

**From:**  
**Sent:** 11 September 2023 20:52  
**To:** DCAdmin  
**Subject:** 2023/92255 and 2023/92327 – Plan modifications

11/09/2023

Objection to

**2023/92255** Land at Green Acres Close, Emley, Variation of Conditions 1 (Plans) , 2 (Crime Prevention) and 15 (Permitted Development) of Previous reserved matters approval 2021/93286 pursuant to outline permission 2020/91215

**And**

**2023/92327** Land at Green Acres Close – modified plans for 6 Dwellings plus parking and landscaping and modified plans for ball stop netting.

**And**

**2023/92254** Land at Green Acres Close – Discharge of conditions 6 (Drainage) 14 (CEMP)

**And**

**2023/92253** Land at Green Acres Close – Discharge of conditions 6 (Highways) 7 (PROW) 10 (CEMP) 11 (Drainage) 27 (Ball Stop Netting)

I wish to object to the recent proposed changes to 2021/93286

The new plans for 6 not 7 houses is a welcome reduction, however the new plan is poorly proposed and will lead to over parking in the area where PROW 21/20 crosses the Planned Development which will inevitably lead to pedestrian conflict with traffic where at present there is no conflict.

Movement of the 6 houses brings them nearer the public highway leaving insufficient space to park cars

Kirklees recommend 1 visitor parking for every 4 houses. 6 apartments and 3 town houses directly opposite the 6 plots with no provision for visitor parking.

1 visitor parking for 15 plots is not sufficient

The on-street parking shown at the entrance of the site is far too remote from the plots and is unlikely to be used (visitors will not want to park remotely at the front of the site and walk such a distance, also car crime will be a risk where there is remote parking)

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 collections points

The route of the existing PROW (DEN/21/20) 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.

There is no mention in any of the Ecological Impact Assessment of the Millennium Green

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.

The submitted 'Cricket Pitch Section' plan and the 'Ball Strike Net Plan' both dated 27/06/23 prepared by Newett Homes is 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.

The Labosport report LSUK.21-0698 dated 19/11/2021 commissioned by Barratts is now outdated. Labosport need 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 currently played at the cricket ground rather than relying on old information on cricket standards.

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 meters. 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 by Labosport not a desk top survey, they need to visit the site to appreciate the position and the situation.

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, ie 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 drive way, and this is not reflected in the most recent proposals to Kirklees.

- Newett Homes plan to create a corridor along their northern boundary to incorporate the ball stop netting and the claimed PROW, but this will create 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

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 and provide detailed plans to show how the public area will a) provide a secure space for the ball stop netting, b) provide sufficient space for any maintenance machinery to access the area and c) provide sufficient safe space for the claimed PROW.

The plans are so small we cannot measure the minimum size agreed for the garages at 7m X 3m

Contractors were going to cut off the locks on Green Acres Close in order to access the land even though this was known to them to be against the Planning conditions, continued for 5 days to bring equipment into the field from Warburton, no causeways.

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

Clarification is also required of the exact position on the plan of the PROW that runs adjacent no. 10 Green Acres Close and the recreation Ground (DEN/96/10) as there seems to be conflict with the site legal boundary line which appears to overlap into the garden of No.

10 Green Acres Close – this needs clarification as well as how wide will the PROW be in this area.

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

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. –

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. 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 withing the development site. Newett Homes needs to factor this into any of their construction management plans. There also needs to be suitable protection of tree roots on the boundary of the Millennium Green throughout the development phase

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 DEN/21/20) that crosses diagonally across the site and is the main route to the Millennium Green which has been recently fenced in by contractors. 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?

When will construction start and how long will it take?

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

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

When will the full length of PROW (DEN 21/20) 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? The resurfacing will be from the village centre right up the Millennium Green. What other improvements are intended to the PROW. Detailed plans of finishings/edging/lighting etc? Assurance that any maintenance required to tarmac or lighting will be funded by the development management company.

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. Assurance that any ongoing issues/maintenance of support stanchions or netting during the construction period will be promptly dealt with by Newett Homes to prevent possible public safety issues, particularly during strong winds/adverse weather conditions experienced in Emley.

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

This condition states that the existing PROW (DEN/21/20) from the Village centre near the Community Centre all the way to the Millennium Green is to be improved; to include widening the path to 2 meters and to include tarmac and lighting. –

Newett homes have not provided any information to the village on how these improvements will be carried out. A detailed plan showing the position of lighting & clarify tarmac areas along the whole length of the PROW starting from the Community Centre right up to the entrance (and car park) of the Millennium Green. What sort of lighting will be used? Will the management company be responsible for the cost of running, maintaining and replacing the lighting and the tarmac surface? This all needs to be detailed