

## DCAdmin

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**From:**  
**Sent:** 01 September 2023 16:37  
**To:** DCAdmin  
**Subject:** 2023/44/92254/E. Objection

Newett Homes have applied to alter the size and position of 7 Plots (Plots 14 to 20 which are closest to the ball stop netting) and also the size and position of the ball stop netting. This is because on the original plans there wasn't enough room for the ball stop netting support stanchions as well as room for the claimed PROW which runs adjacent the cricket field stone wall boundary.

### Comments and objections:

1 - The new position of the 6 plots provides more room for the Ball stop netting and the claimed PROW but in turn brings these 6 plots closer to the public highway with little or no front garden spaces.

2 - There is only one visitor parking space provided at this end of the development near to the modified 6 plots and there is no public footpath. There are 6 apartments and 3 town houses directly opposite the 6 modified plots which have no provision for visitor parking either. One visitor parking space for 15 plots is not sufficient. Plots 30 to 40 also have no facility for visitor parking.

3 – How will the Refuse wagon collect bins from the modified plots and from the apartment block plus from plots 21 23 and 24 ? – There are no bin collection points?

4 – the route of the existing PROW will cross the new public highway, but the crossing point is an offset raised ramp that does not run in line with the route of the PROW ? Is this safe for children crossing ? At the moment children walking along this PROW encounter no cars or roads but will now have to negotiate a raised offset ramp as well as looking out for vehicles? Also, potential problems for pushchairs, wheelchairs, roller skates etc.

6 – The Ecological Impact Assessment prepared by SLR dated 8 August 2023 submitted in support of this application and in discharge of condition 25 (ecological design strategy) makes no reference at all to the Emley Millennium Green which is directly adjacent to the building site. Nor does the supporting ecological plan show any of the 100s of trees/bushes/planting present on the Millennium Green. It is not even labelled as the Emley Millennium Green on the Plan. The Millennium Green was a project commenced by the villagers of Emley, including tree planting by the children of Emley First School in the year 2000 and the trees, bushes and wildlife have flourished over the last 23 years. It is a very much loved and very important space for the village. The Green is used for various yearly events and is constantly looking for ways to enhance wildlife and biodiversity. The Green has been used for several years for the release of recovering hedgehogs from a nearby hedgehog hospital, Newett Homes is aware of this. There is no mention of how wildlife will be impacted by the removal of the existing large hedgerow of trees and bushes along the length of the boundary between the Emley Millennium Green and the development site, this is where many of the released hedgehogs are likely to be found. The ecological assessment also makes no mention of moles on the Millennium Green which are close to the development land. Nor is there mention of the large variety of wildlife found on the Millennium Green and surrounding areas including bats, barn owls, blue tits, nuthatch and treecreeper birds, to name but a few species.

7 – The Secure by design layout dated 11/07/23 appears to show a diversion of the main diagonal PROW through the site – Why ?

8 – The cricket pitch section and the ball strike net plan both dated 27/06/23 prepared by Newett Homes are not sufficient. There is no information or evidence to show that the stanchions/supports and netting design nor the new position of the net, nor the height of the net is adequate. The cricket field and the development land are exposed to high winds and adverse weather and this needs to be factored into any design. The balls strike netting needs to be robust enough to withstand the extremes of weather experienced in Emley, and to prevent rattling and whistling noises disturbing residents in the vicinity.

9 - The Labosport report LSUK.21-0698 dated 19/11/2021 commissioned by Barratts is now outdated. Labosport needs to be instructed to prepare a fresh report following a physical site inspection rather than a desk top appraisal. The report needs to factor in the changes to the position and design of the ball stop netting, and also factor in any changes to the way cricket is played at the cricket ground.

10 - The proposed netting and its height is not what was approved in the Planning Application 2021/93286. The Labosport LSUK.21-0698 dated 19/11/2021 gave a height of 18 metres but Newett are now using 17 metres. A new Labosport/Newett Boundary Risk A new assessment is required to look at the heights again particularly due to the proposed nets being moved and the claimed PROW now being incorporated into the new design. As already stated this should be a physical survey not a desk top survey.

11 - The proposed netting is not only lower than it should be but it does not extend to the perimeters originally proposed. It is shown as not extending the full length of the cricket field wall, i.e. where the proposed attenuation tanks are to be grassed over and the development children play this area is not covered by the safety of the nets, are children not as important as the houses. This is of course in addition to the fact that there will need be access for a “cherry picker” machine space for repair / maintenance of the ball stop netting - which would need a clear 3.00 m driveway, and this is not reflected in their most recent proposals to Kirklees.

12 - Newett Homes plan to create a corridor along their northern boundary to incorporate the ball stop netting and the claimed PROW, but surely this is creating a dark alleyway between the dwelling rear fences and the cricket field boundary wall? This could be viewed by the police as a danger zone for potential house break ins? Furthermore, it might be necessary to insert a condition that none of those houses should be permitted to create a gateway in their back fences which opens out onto this public area of the claimed PROW.

13 - If the ball stop netting is located in this public area of the claimed PROW, in addition to the repair and maintenance issues, the fact that they are accessible to the members of the public could mean that they could be prone to vandal damage in a secluded unmonitored vicinity. Newett Homes needs to consider all these factors and clearly show how the public area will a) provide a secure space for the ball stop netting, b) sufficient space for any maintenance machinery to access the area and c) sufficient safe space for the claimed PROW.

14 - No mention is made or samples shown of the type of stone to be used, this should be reflected by those stone fronted houses on Wentworth Drive. Not the yellow stone used by Newett Homes on their current development in Skelmanthorpe which is totally out of character with area and is not pleasant to look at.

15 – It was disappointing to note that Newett Homes initially brought in contractors through the Green Acres Close entrance despite it being clear in the Planning Consent that access through Green Acres could only be used by Emergency Service or the Millennium Green.

16 – It appears that Plots 34 and 41 are being moved slightly closer to the boundary of the Millennium Green. There is already too much removal of trees and bushes on the boundary of the Millennium Green to accommodate these two plots and they should not be brought even closer. How will the Millennium Green trees and tree roots be affected which are in very close proximity to these two plots. The ecological updating survey by SLR dated 8<sup>th</sup> August 2023 make no reference to this.

17 – The position of Plot 30 appears to be moving very close to the existing PROW route and there is likely to be conflict with people walking along the PROW.

## **Condition 14 of Reserved Matters & Condition 10 of the Outline - (CEMP)**

Both these conditions relate to the CEMP and state – ‘Prior to development, including demolition and groundworks, a Construction Environmental Management Plan (CEMP) is to be submitted and approved by the LPA’ NB condition 14 of the reserved matters also states **‘The CEMP shall be developed following on from public engagement, which shall be included within the report’**

There has not yet been any public engagement. We await hearing from Newett Homes regarding this - contact details have been provided for various residents within the village who are prominent within the Emley Action Group, the Emley Millennium Green and the Cricket Community.

Points for discussion with Newett Homes as follows;

1 - How do Newett Homes propose to protect the Millennium Green’s trees, bushes and wildlife during the development from construction debris, dust and mud, from excess construction noise and artificial lighting too. The Millennium Green is used for the release of recovering hedgehogs from the nearby hedgehog hospital. Newett Homes is aware of this and has been approached by the hedgehog hospital with a request to enter the development site to monitor and/or re-home such hedgehogs who may be along the boundary and within the development site.

Also, there needs to be suitable protection of tree roots on the boundary of the Millennium Green.

2 – How will Newett Homes ensure access to the Emley Millennium Green and other public areas are not impeded during the development.

The development site is a central conversion/overlap point for villagers walking in all directions; to the Millennium Green to the South, to the Recreation Park to the East, to the Multi Use Games Area (MUGA) and the Community centre to the West and to watch the cricket to the North. Access by foot to all these areas is important to the village and must be available and connected throughout the construction period.

There has not yet been any clear communication from Newett Homes on what will happen to the existing public right of way (PROW) that crosses diagonally across the site and is the main route to the Millennium Green. We assume this right of way will remain open during the course of the development as was the intention during the planning process ? Are there plans to divert this PROW ? The recently submitted ‘Secure by Design’ layout dated 11/07/2023 appears to refer to a diversion ? If so, where exactly will the diversion be and how long will the PROW be diverted for? We assume if there is to be a diversion it will be only for a short space of time at critical points during the development and not for the duration of the development?

3 - We assume the development will be built in phases. Which phase will be built first ? We assume the section on the side of the PROW which is closest to the Green Acres Close (Plots 14 to 29) being built last? We assume Plots 14 to 20 closest to the Ball stop netting will be the final plots to complete on the site ?

4 - When will construction start and how long will it take ?

5 – Parking of construction workers' vehicles will be an issue, what are the plans?

6 – Reassurance that the access from Green Acres Close will not be used by construction workers or deliveries.

7 – When will the PROW be re-surfaced dates and timings are important for the village as already stated above, this is an extremely well-used PROW at all times of the day and on all days? Will resurfacing be from the village centre right up the Millennium Green ? What other improvements are intended to the PROW?

8 – details of when the ball stop net will be constructed as this will no doubt interfere with the claimed PROW and the playing of cricket.

## **Condition 27 - Ball Stop Netting**

The information supplied by Newett Homes in discharge of condition 27 is not sufficient. The condition states 'Prior to the commencement of development, a scheme for the management and maintenance of the approved ball-stop netting or an appropriate alternative mitigation measure shall be submitted to and approved by the LPA

There needs to be a very robust management and funding system in place to ensure that the ball stop netting is maintained and in full working order in perpetuity, for the lifetime whilst ever cricket continues to be played. A ten year warranty from the manufacturer is welcome but is not sufficient - what happens when the warranty runs out ?

If Newett Homes are proposing the ball stop netting will be maintained by a management company funded by the 41 residents of this development then a clear schedule of anticipated costs of maintenance should be made available by them to establish whether it is in fact a viable proposal – ie will the 41 residents be able to afford and will they agree to pay the long term maintenance costs, bearing in mind 8 of these plots are affordable low cost housing ? What happens if the management company can't meet costs and liquidates ? Who will pay the costs of maintaining/replacing the ball stop netting ? This is something that could threaten the long-term existence of the cricket field. Also, The cricket field and the development land are exposed to high winds and adverse weather and this needs to be factored into any design. The balls strike netting needs to be robust enough to withstand the extremes of weather experienced in Emley, and to prevent rattling and whistling noises disturbing residents in the vicinity. Any management plan needs to factor in extra maintenance requirements due damage caused by the adverse weather.

### **Condition 11 – Temporary Site Drainage**

Newett Homes have submitted plans for temporary drainage that will affect the parking area and entrance to the Emley Millennium Green – Any drainage plans that affect the parking area or entrance must be discussed and agreed with the Trustees of the Green and must not block or impede the area at any time.

### **Condition 7 – Improvements to existing PROW (DEN/21/20)**

This condition states that the existing PROW is to be improved including widening to 2 metres to include tarmac and lighting.

Newett homes have not provided any information to the village on exactly how these improvements will be carried out. Is this the whole length of the PROW starting from the centre of the village near the Community Centre right up to the entrance to the Millennium Green ? What sort of lighting will be used ? Will the management company be responsible for the cost of maintaining and replacing the lighting and the tarmac surface?