

REF: Planning Application 2025/62/93355/E  
Location : Land off Woodward Court, Mirfield WF14 0PY  
Type of Comment : OBJECTION

Dear Katie Chew,

I would like to formerly object against the above planning application and believe that it should be refused on the following grounds:

**1. Traffic and Road Safety issues the development will create/ worsen**

I strongly object on the grounds that there are a number of traffic and road safety issues this development would create/ worsen:

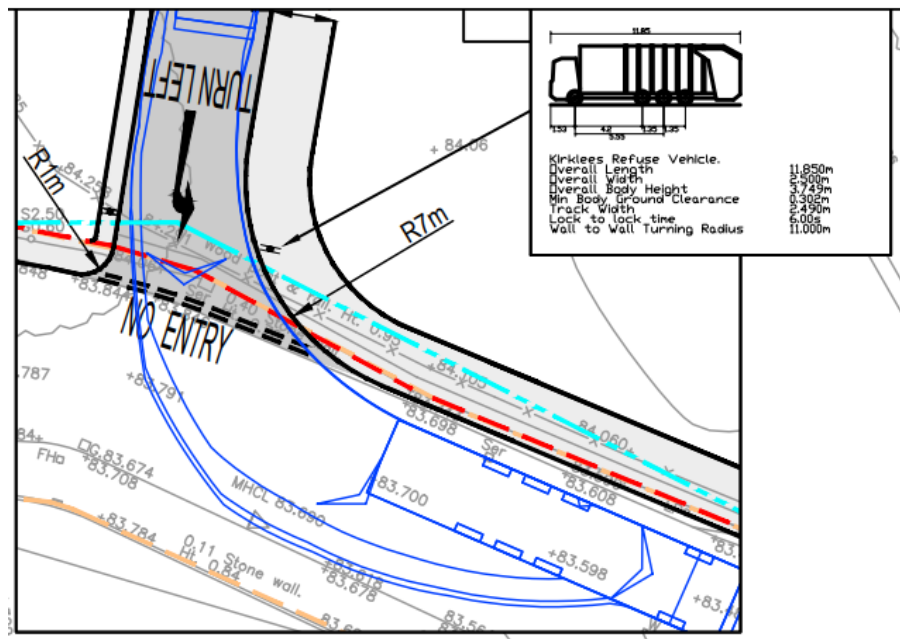
The traffic congestion around all roads leading to Crossley fields school creates an unsafe environment for children at pick up and drop off times. We are very lucky to have five fantastic primary schools in Mirfield and as a consequence in particular Crossley fields school attracts a lot of children from outside the area approximately 60% of children attending. This means that the number of cars dropping off and picking up is greater perhaps than for other schools. Consequently there is a large number of cars travelling and parking on Woodward Court, Hepworth Lane, Wellhouse Lane and the roads coming off it. This new development with residential cars, delivery drivers and construction traffic coming to and from it will make this already dangerous situation worse. As a parent who lives locally with children that attended Crossley fields I have seen many near misses and felt vulnerable whilst taking my children to and from school. I would advise speaking to the Kirklees parking enforcement team who will be able to give you a clear picture of the issues this area faces and how more cars coming to and from the area will make the situation worse.

The proposed exit onto Hepworth lane is dangerous both for vehicles and pedestrians. The supporting information provided by the developer is insufficient, incorrect and does not create a true picture of the local area.

As a resident living on Hepworth Close I use Hepworth Lane on a regular basis. As a driver the view leaving Hepworth Close and also the proposed exit is obscured in both directions. This has previously led to a child being injured which the traffic assessment has failed to report. There are many near misses as cars use this as a cut through to Crossley fields school and due to the narrowness there is not enough room for cars to pass. Unfortunately due to heavy congestion on Wellhouse Lane people also do not adhere to the one way system in place at the top of Hepworth lane and I myself have encountered a number of near misses due to this. I envisage that this may also lead to non adherence of the no entry at the proposed exit site.

The main flaw in the plan is that cars park along Hepworth Lane the parking is utilised by both school parents and residents, this makes the lane where it is

passable by 2 cars restricted back to one and the supporting information supplied by



Bellway shows:

Figure 1 - Proposed exit onto Hepworth lane taken from supporting information provided to Kirklees Council Planning

Directly where the vehicle is turning is where cars are usually parked and so this actually evidences that a larger vehicle such as a refuse truck or a fire engine would not have the ability to actually get out. This further image also illustrates that once you add parked cars to the road it is going to be very difficult for cars entering Hepworth lane, leaving Hepworth lane and exiting this new development as there simply is not room.



Figure 2 - Aerial view of proposed exit onto Hepworth Lane taken from google maps

Additionally this proposal is also going to make Hepworth lane more dangerous for pedestrians. It is already dangerous due to the lack of pavements and the number of

parents in cars using it as a cut through to Crossley fields but more traffic is going to further exacerbate the situation. Many parents take the route on foot from the direction of Shillbank lane down Hepworth lane and it gets particularly narrow at the junction of Grove street. The following picture demonstrates this - the proposed exit is highlighted in red. More traffic is going to make pedestrian access more dangerous



Figure 3 - Street View of Hepworth Lane and the proposed exit taken from google maps

On analysis of the traffic assessment information provided by the developers I would like to point out that they have identified that the peak pm time for traffic within the area is 4pm until 5pm as a local resident I would strongly dispute this as this is after the majority of the traffic has left the area as the school finishes at 3.20pm. It also doesn't account for the fact that all the surrounding roads are 'lanes' and once cars are parked on them two way traffic becomes more difficult. This is actually evidenced in the report by the slow speeds recorded by the traffic monitors.

The report also doesn't factor in developments in progress and the sites already allocated for housing in the local plan. How will the riverside development affect traffic coming through Mirfield? and the traffic generated from the sites already allocated for housing within the local plan on Flash Lane (HS70) and Northorpe Lane (HS69) which are in close proximity. It would be prudent to consider this alongside the assessments provided on the proposed development as these developments will have an impact once built.

In making your decision I strongly advise you to please visit the site, both at Woodward Court and the proposed exit at Hepworth Lane at 9am and 3pm during school attendance periods and this will help you understand the concerns the local residents are raising.

## **2. The development does not meet current policy and legislation:**

I strongly object on the grounds that it represents a premature and unlawful departure from the Kirklees Local Plan (2019) and contradicts the statutory requirements set out in the Levelling-up and Regeneration Act 2023 (LURA).

- **Conflict with Policy LP6 (Safeguarded Land)** The application site is designated as Safeguarded Land under Policy LP6 of the adopted Kirklees Local Plan. Policy LP6 explicitly states that such land is "protected from development" and that "the status of safeguarded land sites will only change through a review of the Local Plan." Paragraph 6.30 of the Plan further clarifies that "the permanent development of safeguarded land... will only occur through a change to the allocation through a review of the Local Plan." As the Kirklees Local Plan Update (2024–2043) is currently only in its early evidence-gathering stages (with Draft Plan Consultation not scheduled until late 2026), this application is a direct attempt to bypass the democratic plan-making process.
- **Violation of the New Statutory Test (LURA 2023)** Under Section 38(5B) of the Planning and Compulsory Purchase Act 2004 (as amended by LURA 2023), the Council is legally required to determine applications in accordance with the Development Plan unless material considerations "strongly indicate otherwise." While the applicant may argue that a lack of a 5-year housing land supply (5YHLS) justifies the release of this land, the new "strongly indicate" threshold significantly raises the bar for such a departure. The mere absence of 5YHLS does not automatically override the statutory protection of safeguarded land, which was specifically designated to ensure the long-term permanence of Green Belt boundaries (consistent with NPPF Paragraph 148).
- **Prematurity and Prejudice to the Local Plan Review** Granting permission now would be highly prejudicial to the ongoing Local Plan Review. The Council is currently assessing the entire district's needs under the new national housing target of 1,873 homes per year. To approve a major development on safeguarded land before the spatial strategy is finalised would undermine the Council's ability to distribute growth sustainably and fairly across Kirklees.

The proposal is a clear breach of Policy LP6 and fails the "strongly indicate" legal test introduced by the 2023 Act.

### **3. Environment concerns and loss of habitats**

As a resident living adjacent to the site the proposed development would result in a detrimental impact on the local ecology and residential amenity. The site currently serves as a vital green corridor, supporting a diverse range of wildlife. Specifically, I have regularly observed bats foraging across the field, which suggests the area is a key commuting route for protected species. This is also evidenced in the ecological appraisal which is supplied in the supporting information. The introduction of residential street lighting would create significant light pollution, disrupting these nocturnal habits and irreversibly altering the semi-rural character of the neighborhood.

Furthermore, the loss of this open space, which is a well-established community asset used daily by the residents of Mirfield for exercise and recreation, would

represent an unacceptable loss of visual and social amenity, failing to preserve the environmental quality of the local area.

#### **4. Overlooking/loss of privacy for existing residents**

I strongly object to the proposed layout due to the unacceptable loss of privacy and residential amenity. The submitted Site Sections are fundamentally misleading, they fail to account for the significant topographical height disparity between the development site and the existing properties on Hepworth Close, specifically my home at . The assumed ground level at each site is not accurate. In reality, the elevated position of the site means the proposed dwellings will be dominant and overbearing, resulting in direct overlooking of my primary living spaces and garden.

Furthermore, the 'Landscape Buffer' between the new development and the existing properties is currently indeterminable. With no specified dimensions, planting schedules, or clear management plan within the application, it represents a 'dead space' that lacks natural surveillance. As such you can not distinguish whether this landscape buffer will be sympathetic to the existing stonewall boundary. It creates a significant risk for fly-tipping and maintenance neglect. Without a legally binding management agreement or clear topographical data, the Council cannot accurately conclude that this development meets the required standards for residential privacy and local character. A big concern is that current residents will not have any control over the maintenance over this area. Existing residents will have full vision of the area as the stonewall boundary is significantly lower than the 1800m fences proposed for the new development boundaries. At the consultation we were told that it would be gated to prevent misuse but this is not observed on the boundary treatment plan.

#### **5. Concerns regarding sewerage infrastructure**

I strongly object to this proposal due to the demonstrated lack of capacity within the foul sewerage network. While the applicant has submitted a surface water drainage plan, this does not address the critical issue of foul water disposal.

The existing infrastructure serving Hepworth Lane and Hepworth Close is already in a state of chronic failure, evidenced by the requirement for near weekly interventions by Yorkshire Water to maintain flow and prevent blockages. Yorkshire Water's own supporting information explicitly confirms that the current network lacks the capacity to accommodate the additional load from this development.

In the absence of a funded and programmed upgrade to the off-site sewer network, the addition of these dwellings poses a significant risk of hydraulic overloading. This would inevitably lead to sewer surcharging and foul flooding of existing residential properties, representing a severe threat to public health and local amenity. I formally request that the Planning Authority refuses the application until a Hydraulic Modelling Study is conducted to prove that a viable, non-prejudicial point of connection exists, as the current evidence suggests the network is at a total breaking point.

#### **6. Impact on listed buildings and the heritage of the site**

I strongly object to the proposal on the grounds of the irreversible harm it will cause to the setting of Balderstone Hall, a Grade II listed building. The development

represents an unjustified urban encroachment into the Hall's original agrarian landscape, which is fundamental to its historical significance and character.

Under Paragraph 200 of the NPPF, any harm to the setting of a designated heritage asset requires clear and convincing justification. This proposal fails to respect the historic grain of the area and will result in the loss of significant key views that currently allow the Hall to be experienced in its original rural context. The transformation of this open landscape into a high-density suburban estate constitutes substantial harm to the asset's setting, severing its link to the land and diminishing the community's ability to appreciate its heritage value. I urge the Council to fulfill its statutory duty to preserve the setting of this listed building by refusing this unsympathetic layout

Please consider all the above objection points in making your decision on the planning application.

Many Thanks