From: Nick Willock
Sent: 23 February 2026 14:19
To: Katie Chew <katie.chew@kirklees.gov.uk>

Subject: 2025/62/93355/E Land off Woodward Court

Good morning Katie,

In connection with the above, please find enclosed our objection letter sent on behalf of Mirfield Town Council.

We raise a number of important highway matters and therefore we would be most grateful if you could pass this letter on to the responsible Highways DM officer for them to look through please.

In summary we raise a number of other important points:

1) The situation regarding the highway network and the mitigation measures proposed do not materially change the highway safety position that has been in place for 28 years (since the first application) , whereby the application has been rejected numerous times (including at appeal). The recent Local Plan process confirmed there was no reasonable prospect that the highway safety matters could be overcome during this Plan period and that's why the land wasn't allocated for housing. The Kirklees Local Plan Rejected Sites Options report assessed this site's suitability for development just prior to the adoption of the current Local Plan. That report highlighted 'Transport' as being a red 'traffic light' category matter (i.e. the highest level of concern in considering site allocations) and rejected the site's suitability for development.

2) Given that the developer has not secured the requisite third party land needed to at least achieve the appropriate visibility splays (notwithstanding the other highway issues), this application is a non-starter in terms of highway safety considerations.

3) We argue that the principle of development in relation to safeguarded land is unacceptable, as it does not comply with relevant Local Plan and NPPF planning policies and therefore is contrary to the Council's Interim Housing Position Statement.

4) The scheme would prejudice the future development of the remaining safeguarded land allocation to the south-east, because it would effectively block access to it and there is no other suitable access available.

5) The heritage impact work relates to the previous application from 2017, which was a different scheme to the current one. The application would need to be rejected on this basis, and because the tests in the NPPF with regard to assessing harm and balancing that against any public benefits, have not been complied with.

6) The housing density is significantly below policy requirements.

Kind Regards

Nick

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Planning Development

By Email Only 23rd February 2026

FAO Katie Chew
Kirklees Planning Services
Development Management

OBJECTION TO PLANNING APPLICATION FOR ERECTION OF 75 RESIDENTIAL DWELLINGS WITH ASSOCIATED LANDSCAPING, OPEN SPACE, HIGHWAYS AND DRAINAGE INFRASTRUCTURE

LAND OFF, WOODWARD COURT, MIRFIELD, WF14 0PY

LPA REF: 2025/93355

Dear Madam,

Robert Halstead Chartered Surveyors and Town Planners have been instructed to submit an objection to Kirklees Council on behalf of Mirfield Town Council.

The objection will focus on the principle of development, highway safety & capacity, heritage, public rights of way, coal mining legacy, public open space, ecology & climate change mitigating measures

These objections will be detailed within the sections set out below.

Planning History

Previous attempts to obtain planning permission on this site have repeatedly failed:

Kirklees Ref: **98/92026** – outline application for residential development dismissed at appeal in 1999, with the Government Inspector concluding:

> *The additional use of the existing junction between Wellhouse Lane and Woodward Court would create a danger for highway users, contrary to the intention of adopted UDP policy R10. This inadequacy alone is in my view sufficient to prevent the proposed development on site B from taking place…..*

Kirklees Ref: **2014/91282** – Erection of 135 dwellings - withdrawn but recommended for refusal beforehand on the basis of: a) cumulative impacts associated with the proposed scale of development and associated traffic cannot be efficiently and safely accommodated on the local highway network;

drainage; and (b) layout considered to be unsatisfactory having regard to the distribution and location of public open space and crime prevention considerations.

Kirklees Ref: **2017/93935** - erection of 61 dwellings refused in relation to the proposed open land designation, and highway safety, with the latter reason for refusal stating:

> *The proposed development would lead to additional traffic impacts on an already constrained local highway network which, by virtue of the existing network of narrow roads, the close proximity of the proposal to the existing school (Crossley Fields Junior and Infant School), and the substandard visibility at the junction of Woodward Court and Wellhouse Lane, would result in an unsafe development which would fail to acceptably mitigate the degree of conflict between all users. The proposed development would lead to an unacceptable highway safety impact, contrary to paragraph 109 of the National Planning Policy Framework, Policy T10 of the Kirklees Unitary Development Plan and Policy PLP21 of Kirklees Publication Draft Local Plan.*

Principle of development

NPPF Paragraph 149 states: *When defining Green Belt boundaries, plans should:*

c) where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;

d) make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development; [1]

The Kirklees Local Plan Rejected Sites Options report assessed this site for its suitability for development just prior to the adoption of the current Local Plan in early 2019, but rejected it.

The Local Plan Inspector's Report 30 January 2019 stated:

> *The north-western part of site was subject to a pending planning application for housing at the time of the hearing and has since been refused. However, this related to a small section of the site, and notwithstanding the proposal, there is considerable uncertainty whether highway network and access constraints can be resolved within the Plan period to enable delivery of the site as a whole…..*

As such, the site was rejected in principle for development within this current Plan Period, which is intended to cover the period until 2031.

Local Plan Policy LP5 (safeguarded land) is clear in stating: "Areas identified as safeguarded land will be protected from development other than that which is necessary in relation to the operation of existing uses, change of use to alternative open land uses are temporary uses. All proposals must not prejudice the possibility of long-term development on safeguarded land site. The status of safeguarded land site will only change the review of the Local Plan."

The policy is clear that development will not be allowed and that the status of such sites will only change following a review of the Local Plan, which is yet to happen.

[1] Underlining our emphasis

Whilst the Council is unable to demonstrate a five year housing land supply, the 'Kirklees Interim Housing Position Statement to Boost Supply (February 2024)', confirms that 'Substantial weight will be given to the presumption in favour of sustainable development for housing development on land identified as safeguarded land in the Kirklees Local Plan, where constraints to development can be overcome.' [2]

The document goes on to state that:

> *Planning permission will be expected to be granted if proposals constitute sustainable development and accord with other relevant policies set out in:*
>
> • *the National Planning Policy Framework*
> • *the Kirklees Development Plan*
> • *Kirklees Supplementary Planning Documents and other planning guidance.*
>
> *The Council will continue to consider planning applications on their individual merits.*

Crucially, the major issue with this particular site is highway safety, as highlighted as the major concern at the time of assessment of the current Local Plan. The site was rejected in principle because it was considered for the Local Plan period at least, there was no reasonable prospects that the highway safety matters could be overcome.

Accordingly, and referring to the Council's Interim Housing Position Statement, this application must clearly demonstrate constitutes *sustainable development and accord with other relevant policies* (national, local and supplemental).

Having reviewed the proposals, it is clear that the highway safety and capacity issues used the reject the site being allocated for housing development during this Plan Period (and through previous decisions) have not been overcome, and that application should therefore be refused in principle in, given that the constraints in this case cannot be overcome (as required by the Kirklees Interim Housing Position Statement to Boost Supply).

The principle of approving the proposed development would therefore undermine the Council's spatial strategy, contrary to Local Plan Policy LP5.

Prejudicing the development of the remainder of the Safeguarded Land designation

The proposed layout does not show any proposed or safeguarded links to the remainder of the safeguarded land designation to the south-east. This clearly prejudices the possibility of development on the remainder of the safeguarded land site, particularly as this land can only be otherwise accessed from Balderstone Hall Lane, which is a single track road entirely unsuitable to serve any new development. [3]

Again, this is contrary to Local Plan Policy LP5, as quoted above (see Local Plan map extract below).

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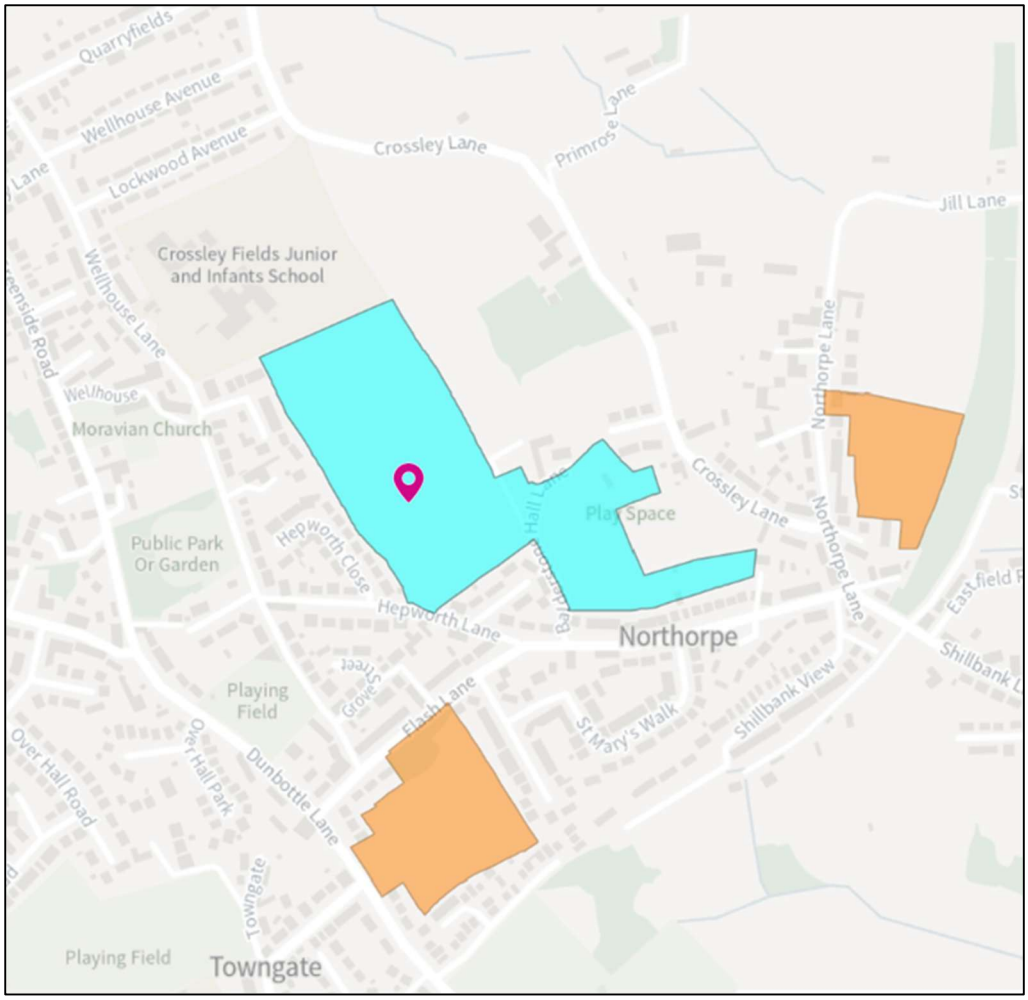
[2] Our emphasis

[3] As also confirmed in the Local Plan Rejected Site Options Report



Highway Safety

Local Plan Policy LP21 states:

'New development will normally be permitted where safe and suitable access to the site can be achieved for all people and where the residual cumulative impacts of development are not severe. Proposals shall demonstrate adequate information and mitigation measures to avoid a detrimental impact on highway safety and the local highway network.'

The local road network is clearly a legacy of older and more rural times. As a result, there are few, if any local roads that adhere to current highway safety or adoptable standards. Various housing developments have been supplanted on this road network over the decades, without any meaningful improvements to these roads.

It is worth re-capping on what the Local Highway Authority's professional views were in the 2014 case, which articulated the significant problems with the local highway network very clearly and comprehensively, to then ask the crucial and legitimate question in this case: <u>What has actually changed ?</u> This is particularly pertinent given that speed reduction measures as proposed now, were also considered but rejected at that time.

> Highway comments 2014/91282 (together with responses in the light of the current proposals):

a. *Wellhouse Lane (between Flash Lane and Hepworth Lane) This is very narrow, and has on-street parking due to some residents not having off-street facilities. Vehicles regularly over-run the very narrow footway (which has a lowered kerb to minimise damage from vehicles), and this has generated complaints for many years from residents, pedestrians and parents walking children to school.*

   Response: There are no proposals to mitigate or improve these identified highway deficiencies.

b. *Wellhouse Lane / Flash Lane junction The visibility exiting Wellhouse Lane onto Flash Lane is poor due to the surroundings and on-street residential parking on Flash Lane. Sanderson Associates (SA) suggest a footway widening on Flash Lane to increase visibility for drivers exiting Wellhouse Lane, but this should be judged against the presence of on-street parking, and eastbound vehicles on Flash Lane stopping here for oncoming traffic.*

   Adequate passing width therefore needs to be maintained. It would be difficult to introduce waiting restrictions here, as residents are likely to object.

   Response: There are no proposals to mitigate or improve these identified highway deficiencies.

c. *Hepworth Lane The central length was upgraded in the 1950s / 60s when the adjacent land was developed, but the lengths at each end are narrow (particularly the western end) and have no footways.*

   Crossley Fields School now attracts a large number of pupils from Ravensthorpe, Dewsbury, Savile Town and Heckmondwike. A school survey from 2013 highlighted that 325 pupils (55%) arrive by car and for several years this particular site is considered to be one of the worst sites within the Kirklees area for 'school run' issues and associated complaints from residents and parents.

   Response: There are no proposals to mitigate or improve these identified highway deficiencies.

d. *Hepworth Lane / Wellhouse Lane junction This junction is considered to be particularly sub-standard, with restricted visibility to the left (due to a third party boundary wall) when emerging from Hepworth Lane, and only a very narrow single footway on Wellhouse Lane (point a). The one way system at the western end of Hepworth Lane is regularly abused.*

   (The consultation response later said: a. HS received 2 complaints in Mar 2014 and 4 complaints in Feb 2014 about drivers abusing the one way system, particularly at school times putting other drivers and pedestrians at risk. HS were also contacted by the Police about the problem in Mar 2014).

   The length of Wellhouse Lane fronting the school was widened in the early 1980s, and parking here is now heavily restricted at school start / leaving times. There is some abuse of the restrictions. However, the lengths of road above and below this section (Woodward Court to Hepworth Lane, and Quarryfields down to the school driveway) are mainly unrestricted and suffer particularly with severe parking and congestion issues at school start / leaving times, to the point that parked cars are damaged by large vehicles

attempting to pass. This coupled with large numbers of pedestrians crossing the road causes 'observed' highway efficiency and safety issues.

Woodward Court is used as a parking area by parents, who park on both sides of the road (part on the footway) and in front of driveways. These create considerable nuisance and inconvenience to residents, and make it difficult to manoeuvre vehicles compromising highway efficiency.

The above 'parking issues' create problems such as blocked driveways, footway and carriageway obstruction, and pedestrians (particularly children) being masked by stationary vehicles.

The adjoining Jenny Lane, Wellhouse Avenue and Lockwood Avenue suffer similar issues set out above. Jenny Lane in particular is a concern as this forms part of the route from Woodward Court to Greenside Road.

It is considered that the narrow stretch of Wellhouse Lane between Flash Lane and Hepworth Lane (point 1a) is particularly sensitive in being able to efficiently accommodate two way flows associated with the school run traffic and pedestrian movements.

HS don't consider a 20mph limit suitable for the full length of Wellhouse Lane, but agree that some form of part-time 20mph / traffic calming scheme between (possibly) house nos. 56f and 66 may be beneficial at school start / finish times. Traffic calming features in the congested areas will have no effect at busy times, as speeds are already low.

In the absence of 'local support' to consider such a scheme, HS does not accept the principle of the proposal. However, as stated there may be merit in some of the physical measures proposed subject to local resident support.



Junction Hepworth Lane / Wellhouse Lane

Response: There are no proposals to mitigate or improve these identified highway deficiencies. Indeed, the proposed one way exit from the proposed development on to

Hepworth Lane is likely to exacerbate the problems identified above at the junction between Hepworth Lane and Wellhouse Lane.

Proposed plateau at the Woodward Court junction SA *have carried out a speed survey which suggests 85%ile speeds of below 26mph just below this junction. HS understands the proposed plateau is to mitigate the poor sight line to the left for vehicles exiting Woodward Court. HS would not expect such a feature to reduce speeds any further.*

Response: Instead of securing the third party land to ensure safe visibility splays in accordance with the speed limits at the Woodward Court junction (as highlighted was necessary in the Kirklees Rejected Site Options report – see below), the proposals instead introduce highway measures on the existing road network, such as traffic calming (also previously rejected by Highway Services in 2014 as highlighted above). These measures however do not amount to 'improvements', but instead are a series of measures designed not to improve the highway, but introduce obstacles to make the development and its highway impact 'appear' acceptable.

Such works do not amount to highway improvements but constitute artificial restrictions on the use of the highway network to the detriment of existing highway users (and there is no evidence of majority public support for such measures, as a pre-condition by Highway Services to accepting any such measures in 2014). It follows that the developer does not propose acceptable improvements to limit the significant impacts of the development.

Pupils and parents leaving school and heading southward along the footway to Wellhouse line would also be required to negotiate the crossing with the junction of Woodward Court, which will lead to a material conflict between pedestrians and motor vehicle traffic, particularly at school start and finish times.

Overall therefore, there are no concrete proposals to enhance the safety or capacity of any surrounding roads in terms of suitable widths, footway provision, geometry etc. There are no proposals to secure the third party land necessary to enable safe visibility splays to be provided at any of the junctions likely to see impacts from the development, in particular the Woodward Court / Wellhouse Lane junction.

There is also nothing obliging the future residents of the development to utilise the one-way exit onto Hepworth Lane (in order to reduce the amount of traffic exiting the Woodward Court junction), but in any event, pushing more traffic onto Hepworth Lane (in itself an unsuitable road significantly below modern adoptable standards), is entirely inappropriate and will create highway safety issues in itself (narrow road, no footways, poor junction with Wellhouse Lane etc.). The opening up of this route between Wellhouse Lane, via Woodward Court and the development through to Hepworth Lane, also poses the risk of the route becoming a new 'rat run'.

Indeed, the suitability of the local road network has been relatively recently assessed by the Council…

The Kirklees Local Plan Rejected Sites Options report assessed this site for its suitability for development just prior to the adoption of the current Local Plan. That report [4] highlighted 'Transport' as being a red 'traffic light' category matter (i.e. the highest level of concern in considering site allocations) and rejected the site's suitability for development, concluding:

[4] Rejected Site Options Report July 2017 – Page 227 – Site Ref: H125 Balderstone Hall Lane, Mirfield,

Third party land required. Access can be achieved from an extension to the end of Woodward Court. However, the visibility splays at the junction of Woodward Court and Wellhouse Lane are sub-standard. The site frontage on to Hepworth Lane has sub-standard visibility splays and would require third party land to provide the standard 2.4 x 43m visibility splays. I would note that the width of Hepworth Lane is also substandard (4.5m wide) and not suitable for intensification of use. Balderstone Hall Lane is unsuitable.

The applicant's Transport Assessment states at Paragraph 3.3.8:

Sufficient junction visibility can be achieved to the north for drivers leaving Woodward Court, in accordance with MfS for the recorded 85th percentile speed of 24.6mph i.e. a 2.4m x 30.2m. Visibility along Wellhouse Lane to the south for vehicles departing Woodward Court is restricted when measured to the nearside kerbline with an achievable splay of 2.4m x 29.3m (assuming any vegetation overhanging the rear of the footway is cut back). A 29.3m visibility splay is less than the 40m required in accordance with MfS for the recorded 85th percentile northbound speed of 30.0mph.

Unfortunately, this paragraph raises more questions than it provides answers:

1) The applicant appears to be relying on vegetation being cut back on third party land in order to achieve its stated visibility splay. This is an absurd proposition and cannot (as the applicant knows) be taken into account when assessing serious highway safety matters where people's lives are potentially at stake. The fact therefore remains that suitable and safe visibility splays cannot be achieved by this development at this junction (see photo overleaf which demonstrates that significantly less than 29.3 m can be achieved - meaning that this junction will remain unsafe, and its use intensified, through this proposed development).

2) The speed survey data upon which the applicant relies in order to calculate the required visibility splays appears to be unavailable on the Council's website. In accordance with current standards adopted by Kirklees Council, such speed surveys must be automatic as opposed to manual.

3) It appears that no road safety audits have been undertaken at this junction, or any other key junctions likely to be impacted by this development (e.g. the new access onto Hepworth Lane).

As such, in answer to the question above regarding what has changed with the local road network (other than it probably becoming even busier over the past 28 years since the first planning application was rejected) ?

The answer: <u>nothing has changed</u> (other than arguably more traffic) and the limited on-street highway measures proposed are judged to be woefully insufficient to mitigate the grave concerns previously expressed by two Planning Inspectors (Local Plan and appeal), and the Council in its capacity as both decision-maker on earlier planning applications, and in the context of assessing the suitability of the land for development allocation at the Local Plan stage.

It is therefore concluded that the existing highway network is unsuitable to accommodate any further increases in the volume of traffic in the area. Any such increase would be of detriment to highway safety in terms of congestion and the free flow of traffic, and the potential increase in the level of accidents due to narrow streets, on street parking, lack of footways, and inadequate visibility at key junctions.

As an additional consequence of the local highway network, accessibility for those without a car will be unattractive, inconvenient and potentially dangerous.

The proposals are therefore considered to be contrary to Policy LP21 (Highways and Access), Policy LP20 (sustainable travel) and the aims of Chapter 9 in the NPPF.



Left visibility splay from 2.4m setback at Woodward Court junction with Wellhouse Lane

Heritage and design

Safeguarding the historic setting of the group of Grade II Listed Buildings at Balderstone Hall is a material planning consideration in this case. The historic setting of this building group was (and remains) agricultural and the proposed development will urbanise this setting to the west, as well as diminishing its open setting.

There are two major flaws in the assessment of heritage impact within this application:

1) The heritage impact assessment work relates to a previous application in 2017 for an entirely different layout and number of dwellings, and has consequently failed to assess the impact of the *actual* currently proposed development on the setting of these listed buildings. As such, the degree of harm (substantial or less than substantial) caused by the proposed development has not been assessed, contrary to national planning policy and guidance.

2) Without being able to objectively establish the degree of harm to the identified designated heritage assets, the application cannot (and has not) fulfilled the policy tests at NPPF paragraphs 213 to 216. In particular, any identified harm has not been assessed against any identifiable public benefits, in accordance with these policies.

As matters stand therefore, without assessing the impact of the current proposals, there can be no assessment from the applicant as to whether any harm to heritage assets identified is outweighed by public benefits (and other relevant considerations).

As such, the LPA would have no choice but to refuse the planning application as being contrary to NPPF paragraphs 213 to 216.

An important related point here is also NPPF paragraph 11. The tilted balance can only be applied if there are no strong reasons for refusal in relation to protected assets. Within footnote 7, designated heritage assets are identified as being protected. As such, without an appropriate assessment of heritage harm, the tilted balance cannot be applied to this particular case.

Notwithstanding the above, Mirfield Town Council is gravely concerned that the proposals pay no regard to setting of the Balderstone Hall listed building grouping, in addition to failing to provide good quality design.

The proposed use of brick and concrete roof tiles are not a local vernacular materials and pay no respect to predominant use of natural local gritstone and stone / Welsh blue slates in the area. The result however is an 'anywhere' development also based on house type designs that are positively alien to the Mirfield and West Yorkshire area generally (for example, steep roof pitches more characteristic of the Cotswolds).

The applicant appears to take the view that because other adjacent developments have been built of brick in the last half century, such brick will continue to be acceptable. However, the relatively recent step change in national and local planning policy in striving to achieve well-designed places prevents this from happening. Government design policy now seeks to ensure development will *add* to the overall quality of the area (not match previously unsympathetic developments).

There has been no evaluation of the Mirfield area's defining built environment characteristics, to ensure that the development is sympathetic to local character and history, and that it maintains a strong sense of place. If stood within this development once built for example, would a person know they were in Mirfield as a result of the character and appearance of the proposed development ? The answer currently appears to be 'no'.

NPPF paragraph 139 is now crystal clear in stating that development that is not well-designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

The Kirklees House Builders Design Guide Supplemental Planning Document has not been taken into account. It is mentioned in passing in the Design and Access Statement, however nowhere within the application documentation is there any assessment against individual policies contained within the SPD, or indeed the individual criteria set out by Local Plan Policy LP24 (Design).

To the contrary, the Design and Access Statement is a typical standardised format with little relevant substance in relation to important material design considerations.

The proposals are therefore considered contrary to Section 12 of the NPPF, Local Plan Policy LP24, and the Kirklees House Builders Design Guide SPD.

Public rights of way (PROW)

NPPF Paragraph 105 states: "Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails."

Paragraph 117 states that "applications for development should (a) give priority first to pedestrians and cycle movements, both within the scheme and with neighbouring areas…."

Within the 2014 application Kirklees PROW section: "PROW would ask for footpaths connecting and surrounding the site to be made up by applicants to usual sandstone aggregate specification. Perhaps a scheme could be conditioned for their improvement. Preferably with additional dedication to give full 2 metre width – this could be secured through S38 process."

There are two key problems with the application:

1) This is a full application for planning permission and yet the proposed footpath links are shown to be indicated on the layout plan. As such, there is insufficient information and precision for the Council to assess and determine the application on this basis.

2) All the existing site perimeter public footpaths are narrow and in very poor condition with drainage being a particular problem during the wetter months (the author of this letter has recently walked this perimeter – it was extremely muddy and slippy). In line with the previous requests from the PROW section, the applicants should put forward the improvements suggested to surfacing and width, in order to 'protect and enhance' these public footpaths as Paragraph 105 requires.

As the current proposals stand, the development fails to protect and enhance existing public rights of way, or provide sufficient details regarding the footpath links between the development and the existing rights of way network. The proposals should therefore be refused in accordance with NPPF Paragraph's 105 and 117.

Housing Density

Without prejudice to the objections to the development on other grounds, the development fails to ensure the efficient and effective use of land in accordance with Local Plan Policy LP7, and NPPF 129 and 130. In particular, there are two key problems:

1) The proposals do not achieve the minimum net density of at least 35 dwellings per hectare sought by Policy LP7. Indeed, it is unclear how the applicant has calculated the net density and this should be clarified as it seems the net density is arguably much lower than stated. For instance, the gross density currently works out at only 15.85 dwellings per hectare.

2) NPPF paragraph 130 states that: "where there is an existing or anticipated shortage of land for meeting identified housing needs (as in the position in Kirklees at present) it is especially important the planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site."

   The policy goes on to state that "local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework."

Other material planning issues

- We note that the Coal Authority are currently raising substantive concerns, stating: "The Coal Authority's Planning & Development Team does not consider that this adequately addresses the impact of coal mining legacy on the specific scheme of development currently proposed."

  This is contrary to Local Plan Policy LP52 (protection and improvement of environmental quality).

- In relation to Ecology matters, we also note that objections are currently in force because no bat activity surveys have been submitted to enable a proper understanding of the biodiversity value in relation to foraging/commuting bats, contrary to Section 15 (Conserving and enhancing the natural environment) of the NPPF, and Local Plan Policy LP30 (Biodiversity and Geodiversity).

- The public open space across the proposed development is ill-defined in terms of purpose and design. As such it is unclear how this open space would benefit the future residents of the development and their families. We note that the Council's Landscape section have raised these matters in connection with Local Plan Policy LP63 and the Kirklees Open Space SPD.

- The proposals appear to provide the bare minimum in relation to sustainability /climate change mitigating measures. Photovoltaic roof panels and storage batteries are now readily available and affordable, as are EV charging points to accommodate the rapid increase in the ownership of electric vehicles. For a development of this size, the proposals should be going much further, and the proposals are therefore arguably contrary to policy LP24 (d) of the Local Plan.

<u>Summary</u>

Mirfield Town Council strongly object to the proposed development for the reasons outlined above.

The local road network is clearly a legacy of older and more rural times. As a result, there are few, if any local roads that adhere to current highway safety or adoptable standards.

Nothing has changed with the local highway network over the decades and the fact that no meaningful/workable measures to mitigate the highway safety impacts of the development are put forward, means that in essence nothing has changed since both Government Planning Inspectors and Kirklees Council have repeatedly and strongly rejected the suitability of the site for housing development over the course of the last 28 years.

The most recent assessment by the Council (Local Plan) highlighted 'Transport' as being a red 'traffic light' category matter (i.e. the highest level of concern in considering site allocations). As such, the site was rejected in principle for development within this current Plan Period, which is intended to cover the period until 2031.

Notwithstanding the Council's current housing supply predicament, the proposals cannot be supported in principle, because:

(a) they would undermine the Council's spatial strategy, contrary to Local Plan Policy LP5 (in terms of protecting safeguarding land from development and blocking access to the remainder of

the safeguarded land site - thereby prejudicing any idea of long-term development on that land); and

(b) The condition of allowing premature release of safeguarded land is not permitted through the 'Kirklees Interim Housing Position Statement to Boost Supply' document because 'constraints to the development' cannot be overcome in this case.

The Local Plan Inspector, in choosing not to allocate land for development during this Plan period, noted the same highway network deficiencies 20 years later, and made it clear that such highway network and access constraints needed to be resolved before the site was suitable for housing delivery.

Three previous planning applications on this site have failed to achieve support from the Local Highway Authority in relation to a range of highway safety matters (as detailed above).

Those highway network and access/constraints have not been resolved, as a matter of fact, through these proposals. The mitigation measures proposed are minimal and do not remotely approach a point whereby they address and resolve the necessary highway safety issues.

In full knowledge of speed reduction measures previously being rejected by highway officers, together with the clear requirement to obtain third-party land in order to at least go some way to mitigating the road network highway safety concerns, the applicant Bellway Homes appears to be putting forward the same proposals, and yet expecting a different answer?

In addition to the other material objections raised on heritage, density, design, public rights of way and other currently unresolved matters, Mirfield Town Council respectfully requested that officers recommend refusal of this application, and that the Planning Committee endorse such a recommendation.

Yours Faithfully,

Nick Willock BSc. Hons MA MRTPI MRICS

Robert Halstead Chartered Surveyors & Town Planners

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