

Infill Site: Impact considerations not addressed - Objection.

This is a small site of special character and constraints and there are significant issues to be addressed, as part of consultation. I request the consultation period is extended to allow fuller assessment and that this application is determined at planning committee.

Guidance suggests that **Infill housing must** fit in with neighbouring properties, without causing significant impact, leading to loss of **Residential Amenity**. Bungalows may be the only way to develop this site.

Consideration must be given to development criteria:

Highway Safety – the point of access/exit should have clear visibility, the visibility splays shown will be affected by accrued parking rights at Thornfield and parking (shown on the East Bierley Conservation Area Appraisal Plan (EBCAAP)) opposite St Luke's Hall.

Pre-Planning comment ref. Kirklees Highways response (K8-*SE/10, planning ref. 2019/00/20193/EO/FT) appears not to be fully included, comments specifically state:

- ref. at time of site visit, 4 cars were parked opposite St Lukes **"any design should provide for this existing parking**

The submission included some information on a second site the developer wishes to develop, 40m further down Bierley Marsh. The developer has said verbally that he intends to carry out road work to both site as a single operation before house building works commence. As such proposal associated with the second field will have material impact on traffic volumes and impact any decisions made for this application.

Pre-Planning drawing showed total 17 properties (for the 2 sites) and the developer is already proposing a 25% increase of properties on the current site. Current and future development could result in over a 500% increase in residential traffic using Bierley Marsh, and up to 400% increase in properties served by it. This will significantly worsen H&S risks associated with the nearness to East Bierley First School and dance studios at St Lukes. The interface with traffic and school children and related traffic has already been referred to **an accident waiting to happen**. Overspill parking will put further pressure on parking in the area which is at a premium. Several residents are putting up Polite No Parking Signs. It is not clear in proposal how the utility of and safety of the users of the existing public footpath will be safe guarded.

Without further details on combined road proposals this application should not be determined.

Any proposal by the developer to only undertake road works to adoptable standards, i.e. not having road works adopted, should be dismissed. Pre-Planning comment as above states:

- road works to be **"offered for adoption"**.

Bierley Marsh as a Private Street (unadopted Road) responsibility of road maintenance is with the fronting properties, often leading to neglect and deterioration, i.e. potholes, which as well as tripping hazards along the footpath could lead to damage to cars. This point is highlight in commentary in the East Bierley Conservation Area appraisal (EBCAAP):

“The lane around Bierley Marsh is ‘tarmac’ but has soft verges, the state of repair of this lane is poor due to some parts cracking and breaking up”. Photos below shows state of Bierley Marsh as private Street, before Kirklees tarmacked it, prior to the school extension. Proposed additional traffic will worsen wear and tear.



Enough Space – the development should not be too dense. The layout gives the appearance of the properties being shoehorned into the site using an orientation for the terraces that is at an angle to Bierley Marsh. With an access drive, squeezing through narrow gap between terraces and Thornfield’s boundary retaining wall (which has an easement for maintenance-not shown), which seems unnecessary and unacceptable.

Street Scene – new housing should subscribe to the pre-established pattern of immediate surroundings; the development is outside the Conservation Area and does not follow local grain.

Artwork presented gives a false impression of the outlook of the terraces. It is stated in the terraces face onto the Marsh. They are oriented at an angle to Bierley Marsh, 2 of the terraces , to differing extents face onto Thornfield and or proposed new 1.8m fence.

The immediate local grain is mainly bungalows and detached houses with large gardens. Existing properties, as 99% of properties in East Bierley, face directly onto their access road/street, not at an angle. Existing properties fronting Bierley Marsh follow the natural flow and are set back behind boundary features, walls, hedges or fences. The proposed development has no boundary feature and merges onto the verge of Bierley Marsh over the full adjacent boundary of the field.

This design does not comply with section 5.9 of Kirklees Design Guide:

- *"Over reliance on in-front-of-plot parking can create wide streets dominated by cars"....."This can sometimes have a detrimental impact upon the amenity of street users and the quality of a place and also lead to problems with drainage"*

The layout will cause loss of visual amenity of anyone using Bierley Marsh, who will be presented with a view onto a bank of parked vehicles.

Height of the terraces will fill the current open space in the tight corner between St Lukes and Thornfield/Whinfield. EBCAAP makes important comments that I believe have bearing on the appropriateness of this proposal and indicate the level of negative impact they would have:

- *“The open space in the conservation area consists of small and large private gardens, The Green and Bierley Marsh. Too much infill development and extensive housing developments in East Bierley will have a serious effect on the character of the conservation area. Loss of boundary walls, high loss of trees and open space or if there is an increase in building density it may be harmful to the character and be detrimental to the conservation area”.*
- *“The properties on the South side of South View Road comprise of secluded houses with high stone walls and mature vegetation”*
- *“The high walls on South View Road illustrate the visual and physical seclusion of the detached dwellings behind them and give definition to the street layout. The walls also promote privacy for the buildings behind and provide a clear distinction between the large private spaces behind the walls and the narrower public spaces of the road”*
- *“The height and scale of development proposals should be considered in order to protect key views of the Conservation Area and they should harmonise sensitively with the key characteristics of the village”.*
- *“There is a large amount of open space in and surrounding the East Bierley Conservation Area. This open space is an integral part of the character of the Conservation Area and should be preserved in order to maintain an important attribute of the village”.*
- *“Open spaces and tree coverage in the Conservation Area are also provided by the extensive private spaces such as front and back gardens throughout East Bierley and the agricultural land which surrounds the village. Even though these areas are not public they nevertheless add an impressive quality and rural feel to the Conservation Area”*
- *“Walls in East Bierley are very important as they add a great deal to the character of the Conservation Area”*

Also setting concerns in context, quote the East Bierley Conservation Area Appraisal:

- *“There are many small lanes throughout the village which contribute towards the feeling of rural seclusion.”*

Without proper stewardship and control East Bierley and in particular Bierley Marsh will lose its character and charm; any appearance as a secluded lane will be lost.

Privacy – it is essential new houses do not overlook neighbours. Privacy issues can often be designed away, orientation of buildings being the starting point.

This is an irregular shaped field, and the orientation of terraces would appear to be influenced by maximising the available footprint across a diagonal line, to achieve the dense layout and by so doing causing unnecessary issues and “Harm”.

Harm to neighbours can be mitigated by approval for a lesser number of bungalows (2) with a single access moved away from the boundary with Thornfield and development set back behind a boundary wall feature. This would also improve privacy for new properties.

Over Shadowing – new housing should not block natural light to original properties key windows or previously sunny patio. Proposal for 1.8m high fence (1.5m from rear sun lounge picture window and blocking light to dining kitchen) along with suggested increased ground levels will cause loss of light.

Overbearing – development should not be too dense and resect neighbour’s residential amenity, this site is too dense, and location of terraces would significantly impact Thornfield’s residential amenity.

Outlook – proposed new development, should not cause loss of amenity by removing or intruding on an open outlook. A 1.8m fence, on raised ground, 1.2m from rear sun lounges, who create significant negative impact on Thornfield’s residential amenity.

Drainage and flooding –are important considerations within a planning application as these could materially affect layout and density. Efforts have been made to inform the developer of issues relating to flooding and drainage. All surrounding gardens suffer from flooding which has become worse over recent years. The site is higher than surrounding gardens but low in comparison to drains in Bierley Marsh and because of the orientation of properties this site could need pumping, which would be unsustainable.

Access – development should consider and mitigate noise and disturbance from manoeuvring vehicles close to neighbours. The developer has made no efforts to mitigate these impacts, the majority of vehicle movements appear to be adjacent or close to the southern boundary retaining wall with Thornfield and close to habitable rooms.

Access shown on pre-planning plans was further along Bierley Marsh towards St Luke’s and general layout was much more sympathetic to matters above.

Impact on Trees – development seems to be adjacent to and underneath mature trees. Insurance industry comment suggest safe distance away from trees should be 1.5 to 3.0 * height, have quoted 20m to the Limes in The Memorial Gardens and 23m to the Horse Chestnut on the South Eastern boundary.

Other – the coal mining reports suggest possible medium and high risk associated with old workings. A bungalows constructed on reinforced concrete raft, would appear to be a solution to mitigate this risk.