From:

Kirklees Planning Service
Civic Centre 3
PO Box B93
HUDDERSFIELD
HD1 2JR

12 March 2023

Dear Planning Team,

OBJECTION TO PLANNING APPLICATION

Reference: Application Number **2023/62/90434/E**, last updated 08 March 2023.

I should like to submit the attached objection to the Reference Application.

I would be grateful if my personal details (to include name and address) were not made public as the nature of this application is such that it may lead to community friction. As a result, I would not want myself or family to be subject to unwanted or unnecessary attention as a result of submitting this objection.

Having stated the above, I would be more than happy for Council Officials to contact me with questions and/or requests for further information, based on any or all of my comments within the attached objection.

Yours sincerely,

Application Number: 2023/62/90434/E.

Address: Babes in the Wood, 1039 Leeds Road, Woodkirk, DEWSBURY, WF12 7HY

PLANNING STATEMENT INTRODUCTION

1. **Planning Statement - Introduction (1.1)**. This paragraph states that the facility will be open to local residents. While this may be true in principle, the Muslim Community that it is designed to serve is in reality geographically separated from the facility location. This separation is significant in both distance and topography.

2. **Planning Statement - Introduction (1.2)**. Following from the above, it is unrealistic to suggest that the majority of users will walk to use the facility – it is too far and requires people to manage a substantial incline when travelling in either direction. Again, there are few if any current, potential users of this facility living within close, walkable distance. It is almost as if the concept of this proposal is to create the facility with the expectation that the community that it is designed to serve, will then gravitate toward it? It is offered that no proper survey has been conducted to ascertain who will actually use this facility and where they actually currently reside?

PROPOSAL

3. **Proposal (2.1)**. There is a contradiction between the Planning Application and the Planning Statement regarding opening times. One states 0500 – 0000, while the other 1100 – 1930. This is a significant discrepancy and one that will substantially affect the impact of the proposal. It is suggested that the longer opening period is more likely given the 5 prayer times, particularly in Summer.

4. **Proposal (2.1)**. There is again a contradiction between the Application, the Statement and the plans submitted. The Application describes a "*community centre with a small prayer room*", the Statement describes the "*prayer room*" as having an approximate capacity of 19 worshippers, yet plans show the majority of the ground floor given over to a "*Prayer Hall*", which would have a significantly greater capacity than 19 people and no indication of any other area designated for more general community activity.

5. **Proposal (2.1)**. It is suggested that the retention of the upper floor as a dwelling is incompatible with the use of the ground floor. If it remains a dwelling, who will occupy it and how will they be affected by the proposed community centre?

6. **Proposal (2.2)**. It is stated that there is parking for up to 15-vehicles with 2 spaces designated for the upper floor dwelling. This calculation is disputed with it suggested that in real terms, there are far fewer spaces available, particularly if spaces are to be accessed without the requirement for other vehicles to be moved. Also, access needs to be further scrutinised as the Application makes reference to parking being accessible from both Soothill Lane and Leeds Road (A653). The Leeds Road access point is currently blocked by a wooden fence. It is suggested that the future intention of the applicant is likely to remove this fence which will significantly negatively impact both availability of parking and traffic management issues (see also comments at 'Site and Surroundings').

COMMUNITY NEED

7. **Community Need (3.1)**. It is offered that this paragraph makes little sense when viewed through the eyes of the existing local community. There is currently no community need as there is no Muslim community for the proposed community centre to serve. As expressed elsewhere, the community that would use this proposed facility will need to travel to access it.

8. **Community Need (3.2 & 3.3)**. These paragraphs when properly considered make even less sense than the one above. The intended target group for this proposal will continue to travel by car because the location of the proposed community centre and the location of the Muslim community are entirely separate (see Introduction (1.1)). It is not accepted that those who would likely use this centre will walk the minimum of 1,500 meters, in some cases significantly further, with a considerable uphill section in either direction, 5 times a day, in winter and/or inclement weather. Furthermore, the

statement that the need to travel elsewhere by car, in order to meet their religious needs, is causing a strain on local roads and results in on-street parking and traffic issues is, quite frankly, insulting in the extreme. So, the solution, apparently acceptable to Kirklees Council, is to just inflict the same problem on a local community already struggling with excessive traffic, poor traffic management protocols and on-street parking challenges?

SITE & SURROUNDINGS

9. **Site and Surroundings (4.1)**. The statement that the flat, or indeed the entire building, is vacant is contested; people can regularly be seen entering and leaving the premises at all time of the day. The "*integral garage*" has been modified within the last 12-months in such a way that it has both a pedestrian and a vehicle door, however, when the vehicle (garage door) is open, it is clear that the interior is some form of seating/recreation area.

PRINCIPLE OF THE CHANGE OF USE

10. **Principle of the Change of Use (5.1)**. This section states that the NPPF requires local authorities to plan positively for social, recreational, and cultural facilities to improve the health and wellbeing of communities. A community centre, by definition[1], must serve the needs of the community. However, in the case of this application, a community centre is being proposed for a community that does not inhabit the area where the community centre is to be located.

11. **Principle of the Change of Use (5.2)**. This paragraph states the positive uses of the proposed community centre. However, the plans submitted show the majority of the area of the centre being dedicated to a "*Prayer Hall*". There appears to be no area for "*social, recreational, and cultural facilities*". Also, there is only one toilet which leads to the assumption that this facility is either for use by only one sex or, the facility will be used by different sexes at different times. It is argued this is out with the concept of a community centre or indeed, at odds with principles of equality, diversity and inclusion.

12. **Principle of the Change of Use (5.2)**. The statement, "*This will improve social interaction and contribute to a healthy and inclusive community*", is sadly an utter fallacy. This proposal will unfortunately cause resentment and anger because the community that the proposal is designed to serve, is not in reality the community in which the proposed community centre is located.

13. **Principle of the Change of Use (5.6)**. *"...the proposed facility will be at the heart of the community it is intended to serve and easily accessible by foot or bike".* It is suggested that this is simply an untrue statement designed to bolster a flimsy Application? The facility is absolutely not at the heart of the community it is designed to serve. Further, as addressed elsewhere, the user group is unlikely to be willing or indeed able to walk or cycle to the proposed facility.

14. **Principle of the Change of Use (5.8)**. Issue is taken with the statement "*that the site has been vacant since 2020 and attempts to secure tenants have been unsuccessful*". Simple observation of the comings and goings to and from the premises indicates that the premises have been in use throughout. In regard to attempts to secure tenants, the last tenants of the public house were asked to leave by the brewery and stripped the facility of its internal fittings on departure, making the cost of reopening as a public house prohibitive. Subsequently, parties interested in acquiring the lease to reopen the premisses have been dissuaded from doing so by prohibitively high rent requirements and the need to undertake a full refurbishment of the premises, at their own cost, in order to make it fit-for-use; this without any guarantee of tenure, in order to make good on their investment. Furthermore, and contrary to the statement in the Planning Application, it is suggested that work has already taken place to facilitate change of use with work to remove all vestiges of the locations previous use already having been undertaken.

---

[1] A place where people from a particular neighbourhood can meet for social events, education classes, or recreational activities.

IMPACT ON LOCAL RESIDENTS

15. **Impact upon Local Residence** (sic) **(6.1)**. It is suggested that while noise may be a concern in the future, particularly if future use exceeds use as a "*community centre with a small prayer room*", it is not the primary concern now. It is suggested that the immediate impact on residents will include, but may not be limited to:

a. Further congestion on an already busy and dangerous section of road;

b. Further parking problems as a result of over-representation of availability of on-site parking coupled with the likelihood that most users will drive to the facility despite assertions they will walk;

c. The somewhat hidden (or simply poorly worded statements and contradictions between documents) suggesting that the applicant has at least a suspicion that there could be a substantially larger potential user-group than is actually stated;

d. Impact of possible on-site catering activity;

e. The creation of unnecessary and unwarranted community friction.

16. **Impact upon Local Residence** (sic) **(6.3)**. This paragraph warrants further consideration. The Application states that there will be no employment on site, yet the Statement says that during most of the day, the community centre is expected to be quiet, this would indicate one of several options, the centre will be left unsecured, users will all have keys or, some form of management/staff will be in place to facilitate entry? While it might be a miss-type, the Statement says that the facility will be busier at prayer times with group**s** (*note plural*) of 10 – 19 worshippers attending congregational prayers - does this mean that there could be several groups of between 10 – 19 attending congregational prayers at the same time *i.e., attendance of way beyond 10 – 19 people on any one occasion?* This discrepancy is highlighted because as already addressed, the proposal and the plans are contradictory in that there is no designated community space only a large "*Prayer Hall*" shown on supporting plans. Again, as elsewhere, it is offered that the capacity of the "*Prayer Hall*" is far greater than 10 – 19 people. As already stated repeatedly, it is suggested that users will not walk to the site because of distance and topography and as a result there will be noise from vehicles as well as potential smells from the on-site cooking facilities, an issue addressed in more detail below.

IMPACT ON HIGHWAY SAFETY

17. **Impact on Highway Safety (7.1)**. As discussed elsewhere, most users are *unlikely* to walk as they do not live within convenient walking distance of the proposed community centre, especially if they are going to be travelling to/from the location up to 5 times a day. If this assertion is to be rebutted, it needs to be done through the means of an independent survey of the local community within walking distance. Again, as elsewhere, the calculation of parking space availability should be independently verified.

18. **Impact on Highway Safety (7.2)**. When the site was in use as a public house, there were very few patrons who used to drive to the facility (*unwilling to drink and drive*). Indeed, one of the many issues leading to its closure as a public house, was the inability of patrons to get to it without the need to drive, due to geography and topography – the very issues that are being ignored within the Application with the misguided assertion that the majority of future users of the proposed facility will walk to it. Therefore, the statement that the parking demands of the proposed future use would be far less than is the case with the current lawful use, is factually incorrect.

19. **Impact on Highway Safety (7.3)**. The consideration that the number of parking spaces proposed are more than adequate to meet the parking need is incorrect for the reasons detailed throughout this note.

20. **Impact on Highway Safety (7.4)**. It is suggested that the disabled cohort within any community is more likely to require access to community facilities, therefore, more than one disabled

parking space should be provided, at least one of these spaces should be provided with electric vehicle charging facilities.

21. **Further Highway Safety Considerations**. At 4.1, it is stated that: "*The site is located at the junction where Soothill Lane intersects with Leeds Road*". This bland statement plays-down the fact that this intersection is very busy 24-hours a day and is already the site of significant congestion at peak periods. The traffic light sequence is (correctly) weighted in favour of traffic on Leeds Road (A653), such that only a few vehicles can turn onto Leeds Road from Soothill/Heybeck (B6124) Lane at each green light. Adding the further complexity of a car park entry/exit within 30 metres of this traffic light-controlled junction will only create further congestion and frustration for motorists and increased risk for pedestrians, particularly the elderly and disabled (noting access for the adjacent Post Office).

22. **Car Park Access**. An issue for further consideration is that the entry/exit onto the north-bound side of Leeds Road is currently blocked with a fence. Prior to the closure of this entry/exit point to Leeds Road, motorists would regularly use the car park as a means to bypass the traffic lights, often passing through at speed with little regard for pedestrians, or drivers observing the traffic lights. It is offered that maintaining the closure of one of the 2 car park entry/exit points is essential.

23. **Traffic Issues**. The area between the intersection referenced in the Application/Statement is, as previously stated, a very busy junction that sits at the centre of the local road network that links residents to Batley, Morley, Leeds, Dewsbury (and Huddersfield beyond), Wakefield and Ossett. In addition, in a northerly direction and within a distance of 350-metres, is a very busy Post Office and convenience store, the entrance/exit to Woodkirk Gardens, a large garage/car retail site (Stoneacre) and the entrance/exit to Quarry Lane[2]. These factors all lead to the creation of a section of Leeds Road (A653) that is incredibly complex to navigate, particularly at peak times. This issue is compounded by:

a. Customers accelerating away from the post office parking area to beat the traffic lights, and then executing a U-turn at the cut-through in the central reservation opposite Woodkirk Gardens;

b. Regular deliveries on large car transporters to the garage causing the blocking of one lane of the dual carriageway. This in turn has led directly to at least 2 major accidents within the last 18-months as motorists accelerating away from the traffic lights on the inside lane, try to break into the outside lane, to pass the car transporter causing an obstruction;

c. Garage customers travelling south executing U-turns to access the northbound A653 and enter the garage premises, again utilising the cut-through adjacent to Woodkirk Gardens;

d. The garage has two entry/exit points onto the northbound A653, staff and customers routinely drive the wrong way down the northbound A653 the to get from the northern to the southern entry/exit point. This is done in the false belief that they are 'safe' to do so because of a red light at the subject intersection and not appreciating that there is northbound traffic that is not controlled by the traffic lights (from the Post Office, Woodkirk Gardens or other garage traffic executing a U-turn from the southbound A653);

e. During extended working hours, substantial movements in and out of heavy goods vehicles accessing the quarry and other transport sites on Quarry Lane;

f. Movement of existing domestic traffic accessing local homes on Leeds Road, in Woodkirk Gardens and on Quarry Lane.

g. Regular on-road parking on the A653 of heavy good vehicle stopping to buy food and drink from either the convenience store or the sandwich shop on the opposite side of the road to the subject property;

---

[2] Note that both Woodkirk Gardens as a cul-de-sac and Quarry Lane as a dead-end both only have a single entry and egress point.

h. Finally, the fact that the stretch of the A653 has unfortunately become a racetrack for local youths.

To add further complexity to a stretch of road that is already as dangerous as it is, is questionable at best and at worst, a dereliction of the Councils' duty of care to the residents it has be elected to serve.

CONCLUSION

24. **Conclusion (9.1)**. Given the contents of this note vice the contents of the Planning Application, Planning Statement and accompanying plans, it is offered that the conclusions reached within the Councils conclusions are unsupportable as follows:

a. The proposal is not in-line with planning policy guidelines as a result of the proposal being for a community facility that is actually out with the community it is designed it serve. As a result, it will create inter-community friction.

b. It is contested that proposed use will be less intense than the existing use. This statement is based on the suggestion that many users of the proposed facility will drive to it and hence require parking, increased hours of operation and the likelihood that, once open, far more people will seek to access the proposed facility that is currently envisaged. Finally, consideration of the current use is invalid as a benchmark as in reality, true use of the public house ceased many years ago.

c. Noise is considered the major concern within the Planning Statement and while this may become problematic if the proposed facility does attract significant use, it is suggested that the concerns that actually need to be properly addressed now include:

i. Actual lack of parking;

ii Highway safety concerns;

iii. Public Safety and Food Hygiene issues connected with the proposal;

iv. Potential for inter-community friction.

PLANS

25. **Issues**. It is offered that the plans provided are over-simplistic? Offered as matters of potential concern are:

a. The plans do not accurately represent statements made in the Application or subsequent Statement.

b. What is the proposed future use of the area annotated as 'NOT SURVEYED', given what it currently appears to be being used for?

c. One large central area described as a "PRAYER HALL" with no designation of areas for any other community use.

d. Only a single toilet.

e. Location of fire exits?

f. No diagram of car park to include an indication of how 15 vehicles will be parked.

g. No designated waste compound (link to kitchen).

h. 2 pillars supporting the ceiling shown in plans, however, previous barback structure likely provided structural integrity and now likely already removed.

MISCELANEOUS

26. **Fire Prevention/Fire Safety**. The current available space will accommodate significant numbers of people, likely far greater than the original public house, particularly with the large central

U-shaped bar area removed. It is suggested that there is a need for a full Fire Safety Survey, looking specifically at emergency exits, provision of fire detection/suppression systems, alarm system, provision of first aid fire-fighting equipment and emergency evacuation procedures (to include for the first-floor residence). The presence and use of the kitchen indicated on the plans will also need appropriate fire safety consideration.

27. **Kitchen**. The plans show the presence of a kitchen:

a. What will be the kitchen opening times?

b. Will the kitchen be for community centre users only or developed as a wider community kitchen providing take-out or meals for delivery?

c. What will the kitchen actually be used for and who will operate it?

b. What Food Safety measures will be in-place?

c. How will bulk food stocks be delivered (traffic & parking)?

d. Will this lead the smell of cooking being present in the vicinity of the community centre over a protracted period of the day (linked to extended opening hours)?

e. How will potentially large volumes of kitchen waste be stored and subsequently disposed of?

f. Link also to Fire Safety above.

28. **Use During Religious Festivals**. How will the use of the proposed facility differ during Religious Festivals such as Ramadan?

29. **Planning Notices**. Planning notices placed on adjacent infrastructure have been witnessed being removed.

30. **Work on the Subject Property**. There has been and continues to be regular work taking place both inside and to the outside of the property, despite the statement within the Application that work has not commenced. An example would be the conversion of the annex to the north elevation of the property which has seen the addition of both a pedestrian entry/exit door and what can best be described as a garage door. On passing the property when the garage door is open, despite it having the outward appearance of a storage facility, it appears to be equipped as a sitting area with sofas and associated furniture in situ and positioned for seating/recreation rather than storage. As stated elsewhere, the internal structure has been gradually stripped from the premises.

31. **Summary**. It is offered that the Council should consider requesting a far more detailed application that accurately and robustly addresses the concerns offered here. This should include, but not be limited to:

a. Provision of a detailed schedule of use;

b. Fact-based data on future usage to include the demographic of the user community and their current geographic location;

c. A review of the parking requirement;

d. A review of Highway Safety issues associated with the proposal, particularly in light of 'c.' above;

d. Correct provision of facilities for the user community to include toilets;

e. A guarantee that the proposed facility will be in accordance with modern norms to include issues of equality, diversity and inclusion. A community centre by design should meet the needs of all the community to include those of the LGBTQ+ community;

f. A full Fire Safety Survey;

g. A full Food Hygiene Survey;

32. **Finally**. The Application is for a community facility highly likely to be unwanted by the majority of the in-situ local community. The community that will actually use the facility will travel from elsewhere and hence, the application is disingenuous at best, fraudulent at worst; particularly if one knows the area and interrogates the detail contained within the Application, associated plans and subsequent Planning Statement. All contain errors, omissions and even false statements. It is offered that a cynical reader might interpret these as either poor administration on the part of both the applicant and the council, a lack of attention to detail, or they serve to pre-empt/mitigate any potential response from local residents. Finally, the Application is for a "*community centre with a small prayer room*". It is suggested that what is being sought is more akin to an *"Islamic Centre"*. This centre created to serve a cohort that is non-resident within the community where the proposed facility would be located.