

From:
To: [DCAdmin](#)
Subject: Planning application 2019/62/93524/W (102 Dunford Road, Holmfirth HD9 2DT)
Date: 07 December 2019 21:40:55

This is an objection to the development of the site under reference 2019/62/93524/W (102 Dunford Road, Holmfirth HD9 2DT).

It is my understanding from Paul Wood (Kirklees Enforcement) that the applicant was invited to submit this new application following a notice issued from Enforcement (COMP/19/0106) in June 2019 with regards to unauthorised excavation works being undertaken whilst awaiting a decision to be made on planning application 2018/60/93148/W. This original application included plans and drawings to provide off-road parking for 100-104 Dunford Road and was refused and subsequently appealed on 21 November 2019 (appeal not yet determined).

I have read the latest application (2019/62/93524/W) and viewed the supporting plans and conclude that with regards to the proposed parking bays, there has been no change or update whatsoever and thus my views and comments raised in my previous objections of November 2018 and February 2019 still stand.

To reiterate, I **object** to this application on the following grounds:

Impact on drainage / flooding

This remains of grave concern since our home suffered flood damage in 2001 due to surface water run-off following heavy rainfall. According to the Government's flood warning information service, the flood risk to our home from surface water is high.

1. The site in question slopes steeply from the rear of the existing under/over dwellings to which it relates. In addition, Swan Bank Lane slopes steeply from Dunford Road into the grounds of our cottage at the bottom. The proposal would require hardsurfaced areas and retaining structures that would alter current drainage within the site. In the past, the proposed site and mature trees acted as a natural sponge soaking up some of the surface/rainwater. There is a constant flow of water which runs off the hillsides in the valley and in times of excessive rainfall, Dunford Road looks like a river. As a result, this increased amount of surface water often finds its way onto Swan Bank Lane, bringing with it debris, soil and sediment. The plans indicate a substantial amount of land being hardsurfaced to create pathways, retaining walls and 4 proposed parking bays thus removing any natural drainage. The removal of such a significant amount of natural drainage and its replacement with a hardstanding will lead to a measurable increase in run-off of surface/rainwater.
2. Due to where the cottage is situated, during heavy rainfall, there is persistent 'pooling' of water at the gate. The small grid at the cottage gate, originally installed to drain surface water from the cottage driveway is now under considerable strain due to surface water from Swan Bank Court's car park and Swan Bank Lane draining into it. I note from the '[Proposed Site / Block Layout \[id 779553\]](#)' that the boundary wall between the cottage and the proposed parking bays is to be curved towards the lane and therefore any 'pooling' within these bays will follow the natural curve in the wall and head straight down the lane, once again to the tiny grid outside the cottage. It will not be able to accommodate anymore water as a result of this proposed development.
3. Whilst the applicant indicates on the application form that surface water drainage will be by means of SuDs, he has not provided any further details as to what will be installed. SuDs only work insofar as they are properly installed and maintained. I assume that planning will insist on a Maintenance Schedule being put in place and also have a Drainage Strategy both of which will be readily available to the public? No doubt permeable paving/tarmac will be used for hardsurfacing the proposed parking area, however as mentioned in point (1) above, debris, soil and sediment coupled with leaf litter and sap from the one remaining tree onsite and the protected woodland directly opposite the proposed bays plus the natural occurrence of weeds will inevitably clog up any permeable paving and result in 'pooling' at best, localised flooding at worst.

It is important to avoid an increase in flood risk and surface water run-off into the cottage grounds and onto the lane which would be an additional hazard to the occupants, pedestrians using the PROW and lane traffic.

Impact on road/lane safety

1. The site is of insufficient size to accommodate a vehicle turning area to allow vehicles to enter and leave the site in a forward gear or to provide adequate sightlines from the site (the gable and boundary wall of the cottage would restrict views onto the lane)
2. There is insufficient manoeuvre or turning space on Swan Bank Lane due to the restricted width of the lane, the position of the cottage's private parking bay and a private car park for

Swan Bank Court, the latter both of which are **not** to be used as a turning or reversing point. Vehicles would not be able to enter or exit the parking bays in a single turning movement off the lane.

3. The narrow, partially cobbled lane is already under a considerable amount of strain by current users (11 apartments and 1 cottage).
4. Safety of all users of the lane (pedestrian and vehicular) due to poor visibility is of concern. The proposed development would lead to an increased hazard for other road users and pedestrians. In the scenario that all 4 bays are occupied (and you won't know this until you are actually on the lane) and another visitor comes down to park, how are they supposed to exit the lane with no facility to turn? This issue would be exacerbated should a resident from Swan Bank Court or the cottage be following on behind. Are both vehicles expected to reverse back out onto Dunford Road – I for one will **certainly not** be doing this as it will endanger not only myself, but pedestrians on the pavement and users of the PROW.
5. Increased traffic on the lane would represent a further safety hazard onto/off Dunford Road, a busy 'B' classified road, especially if vehicles are forced to enter it in reverse gear due to (1) and (2) above. Any reversing onto a highway is strongly advised against in The Highway Code.
6. It appears that the developer is intending on widening the area at the top of the lane. I cannot see how this is possible as it has steps at the top which form part of the original lane and, like the cobbles, should be retained. The lane is unadopted and he has no right to alter its appearance.

Impact on residential amenity

The proposal is unacceptable in terms of residential amenity as there is an impact in terms of overlooking, noise and loss of light to the occupants of the cottage.

The gable of the cottage has a side elevation window to one of its habitable rooms less than 1 metre from the proposed parking bays and, in particular, bay 104. Anyone entering or exiting their vehicle or loitering will have a direct view straight into our house, thus invading and impacting on our privacy. The same scenario would lead to noise disturbance.

There is also the potential for a direct loss of light through this window should a high sided vehicle or caravan be parked here.

There would be harm caused by the 'cramping' of these proposed bays up to the boundary wall of Swan Bank Cottage with little or no landscaping in between to soften the effect or provide a degree of privacy and separation. This should certainly be addressed and a suitable degree of landscaping enforced should this application be approved.

Impact on visual amenity

This development is unacceptable in terms of visual amenity to the residents of Swan Bank Lane due to the scale of the proposed development. It would considerably detract from the immediate surrounding's character and destroy the visual amenity. Swan Bank Lane used to be a tree-lined lane before this developer reduced the site to rubble and debris – a simple search on Google Street View illustrates this. He has decimated the site and even Paul Wood (Enforcement Officer) noted that recent activity had made a dramatic change. I can even go so far as to quote an extract from the [Delegated Officer Report \[id 755968\]](#) in relation to the previous refused application to back-up how visual amenity will and subsequently has been affected *"Swan Bank Lane is partly laid with setts and forms a tranquil access to existing properties at Swan Bank Court nestled between established woodland and an historic low drystone wall. The intensification of the use of this access to serve a large detached dwelling with garage on the lower ground floor and four parking spaces laid in tarmac removing a large section of the drystone wall would significantly harm the character and appearance of this part of the conservation area. It would create urbanising development dominated by the hard surfacing proposed. The site's contribution to the softening of the Swan Bank Lane would be markedly diminished."*

I note from the plans that the developer is looking to use gabion baskets for retaining walls. This is not in keeping with the original boundary walls and local surroundings which have a distinctive character of stone retaining walls.

Comments

1. As this application is the result of the previously refused original application (2018/60/93148/W) and Enforcement complaint (COMP/19/0106), then it should be viewed and considered as a whole.

Within the original application, it was stated that the size of the site was 0.07 hectares - that proposal was for the erection of a residential development and on-site parking for nos. 100-104 Dunford Road, thus implying that the site was to be sub-divided to undertake both proposals.

The latest application (2019/62/93524/W) also states the size of the site is 0.07 hectares. This is

misleading due to the fact that as the developer has appealed the original decision, his intention still remains to sub-divide the land. The [‘Proposed Site / Block Layout \[id 779553\]’](#) clearly shows a retaining wall which divides the site into 2 and backs this observation up. As such, it calls into question whether the scale of this development is too large for the apportioned site.

1. In Sue Oakley’s Consultation Response from KC Conservation and Design dated 28 November 2019, she states that *“Before recent site clearance commenced there was a gap in the dry stone wall along with a stone gate post and the proposal is to increase the size of this opening to access the parking area.”* Once again, I refer you to Google Street View which clearly shows a dry stone wall running the full length of the lane – this same wall is illustrated on [‘Proposed Site / Block Layout \[id 779553\]’](#) despite the developer removing it during unauthorised works pending the outcome of planning application 2018/60/93148/W. Therefore there was no ‘gap’ in the wall so to speak, apart from an area that had fallen into disrepair following decades of neglect and removal/theft of stone - I know this because I have been a resident on the lane for nearly 20 years.

Sue Oakley also states that *“as there is an existing opening in the wall and the façade of the property is not affected by this proposal, with the parking area in a fairly discreet location at the rear of the houses, I do not consider it to harm the character of the conservation area or the character and significance of the nearby listed buildings.”* I beg to differ. At the beginning of 2019, there was no opening in the wall to the rear of these properties. There was a dry stone wall that ran the full width of them, the other side of which was earth to just below the decorative stone topping and a number of shrubs and trees. So it is pretty obvious that the removal of all this by the developer has changed the façade of the properties.

The [Delegated Officer Report \[id 755968\]](#) dated June 2019 clearly mentions *“an historic low drystone wall”* on the lane and continues with *“removing a large section of the drystone wall would significantly harm the character and appearance of this part of the conservation area.”* As there has been absolutely no change to the [‘Proposed Site / Block Layout \[id 779553\]’](#) plan between the original planning application 2018/60/93148/W and the current application 2019/62/93524/W, how on earth can the comments of the conservation department be so different? As previously mentioned, this application has a history attached to it and should be viewed and considered in its entirety.

As an aside, she mentions the retention and reuse of a gatepost in her observations, as there were 2 gateposts prior to this wall being removed, surely both should be retained and reused?

Application form

There appears to be a number of inaccuracies within the application form, namely:-

- The size of the site is 0.07 hectares – I have discussed this in further detail in ‘Comments’ above
- The applicant states there is evidence of parking. I have lived here for nearly 20 years and no-one has ever parked on that land. In fact, the properties have been empty for the whole period and according to some, for nearly 40 years. Without concrete evidence of parking, such a broad statement should not be made. A so-called ‘gap in the wall’ or ‘gateposts’ does not constitute evidence of parking.

The applicant replied ‘No’ to the following statements, however should be ‘Yes’ in my opinion

- *Has the work or change of use already started?* Yes it has, prior to any decision being reached on application 2018/60/93148/W the site was cleared and excavated.
- *Are there trees or hedges on the proposed development site?* Yes, a tree still exists near the boundary wall - the developer discussed its retention with the cottage owner in 2018 when he felled all but one tree in preparation for his proposal.
- *Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?* Yes, whilst not adjacent, there is a woodland of protected trees the other side of the lane and directly opposite this proposed development. Leaf litter and sap has the potential to interfere with SuDs.
- *Is the site within an area at risk of flooding?* Our property is at risk of surface water flooding. Whilst the building to which this land relates may not be in an area at risk, the land/site itself may be as it is steep sloping and adjacent to ours. I therefore question the applicant’s response to this question.
- *Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)?* Yes, a river flows to the front and side, the latter of which is certainly within 20 meters from the proposed bay to the bridge.
- *Will the proposal increase the flood risk elsewhere?* Yes, due to the nature of this site and the

extensive hardsurfacing, retaining walls and steps, there will be a measurable increase in runoff of surface/rainwater.

- *Protected and priority species and Designated sites, important habitats or other biodiversity feature?* Yes, the application site lies adjacent to a wooded area identified as a Kirklees Wildlife Habitat Network and within the Kirklees Bat Alert layer.

Proposed Site / Block Layout [id 779553] shows a stone retaining wall where the proposed parking bays are to be sited, however the developer has already removed this stone retaining wall. Once again, the same plan fails to show the window into a habitable room on the cottage's gable/side elevation and the private car parking bay which runs parallel to the lane and is sited directly opposite the proposed parking bays has also been omitted.

In summary I feel that the safety of all pedestrians and vehicle users of the lane, combined with the flood risk to Cottage and the adversely affected outlook, amenity and privacy of the existing dwellings on Swan Bank Lane far outweighs any benefits of providing off-road parking to residents on Dunford Road.

I therefore urge the council to reject the plans submitted in their current form.