DCAdmin

From:
Sent: 16 August 2024 12:49
To: DCAdmin
Subject: Application Number 2022/62/93731/E

Categories:

1.1 I wish to Object to the Planning Application on the following Grounds:-

a. Road Safety
b. Non-Compliance with the National Planning Policy Framework and Kirklees Local Plan

1.2 The timeline of this application appears to be as follows:-

Initial Application 16 November 2022

Highways Development Consultation Response 23 November 2023 (“the Response”)

Amended Application on or around 4 July 2024

1.3 From the above it appears that no further Highways report has been prepared (or at least disclosed) in relation to the amended application.

1.4 The amended application indicates that all vehicles of occupiers of the proposed development (the plan indicates seven vehicles) will access off road parking via Scopsley Lane.

1.5 Scopsley Lane is a narrow road, particularly where it intersects with Whitley Road and is in effect a single carriageway at this point.

1.6 When turning left into Scopsley Lane from Whitley Road, a driver has no visibility of any motor vehicle, cyclist, horse rider or pedestrian until they are part way around the corner.

1.7 On a regular basis, I have to avoid vehicles turning around this corner. There is insufficient pavement or other refuge at the end of Scopsley Road to provide safety to any pedestrians and I have only been able to take avoiding action due to my experience of the situation aided primarily by listening for traffic, which is becoming less reliable with the increased use of electric vehicles.

1.8 There are numerous stables in Whitley and the surrounding area. This junction is often used by horse riders enroute to and from bridal paths at the opposite end of Scopsley Lane. The junction is also used by numerous cyclists.

1.9 The amended application proposes that seven additional vehicles will access this junction and utilise the proposed parking spaces. I consider this to be a significant increase in the risk to pedestrians ,cyclists, horse riders and horses.

1.10 In the Response, it states that “the proposed residential development (not the revised application) can be expected to generate less traffic than a public house”.

1.11 Whilst as a general statement this clearly makes sense, no account has been taken of the fact that the traffic generated by the public house utilised a large car park situated on Whitley Road. (This Car Park is not included in this application – no doubt it will be subject to a further application for residential development in due course).

1.12 The traffic that would be created by the proposed (amended) development would in its entirety increase the traffic flow at the end of Scopley Lane, significantly increasing the danger for pedestrians, cyclists, horse riders and horses.

1.13 The Amended application makes no provision for the additional traffic flow that would be generated by the proposed dwellings ie visitors/deliveries/utilities which would further increase the risk to pedestrians. The applicant is aware that there is only a poor bus service and therefore all occupants are likely to have at least one vehicle but most likely two which the application does not cater for. Where are the additional vehicles going to go?

1.14 The dimensions of the proposed parking suggest that drivers will have some difficulty in manoeuvring in/out of the car park spaces, which will result in Scopsley Lane being “blocked”.

1.15 I appreciate that Highways may not have had all the information above when preparing the Response to the initial application.

2.1 I have no direct knowledge of the applicant but from the documentation submitted by the applicant and or his limited company it appears that the applicant is:-

- Vastly experienced in the licensed/pub trade
- Being MRICS qualified, the applicant will have a “professional” level knowledge of the National Planning Policy Framework and Kirklees Local Plan that are relevant to the property that is the subject of this application.

2.2 The Consultation Response from Kirklees Council Policy (“the Policy Response”) prepared by Amy Woodhead clearly sets out the expected actions/circumstances required to protect local communities from owners/applicants seeking to change the use valued facilities and services.

2.3 In February 2024, Ray Parker & Co Limited submitted a response to the Policy Response. This includes statements that:-

a Whitley Community Centre is an alternative community facility (para 1)

b Within a radius of 1 mile there are seven other pubs (para 2)

c Within a radius of 5 miles “there are no less than 580 restaurants” (para 2)

d Whitley has a bus service allowing residents to visit other public houses (para 3)

e The applicant or his limited company purchased the public house on 28 April 2016

f The property has **not** been offered for sale as a licensed public house…..doing so would **not** render a realistic sale

g That a number owners/tenants had been involved with the public house since 2002

2.4 I make the following observations on the response made by Ray Parker MRICS/Ray Parker & Co Limited

2.3a Whitley Community Centre is operated by a registered charity on a volunteer basis. To suggest that the offering at The Woolpack Inn is in any way comparable is absurd.

2.3b Simply quoting a “1 mile radius” takes no account of the area’s topography. No meaningful area of land is flat in Whitley or the surrounding area.

2.3c Ray Parker MRICS/Ray Parker & Co Limited quote that the source of this information is Trip Advisor. Is the applicant really claiming the there are 580 establishments providing services similar to that which were provided by The Woolpack Inn at Whitley within a 5 mile radius of Whitley?

2.3d Ray Parker MRICS/Ray Parker & Co Limited has previously cited the poor bus service as a reason for poor trading……but it is apparently good enough for residents of Whitley to leave the area.

2.3e The property was purchased as a public house, with all relevant National Planning and Kirklees Local Policies in place, no doubt suppressing the purchase consideration, benefiting Ray Parker MRICS/Ray Parker & Co Limited.

2.3f Ray Parker MRICS, given his professional knowledge and experience must have known that he should offer the property for sale as a business/going concern. He has chosen not to do so……why? It would not render a realistic sale. Put plainly it would not produce a sale at a level acceptable to Mr Parker MRICS. I do not expect that the provisions of the National Planning Policy Framework nor the Kirklees Local Plan are designed to be totally disregarded by a party who simply wants more money.

2.3g Ray Parker MRICS provides at Appendix 2 what he considers to be "evidence of operational turnover and failure". I am not able to comment on the accuracy of the information provided. However, what this document does show is that despite issues (described by Ray Parker MRICS) numerous parties have considered that The Woolpack Inn was viable. The only party person who states in his professional capacity (MRICS) that The Woolpack Inn is unviable is the applicant/party that seeks to benefit financially from the proposed change of use at the "cost" of the residents of Whitley.

2.5 In addition to seek to increase the sale price of the property by obtaining a change of use, refusal to comply with regulations the applicant (MRICS) must have been aware of prevents any alternative owner operating a successful business that would compete with his other pub in the locality..

2.6 Approval of this application will send out a clear signal that the way to avoid the intentions of The National Planning Policy Framework and the Kirklees Local Plan is to scuttle the business and wait, leaving the village with nothing.