

General Comment

We have concerns about this application that we believe should be addressed in the officer's report.

Sustainability

In a climate where the use of resources and protecting the environment are key, it is concerning that the plan is to demolish two large modern houses, less than 20 years old and rebuild them.

Kirklees Policy in achieving sustainable development states;

"When considering development proposals, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. that improves the economic, social and environmental conditions in the area."

Our concern is that the proposed development: would not improve the environmental conditions but would potentially destroy protected trees and woodland in an urban area, and it provides no social benefit. It might be argued that it would create an economic benefit through employment, but in the current climate, skilled labour and construction materials are scarce and should be directed towards social housing.

Protected Trees and Woodland

We understand that the plateau on which 410 is currently built will need to be extended to allow for the size of the new house. In doing so, a retaining wall will be constructed parallel to the eastern boundary of the property right next to the woodland, and we are concerned that such activity will affect the roots of the trees and cause irreparable damage.

The Woodland Trust's recent report on the State of the UK's Woods and Trees stated the need to, '*enhance and rigorously implement protections through the planning system for ancient woodland and ancient and veteran trees*'. The trees along the eastern border of the property are protected and the woodland to the NE of the properties which is a woodland priority habitat network (England) and has High Spatial Priority. There is also an existing planning condition on the site, 2013/93405, relating to 410 which shows a red hatched area around the current bungalow and included condition 3, which clearly states, *"no buildings or extensions shall be erected in the area hatched red on the approved site plan received 29 October 2013. Reason: To maintain effective control over the site in the interest of protecting the mature trees covered by a Tree Preservation Order, in accordance with Policy NE9 of the Unitary Development Plan."*

This red hatched area is coterminous with the eastern wall of the current bungalow and any building beyond that will breach this condition. The new footprint of the replacement house encroaches significantly into this red area, and beyond that there would be a retaining wall.

The location of the proposed garage/office at 412 is also within the spread of protected trees.

Ecology

An ecological survey (Phase 1 Survey Report) has been commissioned by the applicant. We have concerns on the accuracy of this report.

- The screenshots of the data search results used in Section 3.4 show that the survey is based on 408 Birkby Road, not 410 or 412. 408 does not have a border with either of these properties and is further down the lane backing onto the tarmac carpark of the Church of Jesus Christ of Latterday Saints and is some distance from the protected woodland. It is concerning that an ecology report to support the application does not actually relate to the site.
- The report claims no sightings of badgers and few sightings of other significant species. From our own experience, we have seen quite a lot of wildlife, including bats, foxes and hedgehogs, we have heard owls and neighbours have shown us photographs of badgers and deer taken in the woodland around the properties in question.
- The report states there are no active nests at the time of the survey, 26 February. This would be early for common garden species of bird to start nesting so the statement lacks any relevance to the number and types of birds that do nest in the woodland.
- The ecology report is based on the Natural England Website for reported sightings. Most people do not regularly report their sightings to this site.

Cars and construction traffic

The application says there are parking spaces for 15 cars, but in addition there is a new double garage and the existing triple garage which makes 20 spaces. This seems excessive for 2, 5 bed family homes. If so many spaces are required, the applicant must expect there to be numerous cars using the site once complete. The only access to the site is along the private lane off Birkby Road. There are 4 other properties along this lane which is narrow and is not designed for excessive traffic. The exit from the lane onto Birkby road is close to a major junction with Halifax Road and for numerous cars to be exiting the lane there is potential for traffic hazards.

In addition, as residents of this lane, we are concerned about the potential disruption to our daily lives and the possible impact upon our wellbeing that the process of the development may cause. This project will require a lengthy build. Our previous experience of building work along the lane between September 2018 and January 2020 was extremely stressful. On many occasions the lane was blocked by delivery vehicles and heavy Hiab cranes, which in itself was noisy and disruptive. It created the additional anxiety of worrying that the lane would be blocked when we wanted to leave our property and needed to get to appointments on time. The complete demolition and rebuild of 2 houses will require a great deal of heavy plant and machinery and frequent deliveries of building materials. It must be stressed that there is no turning area on the lane, so all vehicles must have adequate turning on site. This could be difficult as there will also be the vehicles of the construction workers to consider. We have been assured by the applicant that there will be no problems and he will repair any damage to the lane. However, we believe it essential that if any approval is given for any development, there is a condition for a construction management plan with minimum requirements:

1. The lane will not be blocked by construction or delivery vehicles at any time.
2. All vehicles will turn on the site and not use any private drives of any other properties along the lane for this purpose.
3. Hours of work are restricted to 9am to 5pm Monday to Friday and 9am to 1 pm on Saturdays. No work to be undertaken on Sundays and Bank Holidays.

And a condition re the reparation by the applicant, of of any damage to the lane.

We hope you will take note of our comments and serious concerns around this application.