

PLANNING APPLICATION REF: 2022/62/92406/W - CHIPPINGS SITE, CHAPELGATE, SCHOLES

Further to my previous comments of 5th September 2022 I wish to register my continued opposition to the above, my additional comments of objection being as follows:

GREEN BELT – the green belt should be preserved and continue to be used as a buffer between villages to prevent rural development having the effect of joining them together and to safeguard the countryside against encroachment.

In October 2000 an advertisement was placed in The Examiner stating that Kirklees MC intended to sell this site which was classed as Public Open Space. If this development is approved, then not only have the community lost an area of green belt, and let's be absolutely clear about this, once it's gone, it's gone forever, but Public Open Space in the Green Belt. It's a double whammy plus the loss of a public footpath across the site which was awarded in the Graveship of Holme Inclosure Act (1834).

HOUSING NEEDS SURVEY - although the Applicant has commissioned a Housing Needs Survey for the area which states the need, as it is throughout the country, for affordable homes, the Applicant has not demonstrated that it has complied with or met the exceptional circumstances/rules for development in the green belt. The proposal does not provide affordable housing for **local community** needs in perpetuity. Local people will not benefit from this development as the housing association in partnership with the Applicant will not have the option of being able to specify that only local people can rent the properties. They will have to refer to the current requirements of the Kirklees Housing list. Kirklees Strategic Housing will no doubt confirm this important point and no matter how the Applicant attempts to address this crucial issue, it simply will not happen. Furthermore, the idea of the Planning Department imposing a planning condition on any approval stating that the properties can only be let to local people cannot be a viable solution as there is no way it can be 'policed'. The following extract from the Applicants faq's section on their website attempts to address the 'local connection':

Local connection will need to be evidenced by applicants and this will be a pre-filter to identify potential tenants. For the first letting, the Government, who may supply grant funding to build the homes, will insist we use the Kirklees Council's housing register, with the local connection filter applied, to identify local applicants. Second lettings will usually have the same requirement for 50%, with the remaining re-lets available either through the choice-based letting system to people on the register, or via Rightmove (but the local connection will still be enforced!).

It has to be asked that if the 'local connection' will still be enforced, why is it that 2nd lettings will 'usually' have the same requirement for 50% and the remaining re-lets available as described? Why can't ALL lettings be subject to the same pre-filter as the first lettings to ensure this can only be a benefit to the local community?

CHARITABLE STATUS - the Land Charity can no doubt point to the £2000 per annum income which it will receive from the Applicant as being the benefit to the local community, but this comes from a leasehold transfer of the land and in these cases the Charity Commission has strict regulations which must be adhered to. I don't know if these strict regulations have been adhered to so this is probably a question for the Charity Commissioners to answer. This development is likely to cost circa £1.5m and as the Government will supply grant funding to build the houses, such funding comes out of the public purse, which is tax payers money, so Scholes and the wider Holme Valley tax payers will be

contributing to the cost of this development for a return of £2000 per annum. The main consideration here has to be - who is left with property of £1.5m value? One thing's for sure - not the local community!

In a letter from the Charity Commissioners to the Solicitors of the Land Charity it was stated "any benefit that is provided must have the effect of benefiting the inhabitants as a whole rather than just selected individuals. The provision of low cost housing may be charitable, but would normally be deemed to provide individual rather than collective charitable benefits." In a meeting of the Holme Valley Parish Council in October 2002, the Solicitor reported that he had discussed the position of this land with a specialist Charity Law barrister, who was doubtful about the chances of agreement to an affordable Housing Scheme as it would be difficult to prove benefit to the local community.

I think the above shows that any benefit to the local community is at best highly questionable and as such this application should be stopped in its tracks before a monumental mistake involving the loss of our Green Belt takes place.