

Kirklees MBC Planning,
PO Box B93,
Civic Centre 3,
Huddersfield,
West Yorkshire, HD1 2JR.
10/ 12/ 2020.

Dear Sirs,

Planning application No. 2020/93954. Lingards Road, Slaithwaite.

Herewith our formal objection to the above planning application. This letter is substantially the same as that submitted to the applicant in June 2020, in response to their public consultation.

These objections are expressed both as part of the local group of residents, seeking to protect the community's general interests, and as individuals whose specific interests are particularly, and significantly threatened. In the latter case, we freely concede that we are recent additions to this community, having bought in full knowledge of the existing and potential planning status of the application site, but insist that our objections are nonetheless legitimate and reasonable.

Comments on the General Concept in the light of relevant National and Local Planning Policies.

Despite the above, we are naturally dismayed to learn that the intention is now to seek permission for 57 dwellings, where the outline approval 2014/60/93946/W indicated a total of 27 dwellings. The recently-adopted Local Plan envisages that the site (HS125) is capable of contributing 36 houses to the 5 year housing requirement, but It is worth noting that, as the Council is now able to demonstrate a five year supply of deliverable housing (*Local Plan 8.21 The trajectory and phasing table demonstrate a five year supply of deliverable housing land as required by national planning policy*), there is no compelling reason to increase the anticipated contribution from this site beyond the 36 dwellings approved by the Local Plan Inspector.

We appreciate that National and Local Planning Policies require that local authorities should promote the effective use of land in meeting the need for homes, however, in Policy LP7/c Efficient and effective use of Land and Buildings, the council advise that lower densities will be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, to protect the viability of the development, or to secure particular house types to meet local housing needs. The NPPF adds that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. In the report to Committee (2014/60/93946/W) Kirklees Council Flood Management and Drainage Section go further:— *Diversions and overland exceedance flow routes should avoid curtilage areas. Depths of such systems in relation to road construction could be problematic and need careful consideration. Diversions of the existing ditch could prove difficult (levels) and result in greater risk to existing properties below. Location near footpaths will have some issues that need mitigating. An analysis of safety should therefore be submitted along with a report to be submitted clearly detailing the design process taking this into account. A suitable watercourse management plan and exceedance event/blockage risk mitigation scheme should be defined prior to considering layout. It is not certain that 30 houses can be accommodated safely on site although we do not object to the principle of housing.*

In the same report the Planning Officer Assessment includes the following which, with apologies, we repeat at length with the significant issues highlighted:-

The application proposals are outline and seek to establish the principle of developing this site for housing together with details of point of access. As such there are no details with regard to the building or landscape proposals. Future design will need to ensure a sensitive approach to reflect the character of the surrounding area and incorporate mitigating elements to filter views and minimise the impact of the development. In terms of scale, notwithstanding the indicative layout, it is expected that the majority of dwellings within the site should comprise two storey units, as can commonly be found within the immediate surrounding area. However, this would require further consideration at detailed stage, taking into account the final layout and proposed finished levels of the site and surrounding context. Officers consider that building materials should be carefully selected to aid integration with the surroundings and character of the area. Officers consider low density development, with generously proportioned areas of amenity landscaping, screen planting or public open space incorporated into the design where appropriate would be key to the success of assimilating the new housing into the landscape and minimising the effects on the surrounding setting. Dwellings should be set back from undeveloped boundaries and the use of existing landform and topography with the creation of bunds or mounds together with mitigating structure planting to soften outlines of the new built form should be incorporated. Notwithstanding the indicative layout which shows this together with a non-active frontage to Lingards Road, this will be a key consideration on any detailed application. The location and setting of vehicular access, parking, garages and bin store locations requires sensitive design to ensure unobtrusive inclusion, avoiding swathes of paving and hard landscaping. The effects of development can be mitigated, should the development proceed with the following measures:

Existing trees retained and incorporated into the design where appropriate.

Substantial, sensitive design and appropriate planting incorporating native species and ensuring the maintenance and development of green corridors throughout the site.

Creative use of the existing water feature to improve and enhance the existing biodiversity with inclusion of species rich grasslands, native hedgerows and native tree and shrub planting having particular regard to the topography of the site and the surrounding built environment.

It is clear from viewing the drawings provided with the application that this report has been largely ignored, or rejected by the designers, and we are offered a stock, suburban layout, with only the affordable content recognising the context, scale and grain of the Colne valley, presumably in response to the proximity of the listed farm buildings. There is, however, no shortage of additional appropriate guidance, as Kirklees Local Plan, adopted on 27 Feb 2019 includes many policies relevant to this proposal, including:-

LP1, Presumption in favour of sustainable development.

LP2, Place shaping.

LP5, Masterplanning sites.

b. high standards of design that respect the character of the landscape, heritage, adjacent and nearby settlements and built development, reflecting the urban-to-rural transition with appropriate boundary treatment.

c. effective use of the site through the application of appropriate densities in terms of scale, height and massing, and its relationship to adjoining buildings and landscape;

d. strong sense of place, ensuring the proposed development makes a positive contribution to local character and distinctiveness:-

LP7, Efficient and effective use of land and buildings.

6.40 The policy allows for lower densities where a site would not be compatible with its surroundings, applicants should refer to the design policy for further guidance. Lower densities may be appropriate in Conservation Areas to have regard to the significance of heritage assets to allow new development to make a positive contribution to local character and distinctiveness. Site constraints such as gradients may create difficulties achieving the relevant density on sites. Lower densities may also be appropriate within a site where this is needed to ensure that flood risk sequential approach to layout can be achieved.

LP11, Housing Mix and Affordable Housing.

All proposals for housing, including those affecting the existing housing stock, will be of high quality and design and contribute to creating mixed and balanced communities in line with the latest evidence of housing need.

LP21, Highways and access

LP22, Parking

f. new developments will incorporate flexibly-designed minimum parking spaces for private cars, considering a range of solutions, to provide the most efficient arrangement of safe, secure, convenient and visually unobtrusive car parking within the site including a mix of on and off street parking in accordance with current guidance.

Policy LP24, Design

Good design should be at the core of all proposals in the district and should be considered at the outset of the development process, ensuring that design forms part of pre-application consultation of a proposal. Development briefs, design codes and masterplans should be used to secure high quality, green, accessible, inclusive and safe design, where applicable. Where appropriate and in agreement with the developer schemes will be submitted for design review.

Proposals should promote good design by ensuring:

- a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape;*
- b. they provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary;*
- h. development contributes towards enhancement of the natural environment, supports biodiversity and connects to and enhances ecological networks and green infrastructure;*
- i. the retention of valuable or important trees and where appropriate the planting of new trees and other landscaping to maximise visual amenity and environmental benefits; and*

Policy justification 11.4 acknowledges that ...The topography across much of the district, particularly towards the Pennines in the west of the district, means that views and vistas should be given particular consideration, especially towards the Peak District National Park. The diverse built and natural environment in the district presents a range of different challenges, requiring bespoke solutions to help respect and enhance character, particularly within conservation areas and when development proposals may impact on the setting of listed buildings. The urban areas of the district are surrounded by Green Belt where national policy states that local planning authorities should plan positively to retain and enhance landscapes, visual amenity and biodiversity...

Policy justification 11.11 advises that... The scale of development should relate to neighbouring development and the street / public open space adjacent to the building. Consideration should be given to views, vistas and skylines. The layout of development should take into account the street pattern in the locality and the size of

blocks and plots. The detail of development relates to the materials and building techniques used in development, as well as lighting and signage.

Policy LP30, Biodiversity & Geodiversity

Policy LP32, Landscape

Policy LP33, Trees

Policy LP35, Historic environment

Policy LP52, Protection and improvement of environmental quality

Proposals which have the potential to increase pollution from noise, vibration, light, dust, odour, shadow flicker, chemicals and other forms of pollution or to increase pollution to soil or where environmentally sensitive development would be subject to significant levels of pollution, must be accompanied by evidence to show that the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level or have unacceptable impacts on the environment.

Such developments which cannot incorporate suitable and sustainable mitigation measures which reduce pollution levels to an acceptable level to protect the quality of life and well-being of people or protect the environment will not be permitted.

Where possible, all new development should improve the existing environment.

Any assessment of the application, against the aforementioned policies, will demonstrate that the proposals fall short of the required national and local standards of design, and have scant regard to the advice and direction given by the local authority in approving the lapsed consent 2014/60/93946/W. The design is inappropriate in scale and style, is unimaginative and has failed to respond to the challenges and opportunities presented by the topography of the site in general, whilst severely damaging the amenity of our own property in particular.

Design and Amenity

In considering our own situation, we may have to accept the highway access location as established by the outline approval, notwithstanding that this was for less than half the number of dwellings now proposed. However, it is entirely unacceptable to introduce a further junction and a road

The marvellous view over Slaithwaite would be replaced by a solid terrace of four, gabled houses, significantly higher than our own house, separated by the minimum 21m (see site section c-c). One of these houses has been added since the consultation, and all four now dominate the listed farmhouse below. At the very least, these four units should revert to three, and be reduced in height by a full storey. Their entire omission would not render the development unviable and would recognise and respect the established situation of nos. 41-45 Lingards Road.

LP24 requires that proposals should respect the scale of neighbouring development and provide a high standard of amenity for future and existing occupiers. The current “design” of units 26,27,28 and 51 is lamentable (see type C elevations), and the elevation of a plan layout driven by numbers.

Noise and Light Pollution

The vast majority of the site will exit on to Lingards Road via the upper road and without exception will, during hours of darkness, be obliged to fully illuminate

whereas the light pollution may be less severe, the noise levels due to the fairly tight courtyard effect of the layout, will be considerable. This effect will be further

exacerbated by all 15 dwellings being allocated open parking spaces where the noise, in particular when discharging late at night, will cause serious nuisance, contrary to Policy LP52.

Traffic Generation

The proposed 57 new houses, with 116 parking spaces will generate many times that number of daily vehicle movements when deliveries, tradesmen, emergencies and visitors are factored-in. Lingards Road has parked cars on both sides at all times, which will result in constant congestion, producing more noise and air quality pollution. Access to, and egress from our home will be significantly affected.

Historic environment

Putting aside the social acceptability of isolating the affordable housing content in the Eastern corner of the site, rather than integration with the remainder of the development, this proposal does, at least, demonstrate that the designers do understand context, and have responded with a sub-scheme which appears to knit convincingly into the edge of the older development. Is it not possible to service these units direct from Lingards Road?

The more searching question is why this contextual sensitivity has not been applied to the bulk of the proposals? No doubt the applicant will insist that the market requires only-just-detached, repetitive boxes, and that the objectors, including ourselves, largely occupy suburban property of a previous generation. This may be true, but development control has come a long way in company with energy consumption, climate control and environmental awareness, and the bar for contextual sensitivity is rising. Others have shown that market approval and contextual design are not mutually exclusive.

Summary

The majority of objectors to this application, including ourselves, recognise and accept the implication of the existing outline planning approval, and now look to Kirklees Development Control to ensure that the scale and the detail design of any approved scheme respect all of the relevant national and local planning policies, and the rights and culture of the affected residents.

Yours faithfully,