

Our main objection is that the building design, layout and housing density conflict sharply with the rural fringe, Pennine hillside, location and will have an unacceptable adverse impact on the landscape and existing properties bordering the site.

On this basis the development is not sustainable and must be refused

We acknowledge that, rightly or wrongly, a significant proportion of the site, off Lingards Road, was granted Outline Planning Permission in February 2016. At the time, the Council felt it had no option, as it could not prove it had a five-year land supply and was unwilling to refuse planning permission on sites where refusal might be taken to appeal. However, that planning permission has now lapsed. We also acknowledge that, rightly or wrongly, the site was subsequently allocated for housing in the Local Plan.

To our dismay, the new proposals, submitted in June 2022, still conflict sharply with the Local Plan, the National Planning Policy Framework and the transferable Planning Conditions attached to the previous Outline Planning Permission in 2016. We particularly make note of general and specific conflicts with:

Local Plan Policies

LP1, LP2, LP3, LP4, LP5, LP7, LP20, LP21, LP24, LP27, LP28, LP30, LP32, LP35, LP47, LP40, LP52, LP53, LP63

National Planning Policy Framework

NPPF Section 12, clauses 124 to 132, Achieving well designed places

NPPF Section 13, clauses 143 to 147, Proposals Affecting the Green Belt,

NPPF Section 15, clauses 170 to 173, Conserving and enhancing the natural environment

NPPF Section 15, clauses 178 to 183, Ground Conditions and Pollution

NPPF Section 16, clauses 184 to 202, Conserving and enhancing the historic environment

Kirklees Council's Landscape Impact Assessment dated Summer 2015

Officer reports to the Planning Committee dated 2015 and 2016

Conditions attached to / implicit in the Outline Planning Permission in 2016

In our view the root causes of most of the problems associated with this planning application are:

- **Inappropriate high housing density (for this specific site)**
- **Inappropriate three-storey form of most of the proposed buildings.**
- **Design conflict with the "rural fringe" character of the local area**

Proposals for housing development by SB Homes at Lingards Road, Slaithwaite
Planning application number 2020/62/93954/W.
Collective Objection from Lingards Residents Committee

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Unacceptable Housing Density

In 2016 the site was granted outline planning permission for 27 dwellings (**not 33 as claimed by the developer** in his Design and Access Statement). The 2016 permission, which lapsed in 2019, was based exclusively on two-storey dwellings. It did not include any flats or three-storey dwellings. The two-storey design and other general design principles were established after a full Landscape Impact Assessment by Kirklees Council's in-house Landscape Architects. In 2019, the Local Plan included an indicative 36 dwellings, albeit for a slightly larger site, now incorporating the small field behind numbers 35 to 43 Lingards Road and the site of nine detached garages on Lingards Road (opposite Springfield Avenue). In other words, the Local Plan assumed that the layout and form of development would be similar to the 2016 outline planning approval. We assume that the Local Plan allocation of 36 dwellings was properly and carefully assessed by Planning Officers at the time of Local Plan preparation. If it wasn't, allocation of the site for housing in the Local Plan is not valid.

We were aghast in 2020 to see that the new planning application had "ballooned" to 57 dwellings, including 20 flats in two blocks, but excluding the "garage" site off Lingards Road. Most of the proposed buildings had also "grown vertically" to three, four and even five storeys high. That large number of dwellings, even without additions for the garage site, represented an unacceptable 58% increase on the Local Plan allocation and a staggering 111% increase on the 2016 Outline Planning Permission.

We are pleased that the number of proposed dwellings has been cut back to 42, in the latest 2022 plan submission, but are adamant that 42 dwellings is still far too many for this complex, problematic and very sensitive site location. It is not compatible with the rural fringe character of the local area and has hugely damaging consequences for the landscape and is not in keeping with the character of the local area. Together with potential development on the Lingards Road garage site this would mean that **the whole site (HS125 / H356 in the Local Plan) would contain 44 dwellings, compared with the Local Plan allocation of 36 – an unjustifiable and unsustainable increase of 22.2%.** This cannot be construed as falling within the latitude implied by the term "indicative", as it is meant in the Local Plan, and we argue that inflation of housing numbers, between successive stages of the planning process (between plan making and plan implementation), could easily be considered an abuse of process were it to be brought before the courts or the Local Government Ombudsman. Local people clearly did not have the opportunity to argue against the currently proposed higher housing numbers during formal consultation and hearings on the Local Plan. Had they had that opportunity, strong objections would certainly have been made and the site may not even have been allocated for housing development. NB: We understand that some Local Authorities are sticking rigidly to the indicative housing numbers in their Local Plans, for that reason.

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Policy LP7 of the Local Plan says: *“Housing density should ensure efficient use of land, **in keeping with the character of the area**” and “developments should achieve a net density of at least 35 dwellings per hectare, **where appropriate**”*. In our view **the overall design of the proposed development, is not in keeping with the character of the area and the proposed density of development is certainly not appropriate, on this rural site, in this steep Pennine hillside location.** Policy LP7 clearly states that the target density of 35 dwellings per hectare only applies where appropriate. The policy justification adds: *“The policy allows for lower densities where a (higher density) site would not be compatible with its surroundings. Site constraints such as gradients may create difficulties achieving the relevant density on sites”*. In this location, at Lingards Road, allied to the hugely significant engineering, topographical, environmental and geological constraints of the site, we say the proposed housing density is not appropriate because of:

- Departure from and gross inconsistency with the Local Plan.
- Physical site constraints, including steep slopes, natural springs, streams and a geological fault
- Unacceptable layout, design and massing, for this very sensitive rural fringe location,
- Unacceptable predominance of three-storey buildings on a steeply sloping Pennine hillside.
- Unacceptable landscape impact, exacerbated by incompatible building design and site layout
- Unacceptable impact on neighbouring properties, exacerbated by building design and site layout
- Unacceptable impact on the setting of listed buildings.

Unacceptable Landscape Impact

The developer’s Design and Access Statement states that *“only one boundary of the site is bounded by open countryside”*. Whilst, in a very literal sense, this statement is not exactly untrue, it gives a hugely false impression of the very significant landscape impact of this development, situated on a steeply sloping Pennine hillside, at possibly THE most attractive and unspoiled “green” location in the whole of the Upper Colne Valley. Existing development to the North-West and South-East of the site is limited to shallow ribbon development (one dwelling deep on only one side of Manchester Road and one side of Lingards Road), with extensive mature woodland in the valley bottom and green belt countryside, further than the eye can see. Both ribbon developments, to the North-West and South-East of the site, have minimal impact on the overwhelmingly rural “feel” and appearance of the adjoining local and wider valley area. It is this overwhelmingly “rural fringe” character of the local area that the developer has spectacularly failed to recognise, protect and enhance. In our view, the proposed development will effectively form a “broad urban intrusion” into the unspoiled green belt landscape, at this most scenic point of the Upper Colne Valley. Landscape impact is undoubtedly a critical negative factor.

In recognition of the sensitive rural fringe location, Kirklees Council undertook a landscape impact assessment for the Outline Planning Application in 2015. The outline consent in 2016 stipulated, as a full planning condition, that: ***“A full, detailed planning application should incorporate the recommendations, as set out in consultation response in Section 11 of the Local Landscape Character***

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Assessment from the Councils Landscape Architects". The noted recommendations, which are as relevant today as they were in 2015, stated:

1. "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".
2. (We would expect) "**Low density development** with generously proportioned areas of amenity landscaping, screen planting or public open space incorporated into the design".
3. "It is anticipated that **the majority of dwellings within the site will comprise of two-storey units**, as can commonly be found within the immediate surrounding area"
4. (We would expect) "**Dwellings set back from undeveloped boundaries** and the clever 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**".
5. (We would expect) "sensitive design to ensure unobtrusive inclusion, **avoiding swathes of paving and hard landscaping**".

All these requirements (and others of a similar nature) were re-iterated and confirmed in the Planning Officer's report to both the Huddersfield and Strategic Planning Committees in late 2015 and early 2016. Our simple question is "**Why has the current developer not complied with these very sensible and reasonable requirements?**"

In our view the overall layout and detailed design, as submitted in 2022, does not reflect the recommendations of the Landscape Impact Report or the landscape importance. The development is situated on a steeply sloping Pennine hillside, effectively surrounded on three sides by extensive green belt, close to the Peak District National Park and the South Pennines Special Protection Area. We are particularly concerned that:-

- The current plans do not reflect the recommendations of the 2015 Kirklees Council Landscape Impact Assessment.
- The current plans display a wholly inappropriate (for this location) obsession with three-storey dwellings. Whatever merits three-storey dwellings may (or may not) have in a higher density, fully urban and less hilly environment, they have hugely disproportionate, negative landscape impacts when situated on rural fringe development on a steeply sloping Pennine hillside, such as Lingards Road. Three-storey dwellings in such a location can be seen from many miles away and are particularly damaging when the landscape has high environmental and visual value, as it does here at Lingards Road. This point was very professionally made in the Kirklees Council Landscape Impact Assessment in 2015 and resulted in strong support for limiting the site to two-storey dwellings. Whatever the landscape impact, three-storey dwellings are highly inappropriate for elderly and disabled people, who are effectively excluded from living on this development. We therefore find it very strange (and not a little perverse) that section 3.1 of the Design and Access statement claims that "*The new (internal site) road follows the site contours in order to facilitate good access and gradients, especially for the elderly and people in wheelchairs*". Quite simply they wouldn't be able to live in the three-storey houses anyway.

- The developer attempts (and abjectly fails) to justify predominantly three-storey buildings on the site, by arguing that there are already 5 (five) "three-storey" properties on Lingards Road. This argument simply does not stand up to scrutiny. The five examples quoted by the developer have an underground garage, mostly with steeply banked gardens to both sides of the garage door, one living storey above and a limited number of bedrooms built into the roof space. There is no separate roof space. They are what was once described as "chalet bungalows". We also say that, however they are classified, five is not a statistically valid sample to justify almost eight times that number of houses with full three-storey profiles on North-West facing elevations. A more detailed comparison between existing and proposed properties on Lingards Road is set out later in this document.
- Much more could be done to reflect the unique location of the development in National Character Area 36 (South Pennines). Planners will be aware that the Colne Valley (West of Slaithwaite centre) is the ONLY part of Kirklees in NCA 36. As such, the area has an identified special character which MUST be preserved and enhanced. Instead, the plans propose a style of development which is mainly drawn from fashionable, contemporary, urban design.
- Much more could be done to incorporate vernacular Pennine features into the building design and layout – e.g. Pennine hamlet style layouts and/or Pennine longhouse / converted barn building forms. This style would be particularly useful, for mitigating the negative impact of the development on the setting of the listed buildings at Lower Wood Farm and Far Lower Wood Farm. It could even turn the currently proposed "hotch-potch" at the North-East corner of the site into an attractive group of old and sympathetic new buildings.
- There has been absolutely no attempt to mitigate the negative impacts of the development across the green belt boundary at the Western edge of the site, as is mandated by the Local Plan and the 2015 Landscape Impact Report. On the contrary, plot numbers 1, 24, 25, 26, 34 and 35 are situated very close to the green belt boundary, are three-storeys high and largely built above pre-existing ground level on the natural rise in the ground (going from East to West). They will have a very damaging, long-distance impact on the green belt landscape to the West of the site. In our view these dwellings should be moved further East, away from the boundary, limited to two storeys, and/or set down into the ground, such that the buildings are effectively screened from the green belt to the West by the natural brow of the ridge at the edge of the site¹.
- The Design and Access Statement says in section 3.2 *"the new development will be visible from across the valley, which is why careful attention has been paid to this treatment. The new rows of buildings are separated by rows of trees and the open space also viewed from across the valley. This provides an overall pleasing appearance."* We profoundly disagree with this rather optimistic statement and see it as little more than "marketing hype". We are adamant that the development, even with tree planting, will prove to be very damaging to the landscape when viewed from all vantage points and points of the compass. It will certainly NOT present the "pleasing appearance" claimed by the developer. The root problem is that the proposed dwellings are mostly three storeys high and, because of the large difference in ground levels

¹ This is just one example of how the developer has spectacularly failed to "work with" the grain of the natural environment. It is a problem that runs throughout this application.

across the site, falling from South-East to North-West, the buildings will be viewed from a distance as three separate (but very tall) rows of houses, set on 6 metre high stone platforms, piled directly on top of each other. Because of the very steep slopes and three-storey house forms, tree planting can only ever have a minor secondary impact on the incongruous and overbearing appearance of the development in the landscape (whatever the developer might optimistically say in his Design and Access statement). It is worth noting that to “screen” the proposed top row of properties, with direct access onto Lingards Road, from viewpoints across the valley, the trees would have to be more than 19 metres high and block out the view from new and old properties! As shown on the submitted cross sections, the trees are circa 8 metres high and only “screen” the ground floor of the properties. The top two floors and roofs of the dwellings on all three tiers of development are still unacceptably open to full view from the opposite side of the valley² and will be for many years to come. Tall trees are unlikely to survive on this very exposed and windy hillside, over 200 metres above sea level.

- We are particularly concerned about the devastating negative impact, of raising the level of the three-storey detached properties nearest to Lingards Road by an astonishing 7.5 metres (plot 38), up to 11.5 metres (plot 34/35), compared with the plans submitted in 2020! To achieve this the properties have been moved some distance up the steep banking towards Lingards Road and are also partly set on filled stone platforms. The landscape consequences are devastating, as is the impact on Lingards Road, the amenity of existing residents of Lingards Road and the amenity of new residents living lower down the development site. Quite simply, instead of these new properties “nestling down” into the landscape (as they need to do, to harmonise and “work with” the landscape) they are being artificially thrust up into the sky, not unlike the high walls and turrets on a medieval castle. We do question whether this fundamental and appalling design change has been chosen to offer more attractive (aka profitable) views to new residents in the detached properties, even if it is at the expense of existing residents. Whatever the reason, the proposal is totally unacceptable from a landscape perspective.
- The detached properties adjoining Lingards Road appear to be partly founded on excavated ground, and partly on filled ground, contained within a stone or “age vegetated retaining wall”. This structural form is likely to encourage differential settlement in the property, even without any problems from the relatively unstable original steep banking leading up to Lingards Road. because of this and instability of the existing banking planners should seek further structural details of the house and retaining wall construction adjacent to Lingards Road, before granting planning permission.

² NB: If anyone doubts the hugely negative impact that three-storey dwellings, built on steep valley slopes, have on the wider landscape or the impossibility of providing effective soft screening, we only need to look at the South facing elevations of the Meadow Lane development, overlooking Slaithwaite cricket field. Even after almost 20 years, all three storeys of most of the dwellings have a dreadful, dominating impact on the landscape.

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Despite our continuing and new concerns, we commend some of the changes which have now been made, to slightly soften the impact of the development on the landscape and adjoining properties:-

- incorporating a much wider range of varied house types (excepting the continued inappropriate obsession with three-storey house types)
 - deleting the “villa” style roof forms and incorporating a much wider variety of more traditional, hipped roof lines (some of them broken) and gables
 - using less hard / more soft landscaping materials and deleting some stone retaining walls.
- However, the site still retains far too many high stone retaining walls.

We are sorry to say that these “improvements” are nowhere near sufficient to disguise the underlying, fundamentally inappropriate, housing density and structural forms.

Unacceptable Impact on the setting of Listed Buildings

Policy LP35 of the Local Plan says: *“Development proposals affecting a designated heritage asset ... should preserve or enhance the significance of the asset” AND “Proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure they are appropriately conserved”.*

The development site shares common boundaries with Lower Wood Farm and Far Lower Wood Farm, which are both grade 2 listed. A factual description of the listed buildings is provided by the developer in his Design & Access Statement and we do not need to repeat it here. However, the developer is only marginally correct when he says that *“the significance of the listed buildings, both the farm and cottage terrace³, is in their grouping and relationship between the two”*. We also fundamentally disagree with the developer’s conclusion that *“due to the relative building heights, the manner in which they have been set back and the compact nature of the new buildings that these do not present any harm to the listed grouping”*. We see the listed buildings as classic examples of how Slaithwaite first developed; as widely dispersed smallholdings, set in open fields, with hand loom weaving in the upper rooms of the farmhouse. The open setting of the listed buildings is therefore of paramount importance. In our view, the development should aim to “stand off” from the listed buildings to a greater degree and not tower over them at significantly higher elevations (as they do in the current proposals). We say:-

- The proposed new properties are not a “considerable distance” from the listed buildings and the “set-back” horizontal distances of 25, 30 and 33 metres (claimed by the developer) are not sufficient to prevent harm, on steep slopes with significant differences in ground level and building height, between the listed buildings and the proposed dwellings.
- The severe mismatch in ground levels and building heights does not mitigate the substantial harm to the listed buildings, as the developer would have us believe in his Design and Access

³ The two listed buildings are properly known as Lower Wood Farm and Far Lower Wood farm

statement; it massively exaggerates the harm by completely overpowering the open setting around the listed buildings. NB: the ground floors of the adjacent three-storey dwellings are higher than the ridge line of the farmhouse. How is it possible that this can be seen as less than dominating and harmful?

- The new build, three-storey properties are certainly not “compact” and are based on a fashionable, contemporary, urban design which is discordant with the listed buildings.

In our view the listed buildings will effectively be overwhelmed and dominated by the proximity and height of the new buildings. The harm to the listed buildings is therefore substantial. In this case the historic setting is that of a Pennine smallholding with attached barn, surrounded by open fields, which allow near, middle and long-distance views of the grouped farm buildings. The development proposals will effectively deprive Far Lower Wood Farm of its surrounding open setting, by encircling it with very ordinary, suburban, three-storey buildings, founded at a much higher level. We accept that the setting of Lower Wood Farm is already compromised and its setting is therefore of lesser listing significance than Far Lower Wood Farm. ***The new development also screens the listed buildings from public viewpoint, whilst at the same time massively invading the privacy of those living there.*** This defeats the fundamental purpose of listing, which is to protect the listed buildings for present and future public view and benefit. In our view the proposals cause substantial harm to the listed buildings at Far Lower Wood Farm, particularly to their open setting.

NB: Almost all the distributed, hillside farmsteads in the Colne Valley were listed at the same time, in the 1970's, for the same reason – to protect the general “Pennine” design and distributed pattern of isolated, hillside farmsteads. Lower Wood Farm and far Lower Wood Farm are important components in that pattern because they are in the ancient township of Lingards (South of the River Colne), rather than in the township and Manor of Slaithwaite (North of the River Colne). Because of the different ownership of the two townships pre-1538, Lingards was always less developed than Slaithwaite and the two Lower Wood farmsteads therefore have a much higher historic rarity value attached to them.

Unacceptable impact on adjacent properties, beyond the North-Western boundary of the site, on Manchester Road and at Far Lower Wood Farm

NB: We have covered the heritage impact on the listed buildings at Lower Wood Farm and Far Lower Wood Farm under a separate heading.

Due to the very steep slopes on the site and the three-storey design of most of the new dwellings, the proposals will have an unacceptable, over-bearing, impact, on neighbouring properties on Manchester Road, Lower Wood Farm and Far Lower Wood Farm. As an illustration of the scale of the negative impact we note that the ground floor levels of the new three-storey properties, adjacent to the North-Western boundary of the site, are typically higher than the roof ridge line of the existing adjacent properties. The new properties are 31.7 metres (property no 1) to 41.8 metres (property no 4) horizontal distance away from the existing houses on Manchester Road and as little as 25 metres from

Far Lower Wood farm (property no 8). These separation distances are greater than the usual minimum separation distance of 21.0 metres required by Kirklees Council. However, we argue that the 21.0 metre separation distance is totally inadequate in this location, because of the huge differences in elevation and the difficulties in creating adequate screening. The loss of amenity for existing properties includes:-

- Severe loss of privacy, with residents in the new properties getting a grandstand view into the back gardens and rear-facing rooms of the existing properties. We note that 10 out of the twelve new properties shown in section J-J have kindly been provided with third floor balconies and full-house-width sliding patio doors on the ground floor, to optimise their views into the back gardens and rear facing rooms of existing properties! It is completely unacceptable.
- Due to the very steep slope and significant disparity in levels it is virtually impossible to introduce natural or artificial screening which would mitigate the loss of amenity and privacy for existing residents. The problem can only be addressed by more sensitive positioning, building design and layout of the new properties.
- Loss of sunlight. On steep North facing Pennine hillsides, such as Lingards Road, the sun barely rises above the southern horizon in winter. This problem will be severely exacerbated on this site by the introduction of three storey buildings at a much higher level than the existing properties. In effect the residents of Manchester Road will not be able to see the sun for months at a time. It will simply be blocked out by the tall three storey dwellings built close to them but at a much higher level in a southerly direction. Again, the problem can only be addressed by more sensitive positioning, design, layout and scaling back the height of the proposed dwellings.
- Replacing an open rural field view with an almost solid wall of stone and glass, three storeys high, perched on top of a steep natural slope and a high artificial “green” banking. The impact on existing residents is not “minimal” as claimed in the Design and Access Statement. It is huge.
- Light pollution emanating from the new properties into existing rear-facing property elevations, which are currently “dark”.

The developer says in his application *“To the North-West of the scheme further down the site the rear facades of the dwellings along Manchester Road look into their steep gardens and the steep bank beyond therefore any impact is minimal.”* This is an outrageous and factually incorrect claim, which completely misrepresents reality. Human beings do not keep their eyes fixed, straight ahead in a horizontal position. They look up & down and side to side as well as straight ahead. Do we really expect residents on Manchester Road to only look horizontally at their gardens and ignore the full height three-storey buildings looming over them and (quite possibly) the residents in the new dwellings looking down on existing residents from their third-floor balconies and full width patio doors? Do we expect existing residents to never look up toward the sky or the horizon? In our view the negative impact on properties beyond the North-Western site boundary is not minimal. It is huge; extremely invasive and completely overpowering. To quote one worried resident on Manchester Road “it will be like looking at a solid mill wall towering over us”. As noted in section 3.2 of the Design and Access statement, the developer has attempted to mitigate some of the impacts on Manchester Road residents by slightly varying the building forms, by splitting a block of four terraced houses in to two pairs of semi-detached houses and replacing the large five storey block of flats at the Western end of the development with a single

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detached house. However, because of the slightly angled layout of the new properties, extremely close together, the residents of Manchester Road will still not see any open space between them. We therefore regard these changes as having limited effect and being totally insufficient to mitigate the worst effects of this development on residents of Manchester Road. The underlying problem with this development is that the developer seems to be still intent on putting too many, highly inappropriate, three-storey dwellings onto the site: most of which will offer the amenity of magnificent views from third floor balconies and patio windows to new residents, but regrettably at the expense of the privacy, views and amenities currently enjoyed by existing residents. That fundamentally unfair and inappropriate design concept leads to many insurmountable secondary problems.

Unacceptable Impact of new houses with direct access off Lingards Road

The current proposals for building nine houses with direct access off Lingards Road will quite simply have a catastrophic, unacceptable impact on:-

- The wider landscape,
- Lingards Road itself,
- Character of the Local Area
- Other proposed properties on the development site.

In our view the proposal to build nine houses, with access directly off Lingards Road, is catastrophic and totally unacceptable. It is perhaps the most glaring example (but not the only one) of how the proposed development spectacularly fails to harmonise and “work with” the landscape and the character of the local area.

Unacceptable impact on the wider Landscape. We have noted previously that we are particularly concerned about the hugely negative impact on the landscape, of massively elevating the three-storey properties adjoining the South-Eastern boundary of the site by an astonishing 7.5 metres (plot number 38) up to 11.5 metres (plot 34/35). Quite simply, instead of the new properties “nestling down” into the landscape (as they need to do, to harmonise with the landscape and preserve the character of the local area) they are being artificially thrust up into a hugely more prominent and damaging position in the landscape and local neighbourhood. We question whether this may have more than a little to do with offering better (more profitable) views to new residents, albeit at the expense of existing residents. Whatever the reason, section 3.2 of the Design and Access statement attempts to justify the changes by saying (as we understand the rather convoluted and extremely weak argument) that the heights of the new property ridge lines on the North-West side of Lingards Road would be “approximately equal” to the height of the existing property ridge lines on the South-East side: Implying that there is little difference in the landscape impact between the new properties on one side of the road and the existing properties on the other side. We say that this is an astonishing and grossly misleading argument, because it ignores the huge natural difference in ground levels across Lingards Road, the different foundation levels and the different actual heights and designs of the respective properties. Those

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differences mean that the massing of the North-West facing elevations of the existing properties on the South-East side of Lingards Road are considerably more compact and more in keeping with the landscape than the massing of the proposed North-West facing elevations of the new three storey properties on the other side of the road. At present the steep grassed banking up to Lingards Road also forms a natural landscaping element which simply cannot be replaced by notional tree planting in the open space to the North-West of the proposed new houses. The proposed houses to the North-West side of Lingards Road are therefore destined to cause very significant harm to the landscape. Please also see our objections in the section relating to wider landscape impact.

A comparison between the North-West facing elevations of existing properties and North-West facing elevations of proposed new properties is shown in the following diagram. Clearly the visible impact of the new properties is vastly different to (i.e. much worse than) the impact of existing properties. Please note the substantial retaining wall to the “platform” on which house 35/36 stands.

						
Address	78	80	84	88	92	Plot 35 / 36
Height Ground to ridge line	4.77m	4.77m	4.77m	8.64m	4.77m	11.64m +3.00 / +6.87m
Floors Incl. habitable rooms	1	1	1	2	1	3

North-West facing profiles of existing and proposed properties

Unacceptable impact on Lingards Road. The proposal to build nine new properties, close to and with direct access off Lingards Road, will have a wholly unacceptable impact on the road itself. What is currently a rural road with high amenity value for many Slaithwaite residents will be turned overnight into a highly constrained and relatively narrow urban residential street, with little or no connection with the wider landscape or view over the valley. The proposals will therefore destroy the character and sense of place of Lingards Road, throughout its length. The proposal is clearly without merit and is unacceptable. In support of this argument we note that:-

- It is normal practice, in housing estate construction, to restrict direct property access to the new internal estate roads, which then access the existing highway network via a small number of properly constructed road junctions. We see no reason why that principle should not be followed at Lingards Road, especially as departing from this principle will cause very significant problems on Lingards Road and to the landscape. The developer and his predecessor have both proved that it is possible to do so, in the previous planning application documents submitted in 2015 and again in 2020. In fact, the previous outline planning consent in 2016 specifically

included approval for a single point of access to Lingards Road, via a properly configured road junction adjacent to number 45. That is the design principle on which the Local Plan was based.

- In our view the proposal to access the nine properties alongside Lingards Road, directly from Lingards Road, is extremely dangerous, because the five proposed drive entry points (for 9 properties) are situated on a steep downhill gradient and a sharp left-hand curve. The drive entry serving plot number 42 does not even have the courtyard space to allow vehicles to turn round within the curtilage; So residents living in that property will have the added hazard of either backing in to the driveway or backing out of it (on a downhill gradient, on a sharp left-hand curve, with poor sight lines!). Please also see our comments elsewhere in this document regarding car parking on Lingards Road outside the new properties.
- The Plans show a separation distance of 21.0 metres between number 82 Lingards Road and its opposing new dwelling: Similarly, between number 92 and its opposing new dwelling. This may or may not be acceptable as the general minimum separation distance specified by Kirklees Council for level back gardens and minor estate roads but we do not feel it is an adequate “privacy” spacing across Lingards Road, given that it is, at the very least, a Type A residential Connector Street. There are many other practical factors which dictate a greater practical separation distance.
- Lingards Road is not a perfect match for any of the three road types set out in Kirklees Council’s Highways Design Guide. However, it is important to note that it is NOT just a “residential street”. It is a well-used “through” route serving a large rural hinterland, from Holt Head to Marsden, with regular traffic including HGVs and heavy farm vehicles. It is both a bus route and a priority snow clearance route. We therefore feel that Lingards Road should be regarded as Type A (Residential Connector Street) in the Highways Design guide. If new houses are to be built with direct access off Lingards Road, the carriageway of Lingards Road, above the main site entry, should therefore be widened from its existing width of 5.5 metres (between house numbers 72 and 94) to the specified minimum width for a Type A road of 6.75 metres, at the same time as construction of the new footpath down the North-Western side of the road.
- Immediately below the main site entry, outside number 45 Lingards Road, the separation distance between existing properties is 23.3 metres and the carriageway width is 7.32 metres. In our view the property separation distance and carriageway width above the main site entry, right through to the South-West corner of the site near to number 92 Lingards Road, should be the same as they are below it (i.e 23.3 and 7.32 metres respectively). We also note that the plans show a marked “swelling out” of the footpath and a significant narrowing of the carriageway width to 4.85 metres, just above the main site entry. This is less than the minimum carriageway width set out in the Highway Design guide for any road. We regard this “narrowing down” to below minimum standards as wholly unacceptable and, in some respects, highly dangerous. If houses are to be built on the North-West side of Lingards Road, we cannot have a situation where the carriageway abruptly changes width several times in a very short distance.
- The plans do not show any proposals for dealing with the substantial surface water and torrential run-off, which frequently runs down the North-West side of Lingards Road in wet weather. (See our detailed comments regarding surface water drainage). It would be highly

inappropriate, if not foolish, to construct houses and a footway on the North-Western side of Lingards Road without also making proper drainage arrangements on the North-Western side of the road, which currently does not have any road gullies or other drainage facilities. However, we note that it will be extremely difficult to install additional road drainage facilities, because combined sewers further down Lingards Road are already heavily overloaded, to the point of frequent flooding, and the on-site drainage arrangements for the development site have not been designed to accommodate these quite exceptional overland flows.

- In our previous objection in 2020 we advised that a significant part of Lingards Road (Perhaps 30%) is built on a banking of loose fill material, which is still relatively unstable some 50 years after it was tipped there. Because of ongoing settlement, cracks still regularly appear in the North-Western side of the road surface, running parallel to the longitudinal axis of the road. We said in 2020 that the developer had been wise to avoid building anywhere near the unstable embankment, to avoid the risk of serious landslip and damage to the new properties, during and after the construction phase. Sadly, by choosing to build new properties so close to Lingards Road, with direct access from Lingards Road, it would seem he has now chosen to ignore that advice and take the significant risk of major structural problems during and after construction.

Unacceptable impact on the Character of the Local Area. The proposal to build three storey houses with direct access off Lingards Road will have an enormous negative impact on the character of the Local Area. In effect, what is currently an open rural road with sympathetic housing on the South-East side will be turned into a confined urban street with unsympathetic housing on the North-West side. We note:-

- The proposed properties on the North-West side of Lingards Road are simply not in keeping with the Local area, either by detailed design or simply by being there
- Lingards Road currently has a very rural “feel” and magnificent views. This makes it a significant and well used amenity for walkers, hikers, dog walkers, cyclists and horse riders, from many parts of Slaithwaite and the wider Colne Valley. It is frequently used as a lateral access route and starting point for the Colne Valley Circular Walk, which runs roughly parallel to Lingards Road and crosses it about 100 metres beyond the South-West corner of the site. Lingards road is also part of an informal circular route regularly used by horse riders from the Westwyns riding stables and is a testing hill climb for many mountain bikers. During the Covid pandemic it was extensively used by hundreds of Slaithwaite residents for daily exercise. The plans, as proposed, to build houses immediately on the North-West side of Lingards Road, will destroy this well-used public amenity and change the character of the local area beyond recognition.
- Residents of existing houses on the South-East side of Lingards Road will suffer a severe loss of privacy, valley views and the strong sense of rural place.
- Why do the new properties need to be so impossibly elevated (by up to 11.5 metres), whilst also being forced hard against the South-Eastern boundary of the site? It seems quite unfair and highly inappropriate that the average separation distance between properties on the site is 41.75 metres whilst the proposed separation distance to existing properties across Lingards Road is only 21.0 metres. The existing separation distance for properties on Lingards Road is probably about two to three miles.

- Both long and short distance valley views will be completely obliterated for walkers and existing residents on the South-East side of Lingards Road. In our view the proposed two visibility “gaps” between the proposed houses at the top of Lingards Road are little more than cosmetic window dressing and the “garden space”, between the properties and parking areas to the back of the new footpath, is grossly insufficient to provide effective soft screening of the new properties from the road.
- Much has been written about how the development will damage the landscape, when viewed from North-West to South-East across the valley. It is however important to note that there will also be considerable damage to the landscape when viewed from South-East to North-West, particularly from the Colne Valley Circular walk, which runs along the very edge of the steep escarpment, approximately one small field length behind the existing houses on Lingards Road. In effect, because the Circular walk looks down on Lingards Road from a significant height, the proposed topmost tier of development (adjoining Lingards Road) will be seen to massively expand the width of the built environment adjoining the road, perhaps by a factor of three. This is completely unacceptable. People who are out for a walk in the countryside want to see countryside and not an urban street or development which is not in keeping with the area.
- Lingards Road will lose its “rural feel”, very rare character and sense of place.
- Peace and quiet on Lingards Road will be replaced by a “busier” urban feel, because of the excessive number of dwellings on the site, the associated increase in traffic and the number of traffic movements in and out of the properties on the North-West side of the road.
- Numbers 35 to 45 Lingards Road are especially badly impacted by loss of privacy, amenity, sense of place, local area character and peace & quiet, because the new internal site road and associated parking areas will run closely behind the houses, within inches of the garden fences of the existing properties. The plans do not show any screening or boundary mitigation measures. This suggests that little thought has been given to boundary mitigation measures in this location or indeed any other part of the site.
- As well as traffic noise and general disturbance, numbers 35 to 45 Lingards Road will suffer light pollution from street lights and cars moving on the new internal site road behind their property.
- Number 45 Lingards Road will be especially badly affected as it will be closely surrounded on three sides by Lingards Road, the main site access road and the internal estate road to the rear of the property. Again, the plans do not show any boundary mitigation measures to the rear or side of the property.

We do acknowledge that some of these specific issues may not individually carry conclusive planning weight. However, they are very real issues, which collectively mean that the development is not in keeping with the character of the Local area and little thought has been given to the impact of the development on neighbouring properties.

Unacceptable impact on houses on the development site. Whilst it would not normally be up to existing residents to point out the negative impacts of one part of the proposed development on another, we feel it is appropriate to do so in this case. In simple terms the development appears to have been designed to maximise the exceptional views from this site by including balconies, terraces and full-

house-width sliding patio doors, wherever it is possible to do so. In most cases this will be at the expense of existing residents adjoining the site, who will lose their views, their privacy and the rural feel and character of the Local area. However, it is also a fact that the “top” tier of new development, immediately adjacent to Lingards Road, will also dominate and overlook the middle tier, which will then dominate and overlook the lower tier, which will then dominate and overlook Far Lower Wood farm and the existing properties on Manchester Road. Each higher property will have better views but will also dominate the next tier of development lower down. In our view that does not constitute sympathetic site development and does not help to build a sense of place.

We have noted elsewhere some of the drainage deficiencies associated with this planning application, including serious drainage deficiencies associated on Lingards Road itself. However, we also feel we must point out that house number 38 appears to be positioned directly on top of possibly the second most active spring in the whole field (the “sump” is the most active). As we presume the spring cannot be moved (because it is what it is) or diverted (because the proposed house is positioned closely against the steep banking) it will be interesting to see how the developer proposes to deal with the problem. It certainly cannot be left as an active spring, underneath a house built into a steep unstable slope – unless, of course, a natural swimming pool or private well in the basement is a unique selling point!

Unacceptable Traffic Impact and inadequacy of local roads

Lingards Road is already extremely dangerous because traffic meets head-on, around the blind bend below Springfield Avenue (roughly corresponding to numbers 30 to 40 Lingards Road). This is because, alongside the blind bend, the long line of parked cars on one side of the road restricts the width of the carriageway to a single narrow lane at almost any time of day. The 2016 outline planning approval for 27 dwellings rode roughshod over our serious and genuine concerns about road safety. Sadly, these concerns have now been exacerbated by increasing the number of dwellings to 42. At what point does the Council accept responsibility for ignoring the dangers implicit in their planning decisions?

We also have to say that the applicant’s submitted traffic assessments have always been astonishingly dismissive and superficial. It is almost unbelievable that the application documents simply and effectively say that “as there are no records of traffic accidents, there isn’t a problem”. In our view, as well as ignoring the serious safety issues associated with traffic going down Lingards Road towards Manchester Road (and vice versa), the application simply glosses over:-

- Inadequacy and serious safety issues further up Lingards Road, beyond Hill Top, including multiple blind bends, a narrow single track rural carriageway, deep roadside drainage ditches and bad road surfaces. Cars travelling in opposite directions can only pass each other by one car pulling into a field gateway and at several points only by reversing (sometimes for significant distances). A head-on collision is inevitable at some point.
- Inadequacy and serious safety issues associated with the horrendous, acute angle and very steep junction with Chain Road. It is almost impossible for cars to turn left towards Meltham

and utterly impossible for modestly larger vehicles, such as delivery vans, to do so. HGVs and the local minibus service have no chance whatsoever.

- Inadequacy and serious safety issues associated with inadequate sight lines at the site entry, mainly for traffic coming down Lingards Road and for traffic entering Lingards Road from the site. (The site entry is situated on a sharp, blind, left-hand bend and will be an accident waiting to happen). NB: It is not easy to extend the entry sight lines in a Westerly direction because of the steep gradient of Lingards Road and instability of the road embankment down into the field.
- General inadequacies of the bottom end of Lingards Road, including the steep junction between Lingards Road and Manchester Road, the extremely steep junction between Nields Road and Manchester Road and the serious safety problems on Nields Road, due to car parking and school traffic. Nields Road is the officially signed main route through to Manchester Road but it is highly dangerous on the extremely steep section close to and at the junction with Manchester Road. Nields Road is also virtually impassable during Nields School opening and closing times.

On road safety grounds alone, we find the development proposals and the large increase in dwelling numbers to 42, compared with 36 in the Local Plan, totally unacceptable.

Specifically with regard to the most recent traffic report submitted by the developer in 2022 we note:-

- The Traffic Statement does not provide data on the projected number of additional vehicles that will use Lingards Road.
- The sparse data that is provided on traffic numbers (in Tables 3 and 4) is meaningless and should not be relied on to make any decision regarding the proposed development.
- What little data there is contradicts the report's findings.
- The report contains a lot of irrelevant information.
- The photographs in the report are grossly misleading.
- The report has completely omitted to assess the impact of increased traffic on the upper part of Lingards Road.
- The information on footpath widths is incomplete and misleading.
- The report contains many incomplete or unsubstantiated statements.
- No consideration has been given to the impact of increased traffic congestion on emergency response vehicles.

Each of the foregoing comments is expanded in detail in Appendix A.

Unacceptable Drainage Proposals

We remind both the planners and the developer, that drainage was a significant issue of concern (for all parties, including Councilors on the Planning Committee) when outline planning permission was granted in 2016. As a result, the Council imposed a full planning condition, requiring “all on and off-site” drainage matters to be fully investigated and problems resolved, **before submitting a full planning application**. Whilst there are some drainage details in the plans which have been submitted in 2022 they are incomplete and raise some serious questions about construction, operation and hydraulic viability. What we have seen does not go far enough to satisfy the previous planning condition or provide surety that the development is actually viable, sustainable and deliverable. The proposals:

- **Fail to provide any evidence that the proposed “receiving watercourse”, beyond the western boundary of the site, is a suitable discharge point for surface water run-off.** From a site inspection it appears that the so-called “watercourse” is virtually non-existent. Any flow in it simply percolates through the rubble fill at the back of the high, dry-stone retaining wall of the bus turning circle before “spurting out” through the face of the wall at several places during wet weather. It then collects in a very small open channel at the base of the wall and flows into a road gulley at the side. This gulley was installed quite recently to mitigate serious flooding of the bus turning circle and the carriageway of Manchester Road. This entire “Heath- Robinson” drainage arrangement is shown on the developers plans but it is clearly not viable as a discharge point for surface water run-off from the development, especially as the dry-stone retaining wall is already showing signs of marked structural distress throughout its full height of several metres. We also have to say that, in our opinion, it will be difficult to construct the proposed surface water outfall in the proposed location, without putting the high retaining wall at the back of the bus turning circle at serious risk of collapse. NB: The developer must be aware of this very difficult problem, as it is indicated on his “Main Road and Sewer Plan”. We therefore find it strange that he has not attempted to resolve the problem in a more professional manner, before submitting his revised planning application. The proposed surface water discharge proposals are clearly not viable.
- **Fail to show appropriate construction, operation, landscaping and access arrangements for the proposed storm water attenuation tank.** The proposed attenuation tank is situated on a very steep lateral slope, on green belt land, outside the main site area. We believe that it will not be possible to construct and maintain an attenuation tank at this location without very substantial earthworks and extensive permanent reshaping of the surrounding green belt land. The extent of the works required to construct and maintain a tank in this location forces us to suggest that it would constitute inappropriate development in the green belt. We particularly note that vehicular access for construction and maintenance will be extremely difficult and we question whether it will ultimately satisfy Yorkshire Water’s requirements for adoption. The developer has noted on his new plans a point of “access to attenuation tank”, at the on-site spine road hammerhead. Unfortunately, this is some distance away from the tank itself, which is down a very steep slope, and it will be very difficult to provide access to the tank from this

point. The note on the plan therefore means very little. The basic problem is that the steep lateral gradients at the site of the tank and very awkward access make it almost impossible to construct and maintain an underground attenuation tank at this location.

- **Fail to define appropriate exceedance flow routes.** We are particularly concerned that the developer has not defined any overland “exceedance flow” routes, as he is required to do, to comply with Sustainable Urban Drainage System (SUDS) regulations. If routes are not defined, prior to planning consent, there is a very serious risk of flooding the existing properties on Manchester Road. In the absence of properly defined and engineered exceedance flow routes, we also believe that any exceedance flows would randomly end up on Manchester Road, flooding the road and then possibly flowing down through the cemetery on the North-Western side of Manchester Road. All reasonable people would find this completely unacceptable.
- **Raise serious questions about the configuration and operation of the tank.** As well as the lack of exceedance flow routes, the new proposals show the tank in a rather curious “off-line” tank configuration, but do not provide any details as to how this will work and be maintained (how it will fill and how it will empty, bearing in mind the huge differences in ground level adjoining the tank). We are extremely sceptical about the entire attenuation tank arrangement and insist that the developer provides full details before planning permission is granted, because we cannot see how it is hydraulically viable, or how the unusual configuration can deal with damaging siltation in the tank, the sewer outfall and the receiving watercourse.
- **Fail to make provision for the large amount of storm water which regularly runs (like a “river”) down the road surface on the North-Western side of Lingards Road.** This highly dynamic flood flow, which is cumulative land and road drainage from hundreds of metres further up Lingards Road, has the propensity to discharge a significant volume of water directly into the development site close to the proposed site entry. If provision is not made for this very large overland flow (on and/or off-site) it will lead to significant flooding of the new on-site properties and possibly the existing properties at lower levels beyond the North-Western and North-Eastern boundaries of the site. This flood flow only happens in heavy rain conditions, but it is very substantial and will easily swamp the proposed on-site drainage arrangements. NB: It is also critical to address this major “drainage problem”, to avoid flooding of new properties which may be built with direct access off Lingards Road.
- **Fail to make proper provision for natural springs and land drainage on the site.** The site sits on a natural spring line, with at least five significant spring points appearing across the site during wet weather. Unfortunately, the proposed property number 38 has been positioned directly over one of the most significant springs!!! It is certainly not appropriate to divert any of these springs into the attenuated surface water drainage system. It is equally inappropriate to connect them into the small “stream” that runs laterally across the site, due to known, off-site restrictions in culvert / pipe capacity below Far Lower Wood Farm. Soakaways also do not provide an alternative as they do not work on steep hillsides, especially on this site, where the geology consists of alternating permeable and impermeable rock strata (hence the spring line).
- **Fail to show how the “private drain” crossing the Eastern end of the development site will be accommodated in the development.** The plans show that the private drain is there and suggest

it will be diverted. The question is how? What legal rights does the developer have to do so, bearing in mind IT IS A PRIVATE DRAIN, which has clearly been accepted as such by the developer on his plans? NB: We do not know if other properties connect into this “private drain” but, if they do, it will, from the point of second connection, be a public sewer by virtue of “The Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011”. It may therefore be subject to Yorkshire Water’s rules for diversion or building over public sewers.

In our view, drainage is a huge, critical problem on this site, which could determine whether the site is viable and deliverable, irrespective of any other planning issues. Therefore, all on and off-site drainage issues MUST be fully resolved BEFORE planning permission can even be considered. This stipulation was imposed as a Full Planning Condition on the outline Planning Permission granted in 2016 and we fail to see why this current application is any different. In this instance, drainage cannot, and must not, be left to be dealt with as a technical issue, after the grant of permission.

Open Space and Footpaths

Whilst we would normally applaud proposals to incorporate green spaces within a development, we regret to say we have very serious concerns about them in the development at Lingards Road:-

- **Design Philosophy.** As we see the overall design philosophy, the developer has pushed most of the new dwellings, as far as he can, toward the boundaries of the site, so that he can create additional “green” space in the middle. The problem is that pushing dwellings to the site boundaries in this location, particularly the South-Eastern, Western and North-Western boundaries, creates some very significant problems in terms of adverse landscape impact, loss of amenity for existing residents and compatibility / integration with the surrounding local area. We have described these consequential problems in greater detail elsewhere in this document. However, we say here that the “open space” proposals may create amenity for new residents, but it is clearly at the substantial and unacceptable expense of existing residents and the green belt. If we put it in planning terms, the benefits of creating the additional open space within the site are massively outweighed by the huge problems generated when dwellings are pushed to the edges of the site. Of course, this problem only comes about because the developer is trying to squeeze too many dwellings on to the site. Were he to aim for a more appropriate, lesser number, of dwellings there would be adequate space on the site for both open space and dwellings, without putting pressure on and compromising the site boundaries, the existing properties adjacent to the site boundaries and the green belt.
- **Questionable Value of the proposed “Open Space”** We are rather sceptical about the value of the “footpath” and “open space” between the top tier of development, the middle tier and the “sump” area. We have noted elsewhere that it will do little to screen the top tier of the

development from the landscape or the second tier of the development (and vice versa), because of the vast differences in ground levels and height of the buildings. We see it as a “wilderness” area which does nothing to encourage place making and community involvement. If people on the site wish to go for a walk, there are far better opportunities to do so in the surrounding countryside, including easily accessible sections of the Colne Valley Walk and the canal towpath, rather than on a short, unkempt, overlooked footpath behind some of the houses. The point that planners and developers do not seem to realise is that there is a different concept of open space when you live on the rural fringe – it is ALL open space (until planners and developers come along and want to turn it into an urban jungle)! We believe that the open space in the middle of the development will be little used and in parts, quite quickly, become little more than a neglected swamp.

- **Relocation of Acid Grassland to the area close to the “swamp” (sorry should that be “sump”)**

The plans show a note saying “relocate acid grass soil here” in the low point adjacent to the stone walled sump. We are not expert ecologists but are astonished at the suggestion that, to protect the acid grassland near to the Western boundary, all the developer has to do is dig up the soil and dump it in the nearest open space (thus allowing houses to be inappropriately built very close to the Western boundary with the green belt). Surely it is the grass that is important – not the soil. Why doesn’t the developer leave the acid grassland where it is and move the proposed dwellings away from the green belt boundary? This would “kill two birds with one stone”, at minimal cost. From our knowledge of the site, we also know that there is a spring in the open area near to the sump and are confident that within a short space of time it will all become a swamp. Perhaps that is what is required to maintain acid grassland? None of the other open spaces on the site are configured in a way which will encourage community building or place making, especially as the inappropriate layout and design tends to exclude existing residents of the Local area.

- **Compensation Woodland.** The Design and Access statement says “These measures however do not fully compensate for the loss of the site's ecological value and, in order to address this, it is proposed to create an area of new woodland on a 1.6ha area on the moorland fringe (At Purl Clough above Marsden). Quite frankly we find this suggestion rather offensive. No amount of woodland, sited on the moorland fringe two or three miles away, can compensate existing residents for the loss of ecology, amenity and sense of place adjacent to Lingards Road.
- **Footpaths.** We have very serious privacy, security and maintenance concerns about many of the proposed on-site footpaths – especially those running alongside the North-Western boundary, directly behind existing properties on Manchester Road, Far Lower Wood Farm and in the open space between the new properties in the top and middle tiers of development. We are sure the Police will have similar concerns.

Other Noted Issues

We have noted in the Planning Application documents that many other issues have been swept aside, severely glossed over or even completely ignored. They include, in no particular order:

- **Geological Fault.** The proposals fail to positively manage the risks associated with the geological fault, which runs roughly North–South, up to about 20 metres inside the Western boundary of the site (the fault is barely mentioned by the developer). It may not be the “San Andreas Fault” but it is a significant sub-regional fault known as the “Ripponden – Slaithwaite Fracture” and is shown on the British Geological Society sheet number 77. In our view it is inappropriate, perhaps even foolish, to build over this fault, without incorporating engineering design features to accommodate lateral fault movement and differential settlement. A better alternative might be to adopt a site layout which avoids any building over the fault. NB: Some invasive site investigation (e.g. trial pits or drilling) will be necessary to establish the precise position of the fault but we think it likely that the walled “sump” may be close to the near right angle intersection of the geological fault line and the spring line running through the site (where the flow of spring water is most consistent).
- **Disabled and Elderly Exclusion.** The proposals give very little consideration to disabled and elderly people. Three-storey dwellings and the upper storey flats are simply not viable for elderly people or anyone living with mobility constraints. As there are few suitable alternatives on the proposed site, these sections of society have effectively been excluded from living on this development!
- **Distance from village services.** The Design and Access Statement claims that “the scheme is well positioned within walking distance of Slaithwaite centre”. This may not be technically untrue for the young and agile, but Slaithwaite is certainly not as “walkable” as the developer wants everyone to believe. It is a full 1km from the site entrance to the mini roundabout in Slaithwaite centre and this is 66% greater than the 600 metre MAXIMUM service / walking distance articulated in the original Local Development Framework (the predecessor to the Local Plan). Walking downhill to Slaithwaite may be relatively easy but walking back means walking up some very steep gradients and it is literally uphill all the way. Two sections of the route (the bottom of both Nields Road and Lingards Road) are so steep that they have pedestrian “hand-rails” running up the side of the road. Some parts of the route involve narrow footpaths and carriageways, some only have one footpath, while others have no footpath on either side of the road. Coping with the steep hills up to the site, will be particularly difficult for older residents and disabled people but, of course, the three-storey properties mean that elderly and disabled people will be excluded from living on the site anyway!!
- **Car Parking.** We are astonished to see the extremely “tight” and almost unusable parking spaces allocated to the properties with access directly off Lingards Road. We also wonder how on earth the people in these houses are going to get cars into their garages, which are at right angles to the driveway and share an impossibly small garage entry / turning space with the neighbouring property. Bad as this arrangement is for new residents, it also means that they will tend to park

Proposals for housing development by SB Homes at Lingards Road, Slaithwaite

Planning application number 2020/62/93954/W.

Collective Objection from Lingards Residents Committee

June 2022

outside their houses, on Lingards Road itself, with all the attendant nuisance to traffic on the road and to existing residents on the other side of the road. This simple issue of car parking amplifies all the road and traffic issues we have described elsewhere in this document. In our view this is simply thoughtless, detailed design..

- **Place Making.** In our view and the view expressed by Kirklees Council in the Local Plan, one of the prime aims of development is “place making”, rather than “house building”. Sadly, this development abjectly fails to reflect that.

Note about Lingards Residents Committee

“Lingards Residents Committee” is a group of 7 people who have voluntarily come together to represent the community in the Local area, around Lingards Road and Manchester Road, on issues related to the proposed development. We have specifically sought and drawn comments and objections to the development from neighbours and the whole community, whilst also keeping everyone informed via social media, email, leaflets and word of mouth. The committee will disband when the planning issues are determined or resolved.

We regret to say that, in our opinion, the current proposals (2022) are much worse than the previous proposals submitted in 2020 (which we also did not accept). Where improvements have been made between 2020 and 2022, they are relatively minor. Where adverse changes have been made between 2020 and 2022, they are major changes which make the development much less acceptable. We therefore urge the Planning Committee to refuse planning permission.

Appendix A

Response to Traffic Statement (by a resident who has also submitted it as an individual objection)

In summary the problems are:

1. It does not provide data on the projected number of additional vehicles that will use Lingards Road.
2. The sparse data that is provided on traffic numbers (in Tables 3 and 4) is meaningless and should not be relied on to make any decision regarding the proposed development.
3. What little data there is contradicts the report's findings.
4. The report contains a lot of irrelevant information.
5. The photographs in the report are grossly misleading.
6. The report has completely omitted to assess the impact of increased traffic on the upper part of Lingards Road.
7. The information on footpaths widths is incomplete and misleading.
8. The report contains several incomplete or unsubstantiated statements.
9. No consideration has been given to the impact of increased traffic on emergency response vehicles.

Details of problems with the Traffic Statement:

1: The most profound problem with the Traffic Statement is that it does not provide data on the projected number of additional vehicles that will use Lingards Road.

- This omission alone should be enough to reject the statement as not being fit for purpose.
- In fact, the Traffic Statement does not contain very much hard data. It can reasonably be expected that a development of the size proposed will create many hundreds of additional journeys per week on Lingards Road – this fact has not been identified anywhere in the Traffic Statement.

2: The sparse data that is provided on traffic numbers (in Tables 3 and 4) is meaningless and should not be relied on to make any decision regarding the proposed development.

- The Traffic Statement claims that the information presented in Tables 3 and 4 has been derived from the TRICS database. However, there is no information on how the results were calculated. Presumably, some information on projected vehicle numbers had to be input to the database to get the results, but the report does not list what data was used as the input. It is normal professional practice to clearly show all input data – together with all estimates and assumptions – that were used to calculate any results.
- The titles for Tables 3 and 4 are meaningless ("Trip Rates Dwellings Houses" and "Generations Dwelling Houses"). What do these terms mean? We can find no evidence of these terms being standard traffic engineering terminology. Instead, they appear to be nonsense terms that have been made up by whoever wrote the report.
- We can see that there will be 42 new dwellings (see Paragraph 3.1.1) each with a minimum of 2 parking spaces (Paragraph 3.3.1), So there will be a minimum of 84 new parking spaces. The finding that there will be only 17 additional vehicle movements during the afternoon peak is simply not credible. The nonsense terminology and unbelievable data shown in Tables 3 and 4 do not reflect a reasonable assessment of the facts.
- Since the authors have not shown their method of calculation and the results shown

in Table 4 are absurd, the report should not be relied on to make any decisions regarding the proposed development.

3: What little data there is contradicts the report's findings.

- Whilst it is not clear exactly what information is presented in Table 4, the text in Paragraph 6.1.2 seems to suggest that there will be an increase of 35 vehicles per day in just the two two-hour peak hour periods. However, Paragraph 6.1.4 says "the traffic generation is less than 30 trips". The findings of the report must be wrong: 35 is more than 30.
- Similarly, paragraph 6.1.3 states: "Based on this trip rate then the development, as a worst-case scenario, could generate up to 29 two-way trips during the network peaks". It is not clear how the number 29 has been derived. Table 4 shows 18 two-way trips in the morning peak and 17 in the afternoon peak; making a total of 35, not 29.
- Perhaps the report's authors have made a simple mathematical error but have not had the diligence to check their own work before releasing the report. Or perhaps they are mashing the data in a way that presents a more optimistic picture of the traffic impact. In either case, the report should not be relied upon to make serious planning decisions.

4: The report contains a lot of irrelevant information.

- Appendix D is labelled "TRICS Data" and contains a mish-mash of data. There is no description of why any of the data has been included nor how it is relevant to the proposed development on Lingards Road.
- For example, there appears to be data on houses in Peterborough; Bishop Auckland, Caister-on-Sea, Vale Lane in Bury St Edmunds, and Lowestoft amongst many others. All of this data is irrelevant to the proposed development on Lingards Road.
- Instead of providing irrelevant data on houses in other parts of the country, the Traffic Statement should be providing clear data on the projected numbers of vehicles on Lingards Road, Slaithwaite.

5: The photographs in the report are grossly misleading.

- As well as not providing any data on the current traffic census on Lingards Road, the Traffic Statement contains only two photograph of the current state of the road. Both these photographs are grossly misleading as they appear to show a clear road with no congestion – which is very far from the real situation.
- Lingards Road is regularly parked up with cars that cause congestion and delays. The author of this line-by-line review of the developer's traffic report has included further photographs that support this view, in his individual submission.

6: The report has completely omitted to assess the impact of increased traffic on the upper part of Lingards Road.

- The report discusses traffic on the lower part of Lingards Road and the junctions with Nields Road, but does not discuss the impact of traffic on the upper part of Lingards Road, beyond Hill Top.
- The upper part of Lingards Road is narrow without a footpath and in several places is not wide enough for two vehicles to pass each other.
- The edge of the road is crumbling due to high levels of water flow which is making the road narrower.
- The upper part of Lingards road is in dire need of maintenance and is not suitable for the levels of traffic that currently use it: it certainly isn't suitable for increased traffic that would be created by the proposed development.

7: The information on footpaths widths is incomplete and misleading.

- Paragraph 2.2.9 states: "The footway is in fair condition and is generally around 1.5m in

width, which is wide enough to allow a pedestrian to pass those pushing a perambulator...". The statement fails to mention that vehicles are regularly parked on the footpath, because of the narrow width of the carriageway.

- Pedestrians with prams, pushchairs, wheelchairs or other mobility aids have to move out into the vehicle roadway to negotiate this part of the footpath. It is hazardous enough for any pedestrian to have to move into the vehicle roadway, let alone those who have to use wheelchairs or other mobility aids. The problem would only become worse if there were increased volumes of traffic from the proposed development.

8: The report contains several incomplete or unsubstantiated statements. As well as containing nonsense statements and contradictory findings (points 3 and 4 above), several statements in the report are either incomplete or unsubstantiated. Please see examples below:-

- Paragraph 2.2.5 states: "Lingards Road is generally a lightly trafficked route", however there is no definition of what is meant by "lightly trafficked" and the statement is clearly wrong: In our view Lingards Road serves a large rural hinterland and carries significant traffic including HGVs and heavy farm vehicles. It is a bus route and a priority snow clearance route.
- Paragraph 2.2.12: "The footway width, construction, lighting and road safety record is considered to be suitable for its current day to day use along Lingards Road and Nields Road." No information has been given to explain why it is considered suitable for increased traffic. In fact the road is not suitable for any increased traffic.
- Paragraph 3.2.3 states "the internal road layout, in terms of horizontal and vertical alignment will generally comply with Kirklees Council's current Residential Design Guide requirements" without stating what is meant by "generally". Presumably the word "generally" indicates that the road layout does not comply "completely" with Council's requirements. However, the report does not make clear in what ways the road layout will be deficient. (*see comments earlier in this collective objection re the Design Guide*).
- Paragraph 4.2.2 is incomplete, it states that it is a requirement of the Government's National Planning Policy Framework (NPPF) that "any significant impacts from the development on the transport network, in terms of capacity and congestion or on highway safety, can be cost-effectively mitigated to an acceptable degree". However, the report does not state what cost-effective mitigations will be introduced to Lingards Road, nor to what degree they will be effective.
- Paragraph 4.3: "It is considered that the development proposals generally comply with Local and National guidance." Again it makes entirely unreasonable, sweeping assumptions and it is not clear why the development only "generally" complies with local and national guidelines; in what way it is deficient; nor what will be done to address the defects.

9: No consideration has been given to the impact of increased traffic congestion on emergency response vehicles.

- Aside from the inconvenience caused by additional traffic on Lingards Road, the report gives no consideration to the very serious matter of the effect of the additional congestion on response times of emergency vehicles on Lingards Road, for both existing residences and the new residences proposed as part of the development.
- In fact, Paragraph 1.6 says "this Transport Statement considers such matters as access, sustainability, car parking, accident data and servicing". It makes no mention of emergency vehicle access.