

This supplementary planning submission relates to the rebuttal of residents' objections, by the applicant and his design team on 25th November 2022. It should be read in conjunction with all our previous comments for this site. For clarity we re-iterate that:

Our main objection is still 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.

The applicant's and his design team's comments are shown in standard text and our residents' response to them is shown in the green coloured text box.

Introduction. 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.

We find it surprising that the applicant is constantly seeking to make a distinction between "planning" and "technical" matters, because both are super-critical to determination of this specific planning application. Even in less critical applications, we are of the strong opinion that "technical" matters should NEVER be agreed behind closed doors, between the developer's consultants and Kirklees Council Officers, perhaps before an application comes before the planning committee but also under the dubious cloak of "deferred planning conditions". Such an approach has a severe democratic deficit. Based on the evidence of this application thus far, it is also likely to lead to a finished development which is not fit for purpose. Quite simply, if the so-called technical issues have not been fully resolved before the date of the Planning Committee meeting, planning permission must be refused. Deferred planning conditions are not acceptable.

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.

This "rebuttal" is astonishing given that it doesn't even attempt to address the root problem of the design exceeding capacity. It purports that, if you start with an utterly ridiculous figure, a lower one that is merely outrageous and totally without supporting evidence must be acceptable. The developer's rebuttal makes no reference to the practical housing capacity of the site, or to the carefully determined local plan allocation of 34 dwellings. As for the role of the planning department in pushing for a higher figure, we make no comment, other than it was the planning department who prepared the Local Plan, the planning department that set a site housing allocation of 34 dwellings and it was the Independent Planning Inspector that endorsed it. Under section 38 of the Planning and Compulsory Purchase Act 2004 (PCPA) there is a statutory requirement for **"planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise"**. We demand that it is and that the "blood lust" for an excessive number of dwellings is not given disproportionate weight in the planning assessment.

We are sorry but the developer's argument that 8 No 2 Bed flats is equivalent to 4 No 4 Bed houses, is little more than a meaningless distraction. Most housing developments, certainly those built in Kirklees under the auspices of the Local Plan, contain a mix of dwelling types and sizes. That expectation is built into the Local Plan housing allocation of 34 dwellings for this application site.

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.

Again, this rebuttal is astonishing for its muddled thinking. The developer consistently purports to describe two storey chalet bungalows, which include a couple of bedrooms built into the roof space and garages which are completely underground, as full three storey dwellings. It ignores the fact that many of the existing properties on Lingards Road are true bungalows, also with garages completely underground. It ignores the fact that there is a well distributed mix of chalet bungalows, true bungalows and some extended bungalows which, as a group, have a variety of facades, frontal massing and broken ridge lines. It should also be said that, when viewed from the South, perhaps from the Colne Valley Walk, the existing properties on Lingards Road do look like a row of bungalows (which are also well dug down into the hillside at the back). Therefore, a similar "bungalow" appearance on the South elevations of the new development would not be "out of character": They would be completely "in character". It is misleading to simply talk about the number of storeys because the full three storey dwellings on the new development are nothing like the existing, alleged "three storey" dwellings. The fact remains that the proposed new dwellings are significantly more dominant in scale, height, width and depth than the existing dwellings on all developed sides of the site – whatever label you want to attach to them. This point is well made in greater detail in some of our more recent objections.

We have commented on the inadequacy of a minimum 21 metre separation distance under point 23. In essence we say that because of the steep slopes and huge differences in elevation the acceptable horizontal distance between buildings needs to be significantly greater than the 21 metres minimum stated in Kirklees Council guidelines (which is predicated on a level site, where screening can easily

be achieved). The objective is not to simply get a tick in the box for meeting a fixed separation distance of 21metres: it is to maintain a reasonable distance which, having regard to the locality, topography, layout and building design, protects the privacy and amenity of residents in their own homes. Applying a simplistic 21 metre “rule” is an affront to existing residents.

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.

This rebuttal comment defeats itself by saying that “Building tight up to Lingards Road also allows wider spaces between dwellings at this end of the site”. Building “tight up against Lingards Road” is one of the most obvious ways (but not the only way) that the development destroys the rural fringe character of the whole area. Building a slew of three storey dwellings across the site, with inappropriate urban design details, on an open Pennine hillside is another. The developer has pursued a design philosophy of pushing the new dwellings as hard (or as tight) as possible up against ALL the boundaries of the site, purely to create space in the middle. This may give new residents the amenity of open space in the middle of the development, but it is at the savage expense of existing residents who live adjacent to the site boundaries. This is clearly unacceptable and grossly unfair. It must also be stated that the detailed architectural design of the new dwellings is clearly transplanted from a more urban, possibly brownfield, environment. For these and other reasons we totally reject the point that the developer / designer is making and repeat our strong objection that the design is not consistent with its rural fringe location.

4 Appearance of Attenuation Tank unacceptable This is to be completely subterranean and not visible. Refer to drawing 2019 572 64A.

The developer’s comment is simply perverse and untrue, as is confirmed by the developer’s own recent submission of a cross section through the tank. It clearly shows that the wall and roof of the tank will protrude above existing ground level. It also shows that the structural “box” will be covered by fill material, which will raise finished ground levels by up to 2.5 metres above original ground level. We say that this changed ground profile over a significant area WILL BE HIGHLY VISIBLE, VERY OBTRUSIVE and will constitute inappropriate development in the green belt. We also argue from our professional expertise that attenuation tanks need vehicular access and a flat working platform for maintenance purposes. The proposed very steep slopes above and around the attenuation tank will mean it is impossible to access and maintain the tank. It will therefore not be adopted by Yorkshire Water. The only alternative would be to moderate the steep slopes around and above the tank, but this would then have a much wider impact on the green belt. We cannot understand why the developer is in continuous denial on this issue, because it poses a huge risk to the viability of his development. We repeat our objection and say that the issue of inappropriate development within the green belt is not something that can be left to be dealt with as a planning condition. We also note that there is absolutely no reason why the tank needs to be situated on green belt land, outside the main development site. It could easily be situated underneath the main site road, as this same developer has done on his recent development off Gillroyd Lane at Linthwaite. We assume he has tried to locate the tank in the green belt purely to try squeeze even more dwellings on to the application site. It must not be allowed.

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.

Once again, the developer has not thought this one through. The area above and around the attenuation tank will need to provide a flat platform and vehicular access for maintenance purposes, or it will not be maintainable or adoptable. The idea of the area around the tank becoming an enhanced habitat is a fanciful non-starter.

Whatever happened to the need to protect the “acid grass” area near the site’s Western boundary?

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.

Of course, it is a technical issue, but that does not mean it is not a key factor to be given full weight in the planning decision. Yes, the developer has submitted new drainage proposals (finally, after two years of persistent pressure from residents). Some of them are improvements but they do not go far enough and there are still some very serious deficiencies in the plans. The biggest deficiencies concern the inadequacy of the receiving watercourse through the cemetery, a poorly designed land drainage system, a poorly designed overflow arrangement on the man-made open water channel, a totally inadequate exceedance flow system, confusion between what should be entirely separate networks, the previously mentioned attenuation tank problems and the uncertainties surrounding the private drainage system at the Eastern end of the site. More details regarding these deficiencies have been submitted in a separate objection. Quite frankly the developer’s attempts to dismiss the drainage issues, to be brushed under the carpet behind closed doors, say more about his approach to the whole planning application and input from residents than they do about the drainage issues themselves.

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.

Although it is not clear, we assume the developer is referring to the open water channel that flows through the garden of Far Lower Wood Farm. If so, his comment is simply inappropriate. We know that surface water run-off from the site roads will not discharge into the open channel, except during exceedance events (even though it shouldn’t). However, the land drainage system (including some new elements), the exceedance flow system and the spring water supply system all discharge into the open water channel and mix together in a very uncontrolled “Heath Robinson” way. The proposal will simply not work and it is not acceptable (technically or legally). Once again, we object to the possibility that these critical infrastructure requirements are dealt with behind closed doors by the developer’s Consultant Engineers and KMC drainage engineers. When dealt with in this way there is a severe democratic deficit and, so far, the supposed experts have got it wrong.

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.

No comment, apart from the fact that the footpath along the boundary with Far Lower Wood Farm is unacceptable. It is tight up against the boundary, at a higher level than the Farm, yet there is no attempt to provide natural screening or walls to protect the privacy of residents at far Lower Wood Farm. It is like allowing the public to walk through the top end of your garden. The developer mentions security for walkers on the footpath but forgets about the security implications for the residents of Far Lower Wood Farm. We are sure the Police will strongly object to the positioning and obvious lack of security associated with this footpath.

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.

No comment, although a joint development might have revealed better layout options.

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.

Once again, the developer seeks to deflect our objection by saying it is addressed by an external consultant. In our view the developer and Kirklees Council have completely ignored the very real highway issues associated with this development, which we have argued and argued, to no avail. In our view planning permission should not be granted until ALL the highway issues have been satisfactorily resolved. Further details have been provided elsewhere.

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.

No comment, except where is it? Why is it left to be a condition? This does not happen in other Council areas.

12. Lack of guarding to terraces to houses Guarding is shown on the drawings. The 3D images don't show all the detail.

No comment, except “Why not show the detail?” If drawings and images are being used as examples of what the development will look like, they should give a true representation. Selectively removing inconvenient details gives rise to the suggestion of “gerrymandering”.

13 Inaccurate 3D Images Generally These are primarily to show the general massing so individual garden fences are not shown or necessary.

Who determined that 3D images are only intended to portray general massing? They are not described as such on the website and anyone looking at them could be forgiven for assuming that they intended to portray “Shangri-la in the Pennines”. Our view is that anything submitted by the developer (or objectors) should be honest and accurate. We still maintain that the submitted 3D images are highly selective, inaccurate and therefore misleading. Also see previous comment. Selectively removing inconvenient details gives rise to the suggestion of “gerrymandering”.

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.

Why are they not required for the application and why will they be conditioned? There is a severe democratic deficit with anything that is held back to be dealt with as a planning condition. Because of the extent of the land drainage system, we foresee a major problem with the requirement that all trees and shrubs are planted at least 5 metres away from underground sewers and land drainage pipes. On face value it renders the whole landscaping strategy null and void.

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.

We find the proposed driveway arrangements for direct access on to Lingards Road quite shocking. They are a recipe for neighbourly disputes and quite how residents are intended to drive into garages which face each other at right angles to a 4.5 metre shared driveway we do not know. We are appalled that the developer describes a 4.5metre wide shared driveway as “excessive and unnecessary”. The only redeeming feature is that shared driveways cut down the number of access points to Lingards Road. Sadly, the inadequate off-road parking arrangements means that householders will tend to park on Lingards Road itself, which at only 5 metres wide, with a blind bend is not adequate for the purpose. A far better solution would be to gain direct access to these properties from within the development, instead of directly from Lingards Road.

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.

No comment, except that when the developer states he “does not own sufficient land to create this access” he is conveniently forgetting that the land required to make an access on to Manchester Road is owned by the same estate / individual that he bought the application site from and has kindly granted him an easement for construction of the attenuation tank on green belt land. In other words, there is a symbiotic business relationship which would easily facilitate direct vehicle access to Manchester Road, if the developer wanted or needed to do. Given the problems associated with access via Lingards Road the cost of an alternative better solution should not be relevant.

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 realigned 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.

The developer has belatedly recognised the complete inadequacy of his previous proposals, which were quite simply thoughtless and dismissive of the impact of the development on adjoining properties. Sadly, the changes he has made (slightly moving the internal site road, slightly lowering it and creating a battered slope up to the new carriageway) have only made it possible to build the road, where it was impossible to build it previously. **He has not solved the resident’s problem.** He has not provided any screening between the road and the garden of number 45 and the new road still passes at head height, if the residents at number 45 are in their garden. There is also still the issue that the road embankment will sever the land drainage routes from the garden of number 45 and other existing adjacent properties. The gardens will therefore flood with groundwater and overspill exceedance flow as it runs down Lingards Road and into the site. It is yet another example of how the developer has little regard for existing residents. Would it not have been better if the developer could have approached the householder at number 45 to work with him to find a way forward, instead of simply imposing a still unworkable and damaging solution on him.

18. No True Site Sections! Refer to the extensive site section drawings included in the application.

No comment, although some details are conveniently missing from the site sections.

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.

The developer’s comment could best be described as a “blue sky” aim, but the planning system doesn’t work that way yet. It still requires the paucity of certain local services to be taken into account in the planning decision. As for the developer making significant contributions towards the provision of local services, we note that this same developer agreed to make significant Section 106 contributions, as part of his planning application for his Empire Works development; only to later ask

the planning committee to release him from that commitment. Can we be sure that the cash contributions he is offering at Lingards Road will be honoured?

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.

It is not clear from the latest drawings, whether the 6metre width will be continued all the way up Lingards Road (there are no dimensions given and scaling is inconsistent). The applicant's comment (above) suggests that the increase in width to 6metres may only be immediately adjacent to the junction between the site road and Lingards Road. In our view, which we have repeated time and time again, to no avail, the originally proposed width of 5 metres is completely inadequate for a road which serves as a bus route and a "through" road serving a large rural hinterland, let alone with the added complication of multi-car owning new properties on the North side of the road. The proposed width of 5 metres for Lingards Road is also clearly in conflict with Kirklees Council's Highway Design Guide. If the proposed carriageway width is still only 5 metres over most of the length, it creates another unacceptable and grossly unsafe length of road, on a blind bend, similar to the existing dangerous situation below Springfield Avenue. We accept it is not easy to resolve historic inadequacies (below Springfield Avenue), but we really should not be building the same dangerous inadequacies in to new developments (i.e. Lingards Road above the site entrance). Even the new cobbled cul-de-sac road behind number 45 Lingards Road will be 5.5 and 6 metres wide. In our very firm view, the width of the road above the site entry should be the same as, or greater than, the width below it (i.e. 7.32metres) to allow moving vehicles to pass parked cars.

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..

This is an appalling design "faux-pas" and the developer's response to it is quite astonishing. Is the developer really saying that the height of the gable is mitigated if you look over the eaves, instead of the peak of the gable? Worse still is he really saying the height of the gable is completely mitigated if you look completely the other way over the Public Open Space? The reality is that this gable is not only too high, it is not the requisite distance from number 45 Lingards Road. The gable is only 18.42 metres away and has an opening window in it (albeit in an internal bathroom wall). Windows which are less than 21 metres from neighbouring properties are supposed to be fixed, frosted glass windows. Even worse, the side window forming part of the bay window in the main habitable rooms of the flats, is only 19.78 metres away from the rear wall of number 45 Lingards Road. This is less than Kirklees Council's guideline separation distance of 21 metres. It is therefore not acceptable.

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.

No comment

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.

The developer is attempting to deflect our objection by simply quoting the horizontal distance between buildings and (implicitly) comparing it with the standard Kirklees design requirement of

21metres. He conveniently forgets that there is a significant “magnifying and overpowering” effect when the buildings are on very steep slopes, as they are at Lingards Road. He also conveniently forgets that the height and detailed design of the new buildings is equally important to the horizontal and vertical separation. The bottom line is that, on its own, the horizontal distance is irrelevant and misleading. It doesn’t tell the whole story. The real issue is whether the new buildings DETRACT FROM OR DOMINATE the listed buildings and the setting of the listed buildings, in an unacceptable way. They certainly do at Lingards Road. Our comment in this section is made in the context of the listed buildings at Far Lower Wood Farm but it equally applies to the gross underestimation of the impact of the new development on other existing buildings bordering the site (e.g. across Lingards Road). Because of the steep slopes and huge differences in elevation the acceptable horizontal distance between all buildings needs to be significantly greater than the 21 metres minimum stated in Kirklees Council’s guidelines.

24. Correction J/H Type Plan Error has been corrected

No comment, except to say that the application is riddled with similar inconsistencies and errors

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

We are very sceptical why KMC would advise that no visitor parking spaces were needed, given that their own Highways Development Delivery guide says clearly that developers should provide 1 visitor space per 4 residential units. On this proposed development of 44 dwellings that should mean 11 visitor spaces, but only 3 are proposed. Irrespective who said what, the proposals clearly do not conform with officially stated and published parking requirements.

26. Garage sizes should be 7.0 by 3.0m KMC planning guidance states 6.0m by 3.0m internal garage size.

We have little doubt that the Kirklees planning guidance did not envisage twin garages closely facing each other at right angles to a shared driveway 4.5 metres wide.

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

We are sorry to say that this statement is completely untrue. The developer certainly did not undertake extensive consultation with “the neighbours” at the onset of the project. The consultation that did take place was minimal and hugely disrupted by the Covid pandemic. When comments were submitted to the developer in writing they were immediately and, in some cases, rudely rejected. There has never been a public meeting or public display of the proposals. We are also now on the fourth iteration of the plans and there has been no communication whatsoever from the developer, since the first pre-planning iteration in early June 2020. The proposals have unacceptably changed beyond all recognition since then. When residents have approached SB Homes about a meeting they have been “fobbed off” (this has happened more than once).

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.

We are not sure which houses the developer is referring to. However, the statement is ambiguous and largely personal opinion, rather than fact. The development will certainly deprive current residents on the South side of Lingards Road of the benefits of evening sunshine from the North-West, mostly in late spring, summer and autumn. The converse is true for residents on Manchester Road who will be deprived of light and sunshine in autumn, winter and spring, with the tall, new houses at a higher level blocking out the sun for several “winter” months of the year. The South side of the Colne Valley is already locally known as the “dark side” because of the impact of the topography on sunshine levels and heat absorption. Snow always takes much longer to melt on the “dark side” than it does on the opposite (North) side of the valley and overnight frost can often last all day. This sunshine deficit will be severely exacerbated by the construction of large, high building forms, further up the steep slopes on the development site. I don’t suppose the planners and developers have thought of this problem because it only occurs on steep North facing slopes, such as Lingards Road.