142 Huddersfield Road,
Holmfirth. HD9 3AR.
9th July 2024

Kirklees Council,
Planning and Development Service,
PO Box 1720.
Huddersfield. HD1 9EL.

**Planning Application No.: 2024/70/91458/W – (Holmfirth Tech. HD9 3AR)**
**Original change of use Planning Application No.: 2023/62/93106/W**
**Case Officer: Katie Chew**

Dear Katie Chew,

We would like to make you aware that we are strongly objecting to all the changes/removal of the conditions imposed from the original planning application for change of use from a formal education facility to a mixed use/commercial use facility. The change of use has caused an extensive intensification of the use of the access lane by both pedestrians and vehicles and is having a serious impact on highway safety, pedestrian safety and our standard of living. Based on data from the Tech website, the current room usage is running at 25% occupancy and future growth and use of the building will further intensify the issues. The Tech's business plan states that they need to get to 75% occupancy to be able to continue operating and this will massively further increase the intensity of traffic and pedestrian usage of the access lane and car park. This was clearly acknowledged by Kirklees Highways in their report on the original application and consequently, the conditions were set to ensure that the area is made safe and remains safe, irrespective of the growth of the building use. Removing or changing any of the conditions set will result in an uncontrolled and extremely dangerous area due to unlimited, hugely intensified usage of the access lane and car park and a poorly maintained and dangerously uneven car park and lane surfaces, which would be totally different to the previous business that owned the Tech building.

**Concerns regarding the changes to the conditions:**

Firstly, could it be pointed out that the location shown on the above application should be 140 Huddersfield Road, not 142, I assume this is just a typing error.

**Issue with the current proposed car park layout:**

There are issues initially with the car park layout that has been submitted. The proposed layout is not an accurate representation of the true topography of the land. The proposed parking spaces directly behind the terrace houses are shown to run along the river line but the actual boundary is 3m closer to the terrace houses at its widest point. The layout also does not show the area where the residents park and does not indicate the safe pedestrian routes, all which was a request from the Highways department. I have attached a modified plan which overlays the correct boundaries and residents parking etc. As you will see, this creates a very congested and unsafe area for vehicle and pedestrian movements. Also, due to the fact that the visibility splay when exiting the access lane is extremely poor, the location of the applicant's waste bins on the layout hinders this visibility even more. This causes vehicles to have to pull out further on to the pedestrian walkway to be able to see the oncoming traffic from the left. It also blocks visibility of the lane entrance for pedestrians walking on the pavement across. I would suggest that the bin location should be in the alcoves at the side of the applicant's main entrance as this would not affect the already very poor visibility splay of the access lane. The location of the cycle rack directly at the bottom of the access lane is also not very safe. The cycles have to be backed out into the oncoming traffic when removing the cycles. The previous owners of the building had the cycle rack at the opposite side of the stone shed, directly behind the Tech building so I am not sure why the applicant has opted to move it from a much safer and overlooked location, to its current location. I would suggest that this is returned to its original location.

It needs to be noted also that the original application for the car park was 24 spaces and the proposed layout is suggesting 32 spaces which is a further intensification and a large increase on the previous use and was not submitted in the original planning application.

**Condition 2**

The reason for this condition was clearly to maintain a safe level of traffic and pedestrian movements. I strongly object to any change in the original condition set by planning as this needs to be enforced to reduce the intensity of use and avoid unnecessary vehicle and pedestrian interactions. I have been unable to find any planning applications for the change of use of the car park from a school playground previously, so essentially, this is probably the first time that a planning application has been submitted for the land to be used as a car park. The change of use is clearly intensifying the use of the lane and car park from previous, due to the nature of the hourly groups generating large amounts of traffic and pedestrians. Based on the Kirklees Highways report on the original application, I would presume that if planning was originally put in for the change of use from school playground to car park, then this would have been declined due to the unsuitable access lane which fails all planning requirements regarding width, visibility splays, gradient etc.
A previous planning application (2006/94971) which was for change of use of dwelling (148/150 Huddersfield Road HD9 3 AR), the end terrace house, to office business use, was refused. The reason given was that the proposal would involve the intensification of a shared access to Huddersfield Road that is substandard in terms of its width and gradient, to the detriment of highway safety, contrary to the aims of Policy T10 of the unitary Development Plan. The danger regarding intensification of the access lane use was clearly identified in this application which is why it was refused. The current application is a much more increased intensity of the use and is very different to the previous owners use.
Holmfirth Tech's survey was done at a very quiet time according to the booking calendar on their website. The days covered are only showing one or two groups running per day. Even with such low levels of occupancy the frequency of use of the access lane is noted as being 4 cars per hour at some stages which considering the number of groups running, is quite substantial. There is no reference to how many pedestrians used the lane during the same period of time, from my own observations, that would be quite significant. Saturday (4th May 2024), prior to this survey being undertaken, was absolute mayhem in the car park and on the lane. Vehicles were having to reverse back down the lane several times to allow vehicles to come down, the car park was over full with vehicles coming down, struggling to turn around and then leaving because there weren't any spaces. Pedestrians were squeezing passed reversing cars, parents with children and prams dodging cars, cars performing several reversing manoeuvres to get out of spaces due to the congestion. This occasion was clearly out of control and extremely dangerous and it was by pure luck that there weren't any serious incidents. I have attached photos of the congested parking area from this day. This was between the times of 09:00 and 13:00 and according to the booking calendar, there was only 4 or 5 group bookings, again, no where near the occupancy levels that Holmfirth Tech requires.
This is a clear example of why this condition should remain in place as this situation was extremely dangerous and is not an isolated incident. This kind of situation regularly arises when more that 2 groups a running at similar times. Due to many of the groups being drop-in groups, it would be impossible to determine who is using the car park legitimately and also how many people will be using it. Many of the users who have attended the groups use the car park for free parking to go into Holmfirth when not attending a group. Using the lane to drop off children to the rear entrance is not essential to running the business as parents can park in the council run car parks and walk to the front entrance.
The survey sent out to Holmfirth Tech customers clearly shows that 82% of the Tech users do not have a requirement to use the lift at the back of the property and also do not have any issues with stairs. This can be a significant reduction in users as these visitors could make use of the various car parks very near to the Tech building, or use public transport and use the front entrance to the property. 19% have disabilities and quite obviously, these are the people who need to use the car park to access the building lift. The condition set, allows for use by disabled visitors by means of having blue badge permits and this is perfectly acceptable and a viable use of the access lane and car park. I would highlight that with such a high percentage of disabled visitors, would a provision of just 2 disabled parking spaces be sufficient for the needs of their customers?
I do not agree with the applicant's suggestion that it is impossible to get from the CO-OP car park to the Tech building as many parents with push chairs come from that direction. I also disagree with the notion that it is much safer to

park in the car park and walk through a congested car park with vehicles reversing and travelling up and down the lane. The front of the building has just 4 steps to navigate to get into the building. It could be a possibility that the applicant could look into getting mobile ramps or lifts to aid access to the front of the building, rather than relying on people walking down the lane or having to drive down the lane. Rather than suggesting it is a necessity to use the car park, may be some of these options could be explored. I have seen such equipment used in similar buildings to alleviate certain access issues.
I would also strongly object to the applicant renting out spaces to members of the public. This has not been applied for in the planning application and this further increases the use and intensity of the access lane and car park. The parking is advertised as 24/7 parking on the applicant's website.
In summary, I feel that it is essential for this condition to remain in place, in order to control the use and also reduce the levels of vehicle movements to ensure that the area remains safe for everybody. The Highways department have clearly highlighted their concerns and should this condition be changed, then it would be inevitable that there will be a serious incident in the near future.
It does need to be pointed out that Holmfirth Civic Hall does not have private parking and there is no stopping in front along Huddersfield Road. Parking all around is residents permit parking only so users of the Civic Hall have to use the council run car parks. The Civic Hall runs a similar community space, the drum group at the applicants building also runs a group at the Civic Hall and they also run the film festival amongst lots of other groups and events. This building operates very successfully with out the availability of a private car park.

**Condition 4**

The permitted times set by this this condition are far beyond the times that the previous owner operated which as a formal educational facility, was Monday to Friday, term times only and during college hours only.
I would suggest it would be considered to have two sets of times set for this condition. This would be opening times for the actual building and times for the use of the car park. I don't object to the opening hours of the building as suggested by the applicant, as long as the activities within the building have no detriment to the neighbours, i.e. noise etc. I do however strongly object to extending the hours to include the use of the car park as this would cause a huge loss of amenity for the neighbouring residents. The council car parks a free of charge after 16:30 so it would not be necessary for anybody to require the use of the applicant's car park. I fully understand that the applicant needs to utilise the building as much as possible but it shouldn't have a detrimental effect on neighbouring properties and extended use beyond the original use times and at unsociable hours, should not be acceptable.
Again, it can be pointed out that the Civic Hall has events on late but they don't have parking facilities but manage to run the events without any issues. The access lane runs down the side of my property and the times set in the condition is incredibly intrusive as it stands. Allowing the times to be extended to unsociable hours would clearly be unacceptable and would result in the property owners not being able to enjoy their properties at all. Again, the times set was in line with the original planning application, the suggested new times are a change to the original planning application.

**Condition 7**

Whilst it is appreciated that the applicant is a charitable community benefit society that rents out spaces to businesses and groups, and that funds may or may not be tight as suggested, it shouldn't deter from the fact that the car park needs to be maintained to a safe standard. Despite suggestions from the applicant that they reject the notion that the car park is in poor conditions, the fact is that this is incorrect. The surfaces are uneven and badly worn in places, there are potholes within the car park and water pools over a large area in the car park to the side of the terrace houses. The entrance to the larger car park is damaged and raised which is causing the wall and heavy iron fence to lean dangerously, along with the lamp post. This has got considerably worse over the last couple of years and needs attention as soon as possible before it collapses and potentially injures somebody. The lane is badly damaged, has large potholes and loose damaged tarmac that is causing vehicles to skid. The surfaces are not only unsuitable for vehicles but are uneven and have trip/slip hazards for pedestrians and are certainly unsuitable for people with mobility issues.
The question the applicants put forward, 'would planning permission have been refused for this development without this condition?' is subjective in the fact that planning permission to change the use of the building would

probably not. The fact that the applicant wishes to use the car park alongside the building, within the application, then yes, I would assume it would have been refused as that is why the condition has been put on. If this was a new development then planning permission for the car park would definitely be refused due to the access lane. The applicant does have the option to apply for planning permission without the use of the car park which would eliminate the requirement of the condition.
Whilst resurfacing the whole car park is clearly expensive, some surfacing and repairs need to be done to ensure that the area remains as safe as it can possible be. The access lane definitely needs attention and probably the area directly behind the terrace houses as this area is the proposed parking area for disabled parking. The leaning wall needs to be sorted out before it falls down. All areas that are used by the applicant's customers, irrespective of ownership, should be maintained in a safe state by the applicant. I don't think that removing this condition on the basis that the applicant cannot afford is a viable and reasonable option. If the car park cannot be made safe for users, then it should not be used until such funds become available to make it safe. The safety and well being of all users of the access lane and car park should be considered above and beyond any costs associated.

**Summary**

We strongly object to any changes to the conditions that have been attached to the applicants planning application as we firmly believe that the original conditions are required to ensure that the access lane and car park is made as safe as can possibly be and that this continues to be the case into the future. It is understandable that the applicant is trying to build their business, but it is also concerning that they are not seeing the impact on safety that the development has created. We are aware that resources are stretched within the Planning department but I would strongly suggest that a representative visits the site to observe the concerns raised above, prior to making a decision and we would be happy to share and explain our concerns on site. Should the application require submitting to the planning committee then we would like to be considered for attending the council meeting if possible.

Yours sincerely,

***13 Photos and a Boundary Plan Follow:**

# PROPOSED LAYOUT - RED OVERLAY TRUE REPRESENTATION

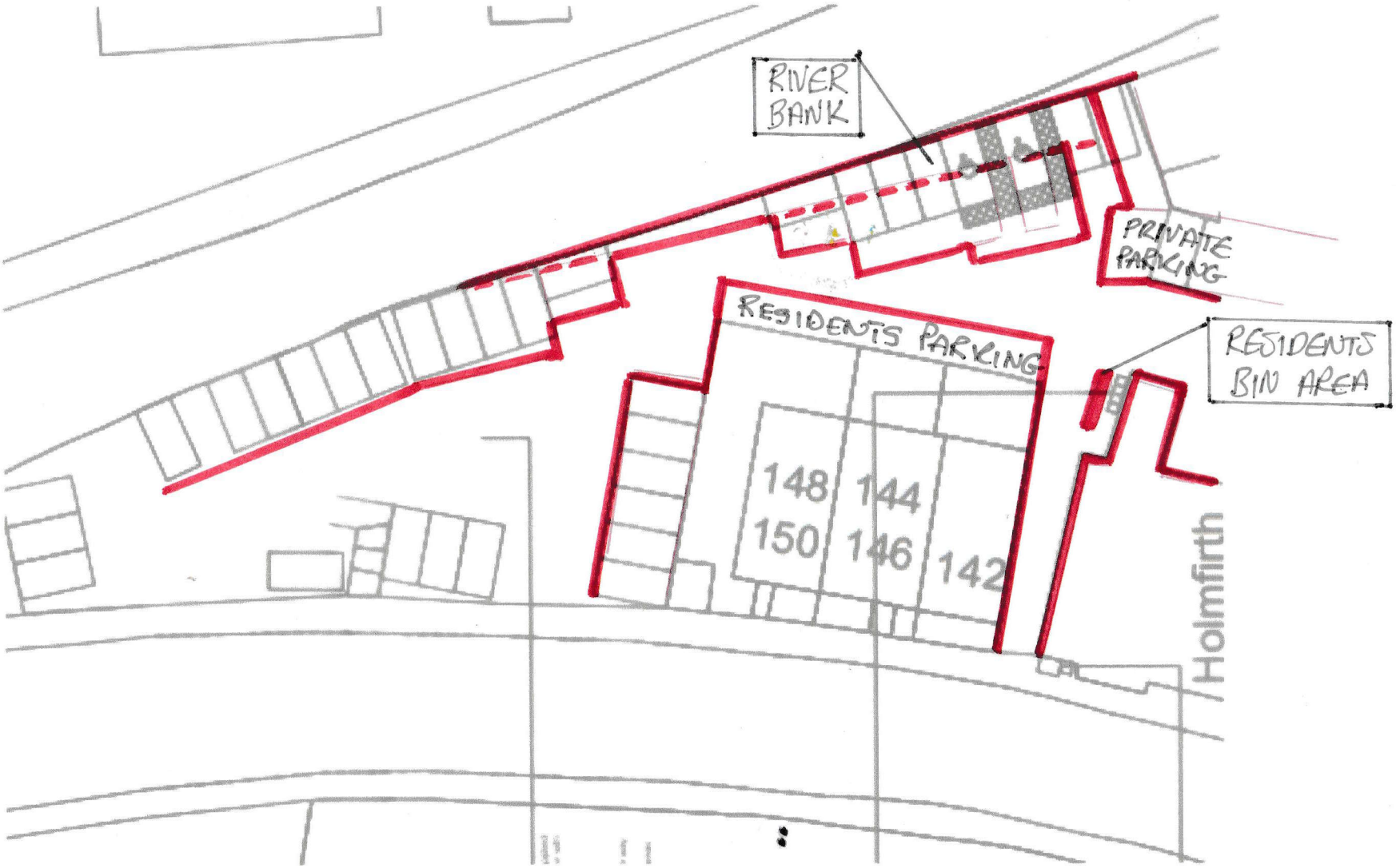

Photo 1

Photo 2

Photo 3

Photo 4

Photo 5

Photo 6

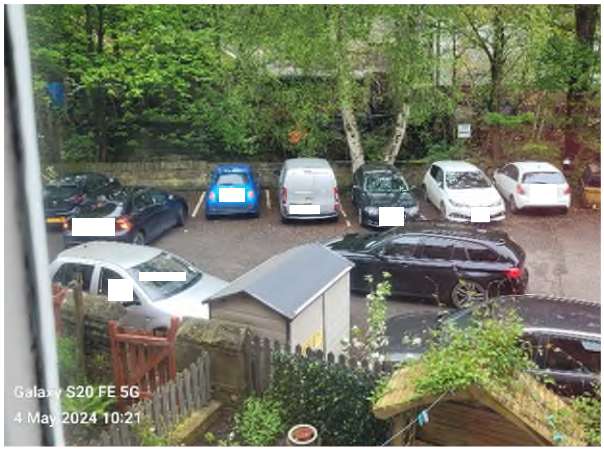


Photo 7

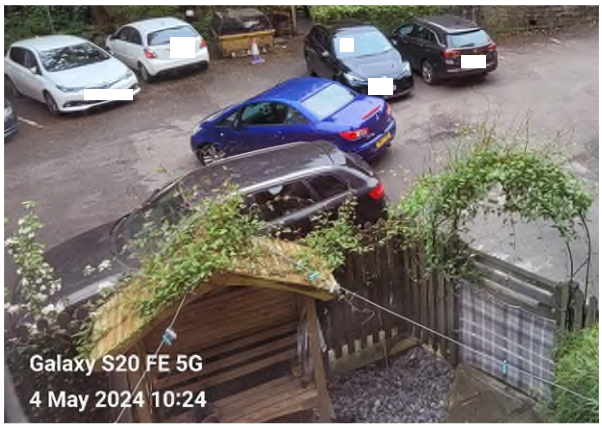


Photo 8

Photo 9

Photo 10 Access Lane

Photo 11

Photo 12

Photo 13