DC Admin

From:
Sent: 26 October 2026 23:51
To: DC Admin

Subject: 2024/62/92727/E Objection to planning application

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Objection to planning application

OBJECTION TO PLANNING APPLICATION 2024/62/92727/E
Land adjacent to Ashbourne Drive, Liversedge

I wish to object to the above planning application.
I acknowledge that the proposal has been reduced from the original 67 dwellings to 43 dwellings, and that the former three-storey house type has been removed. However, having reviewed the revised plans and supporting documentation, I do not consider that the fundamental concerns associated with developing this constrained and significantly sloping site have been overcome.

1. Site levels, landform and impact on neighbouring properties

My principal concern remains the relationship between the proposed development, the existing levels and surrounding properties, particularly those on Ashbourne View and Penn Drive.
The applicant's own documentation identifies the site's “major levels constraints” and explains that the layout was redesigned as a result. The site slopes significantly from south to north, with Ashbourne View situated on substantially higher ground than Ashbourne Drive.
The development therefore cannot be assessed simply by looking at horizontal separation distances.
The Council needs to consider the combined relationship between:

- existing ground and garden levels;
- proposed ground levels;
- finished floor levels;
- retaining structures;
- eaves and ridge heights; and
- the resulting visual mass and prominence of the buildings.

A separation distance of approximately 21–22 metres does not automatically prevent an unacceptable overbearing or visual impact where there are significant differences in ground levels. From Ashbourne View, the existing outlook is towards open land. The proposal would fundamentally change that outlook to a substantial residential development, with the potential for upper elevations and rooflines to be visible above the existing roofline.
This is therefore not simply an objection based upon loss of a view. It concerns the combined effect of regrading, retaining structures, finished floor levels, building heights and rooflines on the visual and residential amenity of existing properties.

2. Cross sections and level information

The applicant relies upon Cross Sections Z168.007 and Z168.008 to demonstrate the relationship between the proposed development and properties on Ashbourne View, Ashbourne Croft and Ashbourne Way.
However, the submitted sections state that existing neighbouring property and garden levels are indicative/approximate and subject to verification on site.
Given that levels are fundamental to the acceptability of this scheme, I do not consider that indicative information is sufficient to demonstrate that the impact upon neighbouring properties is acceptable.
The Council should therefore ensure that accurate information is available showing:

- existing ground, garden and finished floor levels;
- proposed ground and finished floor levels;
- retaining wall heights;
- eaves and ridge heights; and
- the actual three-dimensional relationship with the most affected properties.

The sections should demonstrate the most sensitive relationships, rather than relying upon selected representative viewpoints.

3. Retaining structures and engineered changes to the landform

The original objection raised concern regarding a retaining structure of approximately 6.65 metres. Although further levels and sectional information has now been submitted, the fundamental issue remains: significant engineering and retaining structures are required to accommodate development on this steep site.
The visual impact of those structures must be considered together with the houses themselves. The relevant relationship is therefore:
regraded land + retaining structures + finished floor levels + 2.5-storey buildings + rooflines.
The former three-storey house type has been removed, which is welcomed, but the revised proposal still contains 2.5-storey housing. Its actual perceived height from surrounding properties cannot be established by horizontal separation distances alone.
The Council should therefore be satisfied that the engineering required to accommodate the development does not create an unacceptable change in landform or an overbearing visual relationship with existing homes.

4. Loss of Urban Green Space

The original objection identified the loss of approximately 447.54m² of designated Urban Green Space.
Although the revised scheme provides additional areas of public open space as a result of reducing the number of dwellings, I have not identified evidence demonstrating that the underlying Urban Green Space issue has been resolved or that the loss of the designated area has been addressed in accordance with the relevant planning policy.
The provision of open space within a residential development is not necessarily equivalent to retaining existing designated open land in terms of openness, landscape character and function.
I therefore ask the Council to specifically consider the loss of the 447.54m² Urban Green Space when determining the application.

5. Noise Impact Assessment

The Noise Impact Assessment dated 21 August 2026 (NIA-11577-24-11862-v2) continues to refer to the original 67-dwelling scheme, despite the revised application now proposing 43 dwellings.
As the layout and positioning of the development have materially changed, the Council should confirm that the assessment properly considers the revised scheme. If it does not, an updated noise assessment should be required before determination.

6. Affordable housing and viability

The revised scheme provides zero affordable housing.
The applicant's viability assessment indicates that a policy-compliant scheme would provide approximately 9 affordable homes, but concludes that this is not viable.
The assessment produces a residual land value of -£1,362,789 against a benchmark land value of £1,120,000, with developer profit of approximately £2,797,437 / 19.35%.
However, the sensitivity analysis demonstrates that the conclusion is highly dependent upon the assumptions used. With 10% higher sales values and 10% lower build costs, the residual position changes to approximately £776,506.
This does not in itself prove that the scheme is viable, but it demonstrates that the viability conclusion is sensitive to its underlying assumptions.
Given the significant planning consequence of providing no affordable housing, the Council should independently scrutinise the assumptions concerning sales values, build costs, abnormal costs, finance, developer profit and benchmark land value before accepting the applicant's position.

7. Heritage impact

The revised layout has reduced the direct impact upon the heritage asset by removing the plots previously closest to Lower Blacup Farmhouse and increasing the heritage buffer.
However, the applicant's own Planning Note acknowledges that the Council's Conservation & Design Officer considers that the current proposal would still result in less than substantial harm to the designated heritage asset.
Therefore, the heritage issue has not been eliminated.

8. Contamination, coal mining and ground conditions

The site remains subject to significant ground and coal-mining legacy constraints.
The applicant's own documentation identifies potentially contaminated land and a High Risk Coal Referral Area. The site also has a history associated with former workings and made ground.
The Coal Authority's latest response does not raise further observations but expressly states that its previous comments remain valid.
These constraints are particularly relevant given the substantial engineering, earthworks and level changes required to develop the site.
The Council should therefore be satisfied that remediation, gas protection, ground stability, mine-related risks and the consequences of the proposed engineering works are fully resolved before permission is granted.

9. Cumulative impact of the site's constraints

The site is subject to a combination of constraints including:

- significant changes in levels;
- potentially contaminated land;
- coal mining risk;
- noise;
- odour;
- flooding and drainage considerations;
- heritage constraints;
- tree and vegetation loss; and
- the relationship with existing residential properties.

While a number of these matters may be capable of mitigation individually, they should not be considered entirely in isolation.
In particular, the engineering required to overcome the site's topography has direct consequences for the proposed landform, retaining structures, finished floor levels, building heights and the visual relationship with surrounding properties.
The Council should therefore consider the cumulative impact of accommodating 43 dwellings on this particular site.

10. Health and Safety

The fact that the revised proposal is below the 50-dwelling threshold for a formal Health Impact Assessment does not remove the need to consider the health and safety implications of the site’s known ground conditions. The Geoenvironmental Appraisal identifies contaminated made ground, asbestos fibres and heavy metals, together with potential mine gas, coal-mining legacy issues and risks associated with settlement and unrecorded workings. With 43 homes proposed on the site, these risks remain directly relevant to the future health and safety of residents and should be fully addressed before planning permission is granted.

11. Wildlife

Since my original objection, further local wildlife has been documented on and around the site, including badgers, sparrowhawks and partridges. This provides further evidence that the existing open land, hedgerows, trees and grassland are actively used by wildlife and form part of the wider local ecological network. The Council should ensure that this additional evidence is properly considered alongside the submitted ecological assessments, particularly in relation to the loss of habitat, vegetation and foraging areas and the potential disturbance caused by construction and the completed development. Badgers are legally protected, and the presence of these species reinforces the need to ensure that the ecological impacts of the proposal have been fully assessed and appropriately mitigated.

Conclusion

I acknowledge that the proposal has been reduced from 67 to 43 dwellings and that the former three-storey house type has been removed.
However, I do not consider that the fundamental concerns have been overcome.
The principal issue remains the three-dimensional relationship between the proposed development and existing properties. The Council must consider the combined effect of existing and proposed levels, finished floor levels, retaining structures, building heights and rooflines rather than relying principally upon horizontal separation distances.
There is also an unresolved concern regarding the 447.54m^2 Urban Green Space, significant concerns regarding the justification for zero affordable housing, an imbalanced housing mix, acknowledged heritage harm, tree and vegetation loss and the cumulative impact of developing a highly constrained site.
For these reasons, I respectfully request that planning permission is refused.
If the Council is nevertheless minded to approve the application, I ask that the matters raised above are fully investigated and resolved before determination, particularly the accurate verification of site and neighbouring levels, the visual impact of the retaining structures and buildings, and confirmation that the noise assessment properly assesses the revised 43-dwelling scheme.