians were not in the vicinity at the time. More traffic and more pedestrians on Back Station Road creates more risk.

With regard to the bedrooms in the proposed development being on the car park side of the building - will the enclosed space cause the noise from vehicles to reverberate around the space and be a nuisance, causing disturbed sleep? ( can be heard by residents and neighbours each time the vehicle arrives and departs)

The reference to site access in the Planning Policy Statement relates to the existing access to the existing car park - the proposed new car park on the Newgate side of the development (referred to as over spill parking) does not appear to have been given due consideration; the potential issue is the restricted view to the right when exiting the proposed new car park - in real life, it is not possible to see down the road for a good distance when exiting the proposed car park.

At the new entrance to the new car park on the Newgate side of the development - there may need to be more double-yellow lines as this proposed entrance will be difficult to turn in and out of with other vehicles around (the line of sight from the proposed car park exit is limited when looking to the right down Back Station Road in the direction of the train station - this restricted line of sight is not apparent from the drawings) - perhaps a mounted mirror will help?

At the entrance to the current car park the proposed development appears to include 5 parking spaces in place of what is currently the location of the bins - is this parking arrangement acceptable, i.e. driving over the pavement to park?

In the new ('over spill') car park there is a row of parking spaces right next to the windows of the row of ground floor apartments - will this cause noise and air pollution issues? Perhaps it would be better to have some landscaping and have the row of parking spaces a little further away from people's homes?

### **Refuse collection/disposal**

The Waste Collection Authority consultation response states:

*"The waste stores should be secure to prevent theft, unauthorised use/ fly tipping or rough sleeping. If doors to the bin store are installed or there is use of locks or a keypad to secure access, these details will be required by the collection staff.*

*Waste storage should address the fire risk issues presented by large quantities of waste. See BS5906:2005, Building Regs 2010 Part H6 and CFWA-E Guideline No 7:2022 F. The stores are 6m away from the buildings and constructed of suitable material to contain and prevent the spread of fire.*

...

*Ideally the waste stores will be constructed and available for use prior to residents moving in. If this is not the case consideration must be given to the process of waste collection for properties that are occupied before the whole site is complete. Temporary measures may be required to allow waste to be stored/presented at an accessible location. The Authority will not enter construction sites for the purpose of domestic waste collection. A pre-occupation condition will be required to address this and any other outstanding waste collection details."*

\*\* there is currently NO store to contain the current refuse bins located near the entrance to the existing site, and these bins are LESS THAN 6 metres away from the nearest building which is a residential home partitioned from the current refuse bins by a wooden fence.

The Police consultation response states:

*"Refuse bins must be placed behind a locked gate within the rear garden. These must not be sited near ground floor windows, low roofs or boundary fences, as they will provide a climbing aid for*

*offenders.*" - this is not applied to the current refuse provision and fly-tipping regularly occurs in and around the current bins located at the entrance to the Ledgard Wharf site (which is not a nice `welcome` to the complex).

What will be the interim arrangements for collection of waste during the construction works? As the area will be a building site, will current residents have access to both current bin stores?

### **Safety - personal and possessions (e.g. bike/car)**

In relation to the Police consultation comments regarding CCTV - it will be really helpful if a WORKING system was required as there have been anti-social issues at the current Ledgard Wharf site and the Police have attended a number of incidents. The car park is currently covered by CCTV in order to have the ANPR facility to then issue fines when car parking rules are not followed, rather than for the security of residents.

### **Wind tunnel effect**

What consideration has been given to the impact of the proposed development on wind strength and direction? The prevailing wind is currently channelled down Back Station Road and has caused property damage - is the proposed development likely to make this even worse? (in Leeds city centre wind alleviation measures were installed following the death of a pedestrian when the wind tunnel effect blew a van onto a number of pedestrians waiting to cross the road)

### **Fire Statement**

The Planning Policy Statement explains that the proposed development manages to just fall short of the criteria for providing a Fire Statement - it's disappointing that the developer has chosen not to follow good practice and provide a Fire Statement anyway.

### **Japanese knotweed**

There was an issue with this invasive species on Ledgard Wharf land - I don't know whether this has been resolved or whether building works will spread this problem further. Page 19 (of 68) of the Ecological Impact report shows locations for Japanese knotweed and Himalayan balsam - the knotweed was previously further inland, however, perhaps that has been eradicated?

### **Finally**

Page 4 of the Planning Policy Statement report states that the six levels are on the riverside and four levels are on the car parking side - the elevation plans show the opposite i.e. the four levels, with the balconies, on the side overlooking the river.

What provisions will be put in place to ensure the brook (the overflow from the canal?) remains free of debris and free-flowing? (when there is a flood the brook rises and the properties on South Brook Gardens risk being flooded via their back gardens)

What will be the provisions relating to the actual construction, for example, the impact of noise and debris/dust on existing residents and neighbours?