

Sent: Wednesday, January 17, 2024 3:22 PM

To: DCAdmin <DC.Admin@kirklees.gov.uk>; Nick Hirst <Nick.Hirst@kirklees.gov.uk>

Subject: Discharge of Planning Conditions Lingards Road - Application Number 2023/44/93464/W

It is unfortunate that companies and public sector bodies have a tendency to start public consultations in the weeks immediately before Christmas. This makes it difficult for members of the public to provide detailed responses to all the issues involved. In this case the applicant has also submitted a multitude of documents but has made no attempt to link any of them directly to the discrete planning conditions. If you like, we have a bucketful of documents and an entirely different bucketful of planning conditions. Some of the evidence is made in a rather ad-hoc manner and quite a lot of "evidence" is still missing. **Taken as a whole we therefore do not believe that the applicant has provided sufficient evidence to show that the planning conditions referred to in Application Number 2023/44/93464/W can properly be discharged.**

Given the amount of unstructured documentation, we have only been able to make a superficial examination of the application in the time available. However we have noted that:

- We cannot see anything about "boundary" treatments; in particular how SB Homes plan to create a satisfactory and private boundary between the garden of Far Lower Wood Farm and the footpath running immediately alongside the boundary at a higher level. This is really important because the utterly thoughtless positioning of the footpath totally destroys any sense of privacy for the owners of Far Lower Wood Farm. There are similar problems with the boundary treatments at the Eastern end of the development, to the rear of properties on Lingards Road (up to number 72) and the rear of properties on Manchester Road. Our preference is that the footpath is moved a short distance into the site to allow natural screening between the boundary fence and the footpath.
- Despite our frequently repeated professional advice to the contrary, the storm water balancing tank is still in an entirely inappropriate position on a steeply sloping hillside. This will make it difficult, if not impossible, to maintain and therefore will not be acceptable for adoption by Yorkshire Water. How many times have we

said this, to no avail, and the applicant, planners and Council technicians have simply “stuck their heads in the sand”.?

- The design of the land drainage system, particularly its interaction with the man-made open water channel running across the site is still totally inappropriate (the open channel is NOT a natural watercourse and there are no riparian rights of discharge to it). One of the biggest technical problems is that there is no proper flow control mechanism associated with the extremely crude concrete cill “overflow” just before the open water channel leaves the development site. This means that the division of flows at this point cannot be properly controlled in either direction. The concept, shown on the drainage plans, of the overspill water running down the surface of the garden of plot number 8, before being collected back into the land drainage system via an inverted soakaway manhole structure, is simply ridiculous, on this relatively steep slope in this location. Indeed soakaways of any sort are not recommended for use on steeply sloping ground especially with a high degree of impermeability (SUDS recommendations). It almost guarantees that properties on Manchester Road (numbers 50 to 56) and Far Lower Wood Farm will be flooded out every time it rains. The situation will also be exacerbated by site wide “exceedance flows”, which have not been adequately catered for and have effectively been discharged into the open water channel running across the site, because of the site layout and low-point road levels close to the open channel.
- The design of the land drainage system breaks the most basic of drainage design rules, by having smaller capacity pipes downstream compared with upstream --- and nowhere for the excess flows to go to.. The land drain at the bottom (Northern) edge of the site is 300mm diameter on a shallow gradient but will, in extreme drainage conditions be expected to take all the land drainage from almost the whole site (if the outlet from the open water channel through the garden of far Lower Wood Farm becomes blocked). Yet the four land drains discharging directly into the open water channel are 450mm diameter, 450mm diameter, 225mm diameter and 150mm diameter. Most of these are also on a steeper gradient, with greater capacity. Quite amazingly the 300mm outfall land drain also has another 300mm land drain joining it, to the rear of number 56 Manchester Road. This entire arrangement is not so much of trying to get “a quart into a pint pot” as “a gallon into a pint pot, with the lid of the pint pot securely in place”.
- We remain deeply worried about the confused sizing, ownership and maintenance responsibilities for the surface water and land drainage pipework, particularly pipes downstream of manhole S10. Drawing E19/7567/036B says “exs culvert to be replaced with 300mm diameter **sewer**”. However, our understanding is that Yorkshire Water will not adopt (as a public sewer) any pipework that also conveys land drainage or natural streams (as will be the case here). Slightly further downstream, how can the flow from three 300mm diameter pipes squeeze into one 375mm pipe across Manchester Road? How can the upstream surface water “sewers” be adopted, when they discharge into pipework of uncertain capacity and ownership responsibility?
- There does not appear to have been any attempt to provide a satisfactory route for dealing with “exceedance flows”, either from the storm water attenuation tank or any other high risk point within the entire site. The low point (180.853 metres AOD) within the internal road system is still positioned to discharge “exceedance flows” into the open water channel and inevitably exacerbate the flooding problems referred to above. It would be a relatively simple matter to alter the road levels such that there is a continuous road gradient down to a low point in the approximate positions of manholes S8, S9 and S10, with a hard surfaced overland flow route from there down to Manchester Road. The hard surfaced overland flow route could easily be combined with a hard surfaced / stepped route for the public right of way down to Manchester Road. The benefit of doing so is out of all proportion to the cost and is a mandatory SUDS requirement. We cannot understand why this important national requirement is being almost totally ignored by the applicant and the planners, however many times we say it.
- The structural stability survey looks professional but it only relates to the stability of the naturally occurring subsoil and geology. The investigation borehole towards the extreme South West of the site is not representative of the condition and size of the embankment supporting Lingards road further down the road. There is no mention of the crudely tipped demolition material which forms the banking immediately adjacent to Lingards Road and none of the boreholes / trial pits shown on drawing no E19/7567/037/018 are positioned to assess this problem.(as specifically required by one of the planning conditions) Properties fronting onto Lingards Road will encounter this loosely tipped demolition material during their construction. With the removal of vegetation along the boundary, by the applicant shortly before Christmas, the composition of this unstable embankment is now visible for all to see. (As is the cracking in the existing road surface on top of the loosely tipped fill material opposite house numbers 82 and 84). This is again something that we have told the applicant and planners about several times; only to be ignored several times.

- As an extension of the previous point, the section through plot number 36 on drawing 7567/200 is not correct, as it does not show the loosely tipped demolition material, which forms the existing embankment up to Lingards Road. Instead it makes unwarranted assumptions about the continuation of the natural clay and mudstone strata. This issue must be resolved before the relevant planning conditions can be discharged, because it affects the structural stability of the new properties alongside Lingards Road and the road itself.

As a finishing point we note that the developer hurriedly hand-posted a letter to residents on 2nd November saying that “We are committed to working in harmony with the community” and “ We want to assure you that your concerns and queries are important to us”. We hope we can therefore be forgiven when we say that the applicant has taken little notice of what residents have been saying throughout the planning process and that the present application reflects the fact. Between 2nd November 2023 and today (17th January 2024) the developer has not spoken with any residents and not attempted to resolve any of the outstanding issues.