

save MIRFIELD

Kirklees Metropolitan Council
Planning service
P.O. Box B93, Civic Centre 3 off Market Street
HUDDERSFIELD
HD1 2JR

10th May, 2019

F.A.O. Mr Adam Walker

Your Ref: Planning Application 2019/91105

Yorkshire Property Estates Ltd, Land off Old Bank Road, Mirfield WF14 0HX

Dear Mr Walker.

Further to our recent telephone conversation regarding this land off Old Bank Road, Save Mirfield has some serious concerns. As far as I am aware this site, because of the constraints, is not allocated in the new Local Plan so is it actually necessary to recommend approval? The Appeal document from 2006 (appeal dismissed by Mr David Tester, the Inspector) describes some difficult ground conditions and there are serious risks related to methane gas, volatile organic compounds, potential contamination of groundwater and poor foundation conditions. The Inspector commented that granting outline planning permission may not be appropriate without further investigations, as it may not be possible to discharge planning conditions related to ground conditions.

Save Mirfield would expect that the KMC Contaminated Land Officer would need to maintain interest in this new proposal but we believe that the comments in the document from the Strategic Waste department currently on the planning portal, are inadequate and further investigation is needed. We would also expect the Environment agency to be consulted.

The proposed layout of the houses is shown extending to the north of the site, which is underlain by the former clay pit, hence the potential for gas and contamination in that area. We would expect to see detailed remediation strategies and construction design proposals. In the appeal document from 2006, paragraphs 19 and 20, the Inspector makes reference to this and thinks that ***“whilst this is information that could normally follow any planning permission, in this case because of the nature of the site, I consider it should be provided beforehand”***. We concur.

We are also concerned about noise and possible airborne contamination arising from the works during construction bearing in mind the close proximity of Old Bank School.

The number of houses proposed (63) is too large a number for the development area. The houses are very small and somewhat crammed in.

In addition, the number of cars generated from the development could have a negative impact on the surrounding infrastructure.

In 2014, as part of an application by Bellway Homes to build on Balderstone fields, the consultant, Sanderson, conducted a modelling exercise on the Old Bank/ Sunnybank / North Place junction. They found that this was a difficult staggered cross- road junction and had proposed mitigation measures. We suggest that the same issues are still relevant today.

I think that our main concerns are as follows:

- What are the remediation strategies regarding the contaminated land and design proposals?
- The assessment by the Strategic Waste department's Officer is limited in detail.
- We would like to see the Environment Agency consulted.
- What measures would be taken to protect local residents and in particular the children and staff at Old Bank School during construction?
- The additional traffic on the road network would add more problems to an already congested area and in our opinion these are underplayed in the Transport Assessment by WSP/Parsons Brinckerhoff.
- What measures are going to be taken to mitigate these at the staggered cross road already mentioned?

Finally, since this site has been rejected on appeal and two further applications since then have been withdrawn before going to committee, is the owner of the land simply hoping to get outline planning permission in order to sell it on to another developer who will come up against the same issues?

Please note, we may be submitting further comments at a later date.

Yours sincerely,



Cheryl Tyler
Chairman Save Mirfield



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Save Mirfield Committee member