

Wood Nook Farm
26 Wakefield Road
Grange Moor
WF4 4DS

19/4/2023

Dear Sir/Madam

Re: Planning Application 2023/90668 – Erection of B2/B8 Industrial Unit and associated works -
Grange Moor Coach Works, Barnsley Road, Grange Moor, Huddersfield, WF4 4DR.

I have lived at the address above, which directly borders the land of the application for over 40 years. My husband has lived here for 68 years and is the 3rd generation of his family to live here.

I would like to strongly object to the above planning application for the following reasons.

Firstly the land and buildings outlined in the application are owned by _____ and not the applicant PCS Property Solutions. This initially may not seem relevant, but it is particularly relevant when you consider the points detailed below!

_____ should be well known to Kirklees Council who have served a multitude of enforcement notices upon him for the land in question in this planning application.

Initially the land was owned by _____ and the tenants were _____ and Enforcement notices were issued by the council ref D23.645/SJH in 1993.

Then the land passed to _____ remained as their tenant and ultimately the land passed to _____ and ever since inception _____ has been “the constant person” showing no respect to the land in the green belt, the neighbours and indeed the council that has had to follow up so many complaints leading to several further enforcement notices and ultimately prosecutions leading to fines to clear up the carbuncle of a site.

_____ had previously submitted a planning application, for this land, when _____ was his “tenant”, with many subsequent amendments for a hotel and restaurant complex which turned out to be little more than a tactic, to delay by several years, the clearing up of the site and to this day many years later it remains a hideous eyesore with no respect shown by _____ !

Moving forward to the current application by PCS Solutions, the applicants place emphasis for approval of this development on the tidying up of the current blot on the green belt landscape which they consider “will be of benefit to all concerned especially the small number of houses in close proximity to the site” However as a direct neighbour to this site I most strongly disagree!

It cannot be denied that _____ has turned this site into an abomination and has effectively stuck two fingers up to all those around him who have dared to challenge him. This includes us, all our neighbours and also Kirklees Council. However the removal of one eyesore by the creation of another is hardly a solution and a benefit to the neighbours and one that none of us are jumping for joy about!

has flagrantly ignored Kirklees Council by allowing the site to deteriorate despite the Council having the power to enforce a clear up of the site. Therefore if this planning application is allowed will clearly have benefited from years of abuse of the system so I would remind the council that after all the time, effort and expense they have incurred in all their dealings with that they still have the power, under current enforcement rules and under successful prosecutions, won on appeal, to enforce the cleanup of this site and accordingly they should do so now, regardless of this application!

The real solution for all concerned would be for Kirklees Council to actually enforce the clearance of this site and return the land to its green belt condition!

I would remind the Council that when the previous Hotel application was called in on appeal, Mr Crowther, acting on behalf of the Secretary of State for the environment warned the council of the following

“on the available evidence, I am not in a position to determine which, if any of the existing uses, structures (or buildings) are unauthorised, or which may be lawful and in any event these questions are not before the Secretary Of State at this enquiry. Nevertheless the paucity of evidence seems to me to create a difficulty in consideration of the case. Both main parties place great reliance on the alleged environmental gains of developing the site as opposed to a perpetuation of the status quo. But if that status quo has arisen partly as a result of unauthorised and uncontrolled development, then to allow permission for outline redevelopment could be construed as tacitly supporting it! This is a factor the Secretary Of State will wish to carefully consider as it may have implications for other green belt sites. There is clearly a danger that sites may be allowed to deteriorate, or have unauthorised activities introduced onto them, in order for their owner to have a lever for obtaining permission for more profitable development.

Although the site in question is still in use paragraph 9 of PPG 2 contains some broadly relevant advice, stating that development in the green belt should not be allowed merely because the land has become derelict”

This is exactly what has done and is now seeking to profit from his dilatory dealings with all previous aspects of planning.

The development is unrelated to any existing settlement and would extend an existing isolated group of dwellings, harmfully affecting the rural character of the surrounding countryside. Once again replacing one “dirty eyesore” with a “cleaner eyesore” is not a satisfactory solution!

The 26 houses around the site are very much a standalone hamlet consisting mainly of ex-miners cottages and are the last available affordable rented housing in Wood Nook and Grange Moor.

Environmental Health – Pollution and Noise control

The proposed development would hugely affect this community by both its nature and immediate proximity to the houses. The proposed erection of this massive industrial unit, only forty metres away from our homes will blight our small community with constant noise and emissions of HGV's coming and going at all times of the day and night, especially as the loading bays and HGV exit route is literally alongside our homes with a new roadway proposed!

The traffic commissioner drew up a site plan after he also held a public enquiry to determine the suitability of the site and which part of the site could be used to operate and park roadworthy HGV's. He restricted the area for HGV's etc to the concrete yard away from the dwellings and as such outside the enforcement area, but this new proposal would have the loading bays and the exit road within the current enforcement area and as such literally adjacent to our properties!

If the traffic commissioner would not allow HGV's to operate in this area then, why would the applicant now think that this would be allowed especially as they intend to build an exit route for the HGV's along the length of our boundary line! **If it was not allowed then, it should not be allowed now!**

The development is proposing to increase parking spaces from 10 to 303 which again will affect us all with noise and pollution drastically increased.

Kirklees Council report

Noise

"The applicant has submitted a Noise Impact Assessment (NIA) authored by SRL dated 13 January 2023 Ref 81009-SRL-RP-YA-01-P1. It assesses the potential noise impact of the new building to nearby noise sensitive receptors (NSRs) to support the planning application. The report states the nearest NSRs are 1 Barnsley Road, located approximately 300m southeast of the proposed building and 2, 4 & 8 Liley Lane approximately 500m north of the proposed building. However, the report has overlooked the terrace of houses at 44-62 Wakefield Road, a distance of approximately 35m to the site boundary. The NIA states that the relocation from premises c150m north of the site is not expected to result in any significant changes in traffic noise levels from the surrounding roads and this has therefore not been assessed in the report. It is our understanding that the applicant premises will be expanding, therefore there should be an increase in staff and business vehicles. No detail is given on the existing numbers of staff vehicles and business movements but the application form does state there will be a total of 303 car parking spaces, indicating a significant increase. Noise monitoring was conducted between the 13th and 14th of December 2022 from 4 monitoring positions which are shown in figure 3. Ambient levels were dominated by noise from regular local traffic passing the site and distant traffic on the surrounding road network. Maximum noise levels were generated by HGV passes in the daytime and by light vehicle passes at night and a summary of these findings are shown in figure 4. The NIA proceeds to offer maximum plant noise limits for any fixed mechanical plant and based on library data, predictions have been made on the noise from vehicle movements and mobile operations on site. These predictions have been based upon the distances to the NSRs identified within the report i.e. Barnsley Road and Liley Lane and not from the identified NSRs at 44-62 Wakefield Road. There are electrical services and a substation proposed as per the submitted drawing from Novo dated January 2023 Ref P1948-NOV-XX-XX-DR-E-9602 but no specific reference is made to them in the NIA. The applicant has not considered the low frequency emissions typical of transformers and substations along with any mitigation measures if deemed appropriate. The findings of the submitted NIA are rejected and a condition is recommended for a further/addendum NIA to be submitted. The applicant will need to consider the identified NSRs, the increase in vehicle movements and the electrical substations and services plant"

Please note that no mention is made of our property at 26 Wakefield Road which literally forms the boundary with the land on the application. We are therefore one of, if not THE main Noise sensitive receptor yet there has been no consideration of how we will be affected. The noise from the new HGV exit road will have a huge impact on us!

The development of a highly visible, 18metre tall, three storey building would be highly visible on the skyline and would be incompatible with the rural character of the area and does not take the form of natural infill or rounding to the existing settlement of Grange Moor.

Loss of amenity

Because of the large scale of the development and the proximity to us, the development would harm residential amenities of our adjacent dwellings by its sheer presence, blocking out of natural light, causing noise, vibration, dust and fumes from the traffic it will create, including traffic for waste disposal in addition to blighting a rural public foot path running parallel to the site. Any artificial light from the construction phase of the development and completion will also be an issue on such a large development .

Ultimately the development would stop me from enjoying my home and garden and be visible from all South and East aspects of my property, a property that we have spent a considerable amount of time and money on making nice for our retirement!

The application shows the following questions and answers

Assessment of Flood Risk

Q - Is the site within an area at risk of flooding? A - No

Q - Will the proposal increase the flood risk elsewhere? A - No

Q - How will surface water be disposed of? A - Sustainable drainage system pond/lake.

The land in question IS subject to flooding during heavy rainfall. The natural topography of the land from Flockton Moor and Wood Nook causes flooding at the top of Flockton Lane and the hollow at Palace Wood bottom which causes the road to be closed. This then overwhelms Flockton Beck and nearby dwellings. The proposal for the site will remove all natural drainage through soakaway and the hardstanding created on such a huge scale will create excess surface water. The proposed pond/lake will also then be susceptible to flooding which in turn will create issues for those properties around Flockton Beck!

Suggested Drainage Conditions:DR01, DR07,DR10, DR20 State development should not commence before relevant schemes are submitted and granted

Biodiversity and Geological Conservation

Is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, or on land adjacent to or near the application site?

Q – a) Protected and priority species. A - Yes, on land adjacent to or near the proposed development

Q – b) Designated sites, important habitats or other biodiversity features A - Yes, on land adjacent to or near the proposed development

There are Bats, badgers and newts on and around the site as seen by ourselves. These are protected species and no protected species surveys have been undertaken.

Consultation report

Overall, the scheme in its current form is likely to result in a significant net gain for biodiversity at the site. However, the results of the protected species and any required mitigation could significantly require the scheme to be altered.

The application should not be determined until the results of the protected species surveys detailed in the EclA have been provided, with appropriate mitigation and compensatory measures (if required) put forward

Foul Sewage Please state how foul sewage is to be disposed of

A – Mains sewer

Q - Are you proposing to connect to the existing drainage system? **A - Unknown**

There is no existing mains sewerage at the site and it would have to be pumped uphill to Grange Moor which is a major issue if the pumps fail! In addition a grey water drain also runs across the site.

Foul Drainage

It is unclear from our mapping systems if a connection to the main foul sewage system is available to the site. Therefore, we require clarification as to the suitable means of disposal of foul water.

Recommendations - Before the application is determined, we require additional information in relation to contaminated land and foul drainage at the proposed development.

The site of the existing wind turbine and its proposed replacement are totally unacceptable and inappropriate. The Council initially unanimously rejected the site of the turbine as this could easily be placed out of sight of neighbouring properties, however this was overturned on appeal.

The turbine in its present location is obviously unsightly but that aside the propeller has no braking system and spins at high speed and sounds like a helicopter from all rooms in our house and gardens along with a strobe effect in our conservatory and bedrooms. This turbine and all the scrap paraphernalia have only been placed there vindictively by _____ in an attempt to cause maximum disruption and aggravation to us personally and for the enjoyment of our home, because we had the perceived audacity to object to the harm that this site has caused to us over many many years and to reward him now, by the back door, by allowing this application will be nothing short of criminal!

The National Policy Planning framework states-

13. Protecting Green Belt land

137 - The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Proposals affecting the Green Belt

147. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

148. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

149. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt.

Exceptions to this are

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development; or – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Therefore I believe the application should be classed as inappropriate development in the green belt as it does not satisfy any of the conditions demonstrated above.

This application is for a site that has been allowed to be abused by the current owner for many years and I would point out again that Mr Crowther warned at the public inquiry for the hotel, ***“Although the site in question is still in use paragraph 9 of PPG 2 contains some broadly relevant advice, stating that development in the green belt should not be allowed merely because the land has become derelict”***

The sheer size and scale of the proposal only further degrades our already abused green belt so no very special circumstances can be demonstrated by this application.

In light of the above I would urge the Council to refuse this planning application by PCS Solutions on land owned by

Yours Faithfully