

## About the application

Application number: 2025/92776	
What is the application for?:	Outline application, with all matters reserved, for residential development with
Address of the site or building:	land at, Eastfield, Shepley, Huddersfield, HD8 8HB
Postcode:	DH7 8XL

## User comments

Type of comment: An objection	
Do you wish your comments to be published on the website anonymously?	Yes
<p>OBJECTION LETTER – PLANNING APPLICATION 2025/92776 To: Planning Department, Kirklees Council Application No.: 2025/92776 Site: Land at Eastfield, Shepley Date: 18th November 2025</p> <p>Address: 22 Eastfield, Shepley, Huddersfield, HD8 8HB Subject: Formal Objection to Planning Application 2025/92776</p> <p>Dear Sir/Madam,</p> <p>I wish to register my strong objection to the above application for residential development at Eastfield, Shepley. The proposal presents serious, unmitigable and irreversible risks to public health, groundwater protection, highway safety, local amenity, ecology, and the local economy. It also contains significant inaccuracies and omissions which undermine its soundness.</p> <p>For the reasons set out below, I respectfully request that Kirklees Council refuse this application.</p> <p>1. Unacceptable and Unmitigable Hydrogeological Risk (SPZ1) A substantial area of the site lies within Source Protection Zone 1 (SPZ1) of Shepley Spring Ltd's licensed drinking-water abstraction. SPZ1 represents the highest-risk groundwater protection category, where contamination may reach the boreholes within 50 days.</p> <p>The Technical Hydrogeological Memorandum submitted by Shepley Spring Ltd (6 Nov 2025) concludes that:</p> <ul style="list-style-type: none"><li>- The applicant has submitted only a Tier 1 desk-based HIA, which is wholly inadequate for SPZ1.</li><li>- No site-specific data has been collected: no borehole logs, no groundwater level monitoring, no aquifer testing, no numerical groundwater flow modelling, no contaminant transport modelling.</li><li>- The fractured Pennine Coal Measures aquifer beneath the site provides minimal natural attenuation, meaning pollution would be effectively permanent.</li></ul> <p>Contamination would require immediate cessation of bottling, stock recall, loss of</p>	

- Contamination would require immediate cessation of bottling, stock recall, loss of contracts, and likely permanent closure of a major employer.

The hydrogeologist concludes that the principle of development cannot be established without a full Tier 3 / DQRA approved by the Environment Agency.

Granting outline permission would therefore be premature, unsafe, and contrary to: NPPF para 183 (preventing unacceptable water pollution), Kirklees Local Plan Policy LP34 (water environment), LP52 (pollution control), and EA Groundwater Protection Policies N7 and N8.

## 2. Banks Group's Mitigation Claims are Scientifically Invalid

Banks Group argue that groundwater risk is low because contamination sources are limited, the spring may abstract from a deeper aquifer, SUDS features will manage risk, and previous development within the wider SPZ supports their case.

These statements are technically unsound.

2.1 SPZ1 is mapped because shallow groundwater feeds the abstraction. If the spring drew solely from deep strata, SPZ1 would not be present at all.

2.2 Development itself introduces contamination pathways. Groundworks, services trenches, footings, accidental spillages, and SUDS infiltration create new pathways into the aquifer.

2.3 SUDS systems are wholly inappropriate in SPZ1. Swales, ponds, soakaways and infiltration features increase risk, not reduce it.

2.4 Precedent cannot justify cumulative risk. Groundwater vulnerability does not diminish because another development exists nearby.

Banks have not demonstrated zero-risk, which is the only acceptable threshold in SPZ1.

## 3. Severe Economic and Public Health Implications – Shepley Spring Ltd

Shepley Spring Ltd is a major local employer and the UK's largest independent water bottler. They operate under strict Natural Mineral Water and Food Safety regulations, requiring absolute purity of source.

Contamination, or even a minor chemical alteration would result in immediate production shutdown, product recall, loss of retailer contracts, reputational damage, and economic collapse of the business.

This is a material planning consideration of significant importance to the community and the wider region.

## 4. Highways Impact – Including Harmful One-Way System

The introduction of a one-way system through existing residential streets is unjustified, unsupported by modelling, harmful to residents, likely to worsen congestion, detrimental to emergency and service vehicle access, and disruptive to long-standing traffic patterns.

This is contrary to Local Plan policy requirements for safe and suitable access.

## 5. Misrepresentation by Omission: Unlawful Vehicular Use of a Footpath Not Declared by the Applicant

The application does not claim that a vehicular access exists through the woodland on the northern/eastern boundary. However, local evidence shows that the current landowner is regularly using this public footpath to access the adjacent fields with agricultural machinery, including tractors and harvesting vehicles.

This raises several planning and legal concerns:

The route is legally a public footpath only.

The Definitive Map confirms this is a footpath, not a bridleway, restricted byway or vehicular track.

By law, footpaths permit pedestrian access only, not motorised vehicles of any kind.

The landowner's vehicular use appears to be unlawful.

The ongoing use of agricultural machinery over a public footpath is likely to constitute:

- unauthorised use of a public right of way
- a highways offence
- damage to the woodland environment
- a material change of use without planning consent
- intensification of an access that does not lawfully exist

The application fails to disclose this material fact.

The applicant omits any mention of this activity, despite the fact that:

- the route is visibly being used as an access track, and
- the condition of the footpath and woodland shows clear vehicular damage.

This omission is significant because:

- it affects the understanding of existing access patterns
- it raises questions about the legality of current land use
- it implies a potential intention to formalise or intensify this unlawful access in future
- it affects the assessment of PROW, ecology, highways safety, and amenity impact

The LPA cannot ignore or assume lawful access rights.

Because the existing vehicular use is unlawful,