

The Head of Planning and Development,
Kirklees Council Planning and Development Service,
PO Box 1720,
Huddersfield,
HD1,9EL,

2, Woodside,
Denby Dale,
Huddersfield,
HD8,8QX

Friday, 6th September 2024,

Dear Sir/Madam,

Re. Planning Application 2024/92168:

I would register an Objection to this Outline Application for the erection of thirteen dwellings on land off Leak Hall Lane, Denby Dale, Huddersfield, HD8,8QU. Some grounds for my objection are indicated below:

a) Although the applicant, Ms Fiona Willis of Huntington, York, and Robert Halstead, her Chartered Surveyor of Holmfirth, present in support of the application a report by a representative of RGS Environmental Risk Assessment in which the proposed site is described as 'open agricultural land', along with extensive statements based on presumably reliable historical records, they offer no positive evidence that the land is suitable for such a development. They might have presented evidence of excavation/infill throughout the site based on a scan such as is commonly employed in archaeological surveys. Instead, they refer to a 'walk over survey' by RGS of an 'overgrown field' where the status of 'underground services is unknown'; it is simply 'assumed that no areas of significantly filled ground are present' and acknowledged that 'intrusive investigation is required'; and other sources are listed to demonstrate rather less than conclusively that there has been 'no record' of (presumably non-agricultural) land use since 1854, at least. The application includes an independent drainage assessment by EWE Associates, Yet, as that report seems primarily to treat data relevant to regular flows of water or standing water within certain stated limits under the terms of standardised calculations and formulae, it does not attempt to address questions of storm drainage and the probabilities of any significant residential development raising rates of surface run off with any consequences for flash flooding affecting existing residential properties on Leak Hall Road/Crescent, Hillside, Wakefield Road and Cuckstool Road. There is acknowledgement of indications of a subterranean 'impermeable layer (RGS)', yet other statements, from historical assessments, seem to be presented in support of a view that any risks of drainage problems are 'low' or 'negligible' without their bases being apparently relevant to the terms of the application. There is insufficient detail. Some of the assessments quoted were made apparently from a coal industry perspective. Additionally, I would suggest, there are unjustified assumptions about potential residents' maintenance of external permeable surfaces, and their reliability (or their successors) in maintaining weed free channels, upon which activities it would appear other assumptions about the possibilities of the site meeting necessary environmental criteria may largely depend. Officers of the Authority may recall that since Local Government Re-Organisation in 1974, there have been several relatively minor residential developments off Wakefield Road, Denby Dale, of necessity all to the same side

and opposite to the River Dearne, and therefore on the valley side above the road and the river. They tend to drain into the road in proportion to the effectiveness, or lack, of drain cleaning; and there is a significant 'field drain' which from the date of the original construction of Wakefield Road would appear to have discharged for much of the year across the pavement into the gutter and thence, supposedly, into a large storm drain. But for reasons that may become evident from an appropriate survey, the drainage of the Wakefield Road has become increasingly inadequate over recent years under some conditions, so that there can be dangerous quantities of water on the road at all times of day at some seasons, and large areas of ice in cold weather. I suggest that every new residential development tends to contribute surface run off to Wakefield Road, increasing the risks to people using the road, especially if I am correct in recalling no significant programme of revision of drainage provision since 1974 on the A636 through Denby Dale village/ Kitchenroyd/Scisset. May I suggest that someone be asked to examine and assess the continuing significance to drainage of recent developments in the area of East Hill Beck or Wood Nook, previous ones of Leak Hall Road/Leak Hall Crescent/Briarfield, Royds Park, Collins Terrace, Weavers Walk, recent residential developments around Putting Hill and the former clay extraction site there, as well as the consequences from Leak Hall Lane and Leak Hall Road of any approval of the present outline planning application and any consequent further approvals?

2) An adequate assessment of any application for development of the present site or adjacent open land should involve evidence of the present condition of the land, including current drainage/permeability and historical excavation and infill. The applicant's chartered surveyors should be well aware that historical land use in the locality has included excavation for mill lodges, and for the extraction of both coal and clay. Discussion of the proposed development with residents established for generations in Denby Dale would demonstrate intergenerational family knowledge of 'clay pits' on land between Leak Hall Lane and Cumberworth Lane, including the site covered by the present planning application and that, unlike the large excavations for clay extraction within the last fifty years elsewhere in Denby Dale, these earlier works were of relatively small dimensions and traditionally never recorded beyond the needs and purposes of the trade. Perhaps common sense would suggest that the brickworks acknowledged by the applicant as within 500 metres of the site from 1903 to at least 1951 had need of raw materials, and that it may have been established initially to exploit very local clay resources. Further, I understand from local people that such formally unrecorded clay pits have been discovered in the course of other local residential developments in very recent years, and that in such circumstances builders normally fill them with concrete in order to expedite the planned requirements of their project. Were such practices to arise following full planning approval for building on the present site, what would be the implications for the concerns for land permeability/surface run off in accord with the Kirklees Local Plan? Please note that I acknowledge statements about historical clay extraction, unrecorded and small in scale, could be dismissed as hearsay, conveniently from the perspective of anyone supporting the application; but taken together with some details from the application and the possibility available to officers of

the Authority of making informal enquiries amongst local residents and others with knowledge of relevant trades, there may seem to be good grounds to request the applicant to supplement the currently rather sparse evidence of adequate research. There is need for further relevant data. It is my understanding that on some recent developments off Wakefield Road, Denby Dale, there have been instances of water incursion at several occupied properties; coincidentally on sites where former 'clay pits' have been filled with concrete (mentioned above). Surely, the intergenerational knowledge of long established local families should be accepted in support of further careful and appropriate site investigation.

3)The applicant has proposed provision for surface water to be filtered and piped off site down the major gradient and subsequently along the line of Leak Hall Road. However, for reasons unstated, future residents would have no vehicular access to Leak Hall Road despite the plans presented demonstrating open access and current residential development entirely parallel on each side of that road. Instead, they would need to access Leak Hall Lane via a proposed new junction, in fact somewhat beyond the limit of the current adopted extent of Leak Hall Lane and below the level of the land at the site boundary hedge. From my estimate, the current site field boundary adjacent to Leak Hall Lane is at least half a metre above the level of the carriageway of Leak Hall Lane, and from my observations taken from the public footpaths to both Leak Hall Road and Cumberwoth Lane ie respectively near to Leak Hall Road and Leak Hall Farm, the land continues to rise for perhaps a further metre to a point approximately equidistant between those footpaths. Therefore, I suggest, there is an assumption of significant excavation, not detailed in the application, to reduce the level of the upper parts of the site possibly to the current level of the Leak Hall Lane carriageway, and perhaps involving distribution of excavated material to lower levels of the site. Whatever the case, it would seem that some account is lacking of the treatment of drainage/surface run off for this upper part of the site, especially as site roads are planned to exit to Leak Hall Lane. If there is no excavation, then there must be increased site run off to Leak Hall Lane given changes in land use. I am well aware of the movements of rainwater down Leak Hall Lane as my property has a long garden boundary adjacent to it, including a section opposite the junction with Hillside; storm flows and even quite normal levels of prolonged rainfall often exceed substantially a metre in width from the kerbing, and as the road curves there is a frequent tendency for the stream to shift across the carriageway. There are additional significant flows from Hillside, much of which is amongst the steeper sections of roadway in the Leak Hall Lane/Hillside/Woodside/Greenside area of the village. Under these circumstances, I would suggest that any significant increase in surface run off, such as may arise from drainage at the upper part of the site development proposed, could increase the risk of flash flooding to some dwellings on Hillside mainly at or below the bend, especially as those backing on to Woodlands Close are significantly below the level of the carriageway of Hillside. Again, I am of an opinion that the evidence for the development requires careful review.

4)From my reading of the Local Plan and relevant Government guidance, I suppose the current development proposal to be classified as a 'mixed development', possibly to some

degree under 'privileged' consideration as within a class where certain exemptions from particular planning requirements for residential areas are permitted. The application includes data demonstrating a need for 'affordable two bedroomed housing' throughout Kirklees MBC planning areas, including the local 'Kirklees Rural East'. Yet the current application is for three houses of four bedrooms, six of three bedrooms and just four of two bedrooms; so that perhaps some doubts may arise as to how far such proportions accord with those envisaged when the guidance for 'mixed development' was written originally. More especially, it may be seen as a poor 'fit' when there is estimated a local need of around 60% for dwellings of two bedrooms, and a comparable local need for four bedroomed housing within the range 0 to 25%. Yet, given the notes added to the application addressing the drainage of properties, by the representative of Kirklees MBC, and including an insistence that requirements will be enforced, there may be reason to believe that officers of the Authority are strongly inclined towards approval of the application whatever the outcome of public consultation, aside from the vanishingly small possibility that some objector identifies a substantial legal obstacle to an approval. Weight may be given to this view as the planning proposal has been open to public comment during a peak period of family holidays and, according to the website of the Authority, responses are required by 17th September 2024, a month when many businesses and families will have other calls on their time, perhaps taking them away from home. The Council, especially given political colour, is under substantial pressure to contribute its proportion towards Government declared targets for housing completions 'by the end of this Parliament', almost regardless of housing 'mix' and even perhaps to the neglect of 'minor' future consequences of development on less than satisfactory sites. The 'evidence' for 'the ticking of boxes' has been included and unless the reports offered are read with some care their frequent notes of reservation at important points may be disregarded, at least until something is revealed to have been seriously at fault as a consequence of some incident possibly a decade or more into the future.

5) I hope anyone who would at present agree with the above expressed reservations about the planning process cannot, in five years or fifty, view their then circumstances as justifying early doubts. I hope the planning processes always apply realistic tests of appropriateness to proposed development, with due allowance for human nature and commuters' reasonable needs. So, the question arises: where are the residents of a development substantially in accord with the present application to park their car? What is a probable situation given heavy midwinter snowfall, late afternoon or early evening? It would be my expectation that people returning from work between 5.00pm and 7.00pm would find it impossible to drive up Leak Hall Lane to their new houses over the significant gradient from Wakefield Road. Modern cars, 'summer tyres', possibly changed driving habits, or whatever possible explanations may be suggested, do not have the same inclinations/abilities to ascend Leak Hall Lane as was the habit of the great majority of residents thirty or forty years ago. Whatever the reasons, people living on roads off Leak Hall Lane have increasingly tended to abandon their cars, first on the lower parts of the lane, then on Wakefield Road (snow having covered yellow lines). There are many of them

and consequent problems for through traffic. The new residents will rapidly come to a conclusion that parking on Wakefield Road is difficult and inconvenient; they will abandon their cars on Cumberworth Lane, perhaps a hundred metres from home. But Cumberworth Lane is far more susceptible to driving problems in ice and snow than Wakefield Road, and to blockage. I admit I know nothing of Leak Hall Road in snow, but would observe that it serves many fewer houses than Leak Hall Lane. So, I suggest the applicant should be required to give practical justification to the plan for vehicular access to their proposed development from Leak Hall Lane when future residents will tend in winter to fear they may be unable to use their cars for the daily commute from their downhill newly sited homes, and consequently tend to park them on Leak Hall Lane or elsewhere as a precautionary measure., with consequences for those amongst the personally less mobile of us who need also to work. (I would add that I am in the happy position of not needing to venture forth in snow.) There are at least twenty-six residents' parking/garage spaces on plan, a significant addition to potential problems of users of Wakefield Road or Cumberworth Lane if all or many of those cars are parked 'nose to tail' on either thoroughfare, additionally to those of current residents.

Finally, I would question the adequacy of presentation of the application: there are unexplained variances of reference to features including roads, derived from the dates of mapping, and problems associated with the on-line plan of the site and associated areas, especially the red line delineation of the site, other red line use, and shifts between frames. It all tends to viewer confusion. Surely, the public have a reasonable expectation of a careful presentation of any planning application.

I regret the length of my presentation of objection, and have some sympathy for officers of the Authority dealing with planning applications that include suppositions of possible residents' future maintenance of their own garden surfaces, and views on built-in appliances that may be detailed in subsequent applications. I hope that Authority comment on the application may encourage applicants to improve their supporting presentation with evidence of significance primarily to the application under immediate consideration.

Yours faithfully,