

Proposed Housing at Lingards Road for SB Homes Ltd Planning Application 2020/62/93954/W

Comments from Lingards Residents in response to revised application drawings issued September 2022

Comments by applicant and design team in response 18/11/22 Additional Comments 23/11/22

The main objections relate to density, use of 3 Storey dwellings, traffic, drainage and conflict with the rural fringe character.

Other more technical matters covering drainage, land drainage, highways, retention of Lingards Road and ecology are being addressed by consultants Haigh Huddleston, Paragon and Middleton Bell in consultation with Kirklees Council for which revised details have been submitted.

Where agreements can be made and conditions attached I don't believe the developer will have objection.

1 Density too high

Initially the developer was encouraged to propose 35 dwellings per hectare by KMC in accordance with LP7 resulting in 79 dwellings although the initial application proposed 57 dwellings.

Amended scheme now includes 43 dwellings well below this at 19 to the hectare just over half that required by LP7. Note this also includes 8 No 2 Bed flats which in terms of bed spaces and parking is equivalent to 4 No 4 Bed houses.

This density allows for significant areas of public open space and connected footpaths.

Also note KMC planning have asked for additional houses hence increase from 42 to 43.

2 Urban Design and 3 Storey Houses not acceptable

The traditional pattern of development on hillsides such as this one are for buildings to follow contours rather than the steep gradients which are now not possible due to perfectly understandable Highways and Access requirements. In fact this pattern is reflected in the surrounding hillside which the proposed development replicates. The houses along Lingards Road continue the existing pattern of development lower down the slope while the houses within the site are set out either side of the new road running along the contours.

3 storey houses are proposed built into the hillside presenting 2 storey facades towards Lingards Road which, despite the claims to the contrary by the residents, include 5 No existing 3 storey houses with lower ground garage floor, ground floor and first floor roof storey. The resultant section of the proposed dwellings reflect that of the existing with 3 storey houses built into the slope and should note ridge heights are either roughly equivalent or lower than the existing as shown on drawing 2019 572 61A. It should also be noted that some of numbers 37 to 45 Lingards Road present 3 storey rear elevations onto the application site where they contain

basement storeys. To say that 3 storey houses are out of character with the area is therefore incorrect and would suggest that the appearance of single storey facades (to 2 storey houses) facing into the hillside would be totally out of character and would appear as a row of bungalows.

Refer to Section Drawing 2019 572 61 A which shows the relationship between the houses along Lingards Road with the development site and Section Drawing 2019 572 53 B which shows the relationship between houses along Manchester Road and the proposed dwellings.

No habitable rooms within the development overlook existing and new by less than 21.0metres and the distances between the existing dwellings on Lingards Road and the proposed houses range from 21 to 24metres. It should be noted that the distance from the proposed dwellings to the rear facades of the houses along Manchester Road is between 32 and 43metres well in excess of planning guidance.

It should also be noted that No 94 Lingards Road is a 3 storey house with a roof terrace. See Photo 7 included in the application.

3 Rural Fringe Character not adhered to.

The density to the west of the site reduces to reflect the more open nature of the fields. This is largely due to the provision of open space proposed and the wider distances between the 3 rows of dwellings with rear gardens. This results in the proposed open space and rear gardens between units 34 and 24 'leaking' into the adjacent fields. Building tight up to Lingards Road also allows wider spaces between dwellings at this end of the site.

This creates a gradual transition between the development and the adjacent open fields.

4 Appearance of Attenuation Tank unacceptable

This is to be completely subterranean and not visible. Refer to drawing 2019 572 64A.

5 Unacceptable Loss of habitats

Within the site itself there are significant areas of Natural and Semi Natural Open Spaces which include bird boxes, bat boxes, sparrow terraces and hedgehog shelters within semi dense and dense shrubbery and trees. Areas of wildflower meadow are also proposed.

It is accepted that this does not go far enough to compensate for the loss of habitat and in order to mitigate this it is proposed to upgrade and enhance land within the adjoining field. This will be achieved by replacing the topsoil excavated during the construction of the attenuation tank with higher quality soil to enhance habitats. The area affected can be approximately 1000m². More detail will be agreed and provided by ecology consultants Middleton Bell.

Areas of open space within the site have also been upgraded and updated details from Middleton Bell are submitted.

Any residual loss will be compensated by an off site commuted sum.

6. Inadequate Drainage with risk of Flooding

This is a technical issue requiring an engineered solution.

Significant new land and surface water drainage is being proposed by the project engineers and agreed with Kirklees. This will greatly improve the current problems caused by run off from the hillside and heavy rain. This includes the drainage from properties 17 to 23.

Updated drainage details and calculations are submitted.

7. Discharge of surface water into Existing Spring and Watercourse/Culvert

This is being retained. No surface water drainage is being discharged into this watercourse/culvert. Again this is being handled by the developer's drainage engineer in conjunction with KMC drainage and flood officers.

8. Footpaths not accessible to neighbouring properties

These have been designed to increase the permeability of the development and allow residents and others to traverse the site from one end to the other without having to walk along any roads. The network provides an excellent circuit for exercise, walkers, dog walkers etc while security is addressed by overlooking and lighting. The footpath to the north of the site is required by the Dartmouth Estate who require access to their adjacent tenanted land to prevent this from being landlocked. Those shown on the site plans are there for everyone including residents on Lingards Road via the existing footpath enabling a walking route to Manchester Road avoiding roads apart from crossing.

9. Loss of Existing Garages on Lingards Road

These are owned by the Dartmouth Estate and as such SB Homes have no control over these. KMC Planning insisted that this site be included in the development site and that sufficient space be provided to allow meaningful development in the future by the land owner. This would need to be treated as a separate planning application to which anyone objecting can direct their comments.

It is understood that the current landowner intends to develop the site and will provide an alternative location for the garages included in a planning application.

10. Increased Traffic

This is addressed by Paragon in their Transport Statement. Discussions have been ongoing regarding the provision of a footpath along Lingards Road down to Manchester Road. A scheme has been submitted by Paragon to Kirklees Highways which include a footpath however Paragon have advised that although the tracking meets the vehicle parameters the path fails to achieve the required 0.5 clearance between this and property boundaries.

11. Construction Disruption

A construction management plan will be required by condition mitigating noise, disruption, pollution and working hours. This is standard for all applications.

12. Lack of guarding to terraces to houses

Guarding is shown on the drawings. The 3D images don't show all the detail.

13 Inaccurate 3D Images Generally

These are primarily to show the general massing so individual garden fences are not shown or necessary.

14. Trees

A fully detailed landscape plan will be provided which will supersede the current application drawings. This is not required for the application and will be conditioned. This will cover tree species, heights, spacing etc and distances from drains and sewers.

15. Shared Driveways to Lingards Road

These are now shown at 4.5 metres wide. Each only serves 2 properties and 4.5m is excessive and unnecessary. We have however amended the drawings to show 4.5m entrances but this would limit opportunities for screen shrubbery and tree planting. This will be detailed on the landscape plan.

These have been designed specifically to allow cars to exit the drive without reversing. They can do this by reversing out of the parking space or garage and turn left or right towards the road. The width between opposite parking spaces which normally allows this is 6.0m. In this case we have increased this to 7.0m.

16. Divert vehicle access to Manchester Road

This would require a significant engineering solution to current highway standards which due to the level change would result in a solution severely damaging the green belt. In any case the developer does not own sufficient land to create this access. Just for comparison there is a 14m height difference between the end of the proposed estate road and Manchester Road which at 1 in 12 would require a road 168 metres long not including the levelling needed at the junction.

17. Height of new road adjacent No 45 Lingards Road.

The new road enters the site at the new junction which has to fall from the existing road level with a gradient to highway standards. A comparison between new and existing levels at the centre line of road 2 at the second junction are existing at 182.700 with new level at 184.146, a difference of 1.45m. At this point the kerb is 8.0 metres from the boundary of no 45 which provides ample space for a soft landscaped bank down to existing levels.

Opposite the rear of No 45 further along Road 2 the relative new and existing levels outside the curtilage are existing at 181.910 and new at 183.196 a difference of 1.3metres.

In acknowledgement of the differences in level the road has been re aligned in agreement with Kirklees Highways and the junction moved a little into the site. This has increased the distance from the boundary to the road to 3.33 metres which also provides ample space for a soft landscaped bank down to existing levels.

It should be noted that No 45 has an elevated ground floor living area over a cellar with only a door which is accessed from the garden at an approximate level (not surveyed) of 182.100.

See section PP on drawing 2019 572 56C.
Revised drawings and road setting out have been submitted.

18. No True Site Sections!

Refer to the extensive site section drawings included in the application.

19. Stretched local services

This is a wider nationwide issue and requires local authorities and government to fund the additional required services if the housing shortage is to be addressed. Note also the significant contributions to this required from the developer.

20. Parking on Lingards Road

In consultation with Kirklees Highways a widening to 6.0metres to Lingards Road at the junction has been agreed which allows suitable tracking in the event that a parked car is parked opposite the junction (which is normally illegal). Revised drawings and road setting out has been submitted.

Each new 4 and 5 bedroomed house is provided with 3 car spaces in line with Kirklees parking requirements.

21 Height of gable facing no 45 Lingards

The ridge is higher but is a gable facing the existing with views from no 45 either side through the space around the gable, in particular to the west over the P.O.S..

22. Protection of existing watercourse

Post and rail fence provided to public side. A risk assessment will be carried out to determine if there is a risk on the private garden side taking into account the depth, width and flow of water.

23. Proximity to Listed farm Building

The new houses are set back from the farm buildings by 32.0 meters with open space between including a tree lined path and the farm yard.

24. Correction J/H Type Plan

Error has been corrected

25. Visitor Parking Spaces

KMC advised none were needed but we have now introduced some spaces opposite the junction to road 2A.

26. Garage sizes should be 7.0 by 3.0m

KMC planning guidance states 6.0m by 3.0m internal garage size.

27. Lack of Consultation

SB Homes undertook extensive consultation with the neighbours at the onset of the project.

28. Loss of Light to existing houses on Lingards Road

I don't consider that a north west facing elevation will suffer loss of light from an opposite façade 21.0metres away. Most light will come from the west side to where the new dwellings are much further away. It should also be noted that existing living spaces are at first floor level above the garage storey which align at either first floor level or roof level of the new houses.