

About the application

Application number: 2024/93458	
What is the application for?:	Erection of residential development for 62 dwellings including grouting remedial
Address of the site or building:	land at, Cliff Hill, Denby Dale, Huddersfield, HD8
Postcode:	YO1 0LT

User comments

Type of comment: An objection	
Do you wish your comments to be published on the website anonymously?	Yes
continued from FS-Case-704008827.	
<p>g. The coal extraction plan is woefully lacking in detail; there have been no risk assessments done in relation to the impact on neighbouring properties which closely border the site; there has been no Environmental Impact Assessment as required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 in relation to coal extraction. There is no detail about how residents whose properties are close to the site will be compensated for noise, dust, potential damage to properties and potential loss of value in properties as a result of coal mining activity in the vicinity.</p> <p>h. Previous planning applications 2022/91911 & 2023/92191 were refused on this ground and the new plans do not further address the issue.</p> <p>6. The Kirklees Local Plan was developed with projected population levels based on old census data. It is known that the population has not reached the levels envisaged and so the level of housing is not as required in the Plan. The Plan is being reviewed by the Council. In the knowledge that the Plan is based on incorrect data, it would be inappropriate to move ahead with housing development in green belt areas before that review has been carried out. Once it is developed it cannot be reversed. If, when that review is carried out, less housing is required than envisaged, housing development should be carried out in areas outside the green belt first. It is therefore premature to allow this development to go ahead until the Local Plan is reviewed.</p> <p>7. Flood Risk. There is a risk of flooding to the neighbouring properties on the south side of the site. There have been several occasions when flooding has occurred in the Wakefield Road area to the south of the proposed site as a result of run off water from the direction of the site. The Applicant has proposed an attenuation tank in the plans, but there are no details or risk assessment of how this will affect the site's neighbouring properties or protect them from flood risk.</p> <p>8. Proposed housing. Given the topography of the site, plots 43-46 which back on to Quincehead Gardens are positioned too close to the boundary with the adjacent land</p>	

Springhead Gardens are positioned too close to the boundary with the adjacent land. The proposals acknowledge that at least one of these plots does not achieve the required separation distance with the neighbouring property. These are three-storey houses which will stand at a much higher topographical level than Springhead Gardens. These plots will be overbearing on the existing properties to an unreasonable level, causing significant loss of privacy and amenity to existing residents. The LPA's report to the committee in the second application states that the required separation distance is 21 metres. In fact, this is the typical minimum distance required in the Housebuilders Design Guide for two-storey houses. These are three-storey houses. The Housebuilders Design Guide at paragraph 7.21 states that longer distances may be necessary if the site includes higher buildings or the steep topography of the site presents particular challenges relating to overlooking, which is clearly the case here. The height of these homes is therefore inappropriate in the position proposed, as they will impact on the privacy and amenity of properties on Springhead Gardens. Planning application 2022/91911 was refused on this ground and the new plans do not fully address the issue.

9. Access and Traffic. The Transport Assessment identifies Cumberworth Lane as "lightly trafficked". We do not agree with this conclusion from the data provided by the Applicant. This is a busy road. It is narrow with no footpath on the side of the road at the proposed point of access to the site, with difficult visibility as demonstrated by the need for a mirror to assist drivers with turning out of the Methodist Church opposite. The increased amount of traffic due to the proposed development would create an unacceptable impact on highway safety. When the site was originally added to the Local Plan it was recommended that access should be via Leak Hall Lane and the Council's Report on Adoption of the Plan confirms the Inspector's recommendations are binding. During the hearing of the second application, the LPA sought to justify the site entrance at Cumberworth Lane by saying the condition in the Local Plan referred to creating a pedestrian access at Leak Hall Lane, not vehicular. This cannot be correct because the original wording of the draft Local Plan simply stated "The provision of a pedestrian footway is required across the site frontage". i.e. to build a pavement perpendicular to the main site entrance. There is currently a pavement neither at Cumberworth Lane nor Leak Hall Lane and so the only explanation for adding in the words "the site frontage at Leak Hall Lane" was that the Planning Inspector required that to be the main site entrance.

In conclusion, we believe there are overwhelming reasons to reject this planning application.