



E. Chippendale
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Development Management
PO Box 1720
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21 May 2025

Dear Liz,

Re: 2025/90577 – Land off Cowrakes Lane, Lindley

Further to our recent exchange of emails regarding this application I write on behalf of Harron Homes in response to the representations received to the proposed revision to the layout.

There have been a number of assertions made in the representations received that we would like to clarify in order that you can take these into consideration in reaching your decision.

The site layout was approved in 2013 (ref. 2013/62/90204/W) and pre-dates important guidance and policy approaches that have been adopted to employ best practice in design and create safe attractive places to live.

At a local level the **'Housebuilders Design Guide' Supplementary Planning Document (2021) & 'Kirklees Highway Design Guide' Supplementary Planning Document (2019)** are key documents in considering 'good design' which is at the heart of the National Planning Policy Framework (2024) when designing quality, sustainable places. The NPPF places significant importance on design guides, at a local and national level, to provide clarity on standards and principles and carry weight in decision making¹.

The risks associated with the safety aspect of the approved design is reinforced by the principles addressing [non-car] accessibility in the Housebuilders Design Guide SPD where Principle 10 states:

"...walking and cycling links should be safe, convenient, direct and accessible...."

Assessing the approved path against the aims of the SPD we believe the path would not be considered inclusively accessible, due to the gradients, steps and absence of lighting. This is a key requirement as set out both in this SPD and reinforced in the Kirklees Highway Design Guide SPD, Section 1, and neatly summarised in para. 1.15.

¹ National Planning Policy Framework (2024), para.134

The safety aspect of the proposed path is further emphasised by the NPPF para.96 b) which states that,

"Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-designed, clear and legible pedestrian and cycle routes, and high-quality public space....."

The path as proposed would be contrary to this aim, both to users (especially outside daylight hours) and the adjacent properties whose rear gardens and accesses would be vulnerable due to the absence of natural surveillance and lighting of the footpath link.

Secure by Design Homes 2019 (Version 2, March 2019) places significant emphasis on the protection of neighbourhoods through careful, considered design. This document also post-dates the original applications approval, emphasising the changes in design approaches of such spaces. Paragraph 8.1. of the document states that;

"Vehicular and pedestrian routes should be designed to ensure that they are visually open, direct, well used and should not undermine the defensible space of neighbourhoods".

It goes on to add, at para. 8.2;

"Defensible space has the simple aim of designing the physical environment in a way which enables the resident to control the areas around their home. This is achieved by organising all space in such a way that residents may exercise a degree of control over the activities that take place there".

To emphasise this issue the document states that cul-de-sacs that connect by footpaths to other parts of a development experience levels of crime in excess of 100% higher than in a true cul-de-sac².

The SBDH 2019 guide sets out design criteria, at para. 8.10, that segregated footpath features should seek to achieve in order to allow them to function safely, which include them being:

- As straight as possible;
- Wide;
- Well lit;
- Overlooked by surrounding buildings/activities.

As the footpath, or link of any description, has not been accessible since the construction of the site without, so far as we are aware, representations to or action by The Council to secure its implementation the 'demand' or 'need' for the feature must be questionable. Furthermore, in consideration of the feature against more recent design standards its desirability and suitability would also be a material consideration in determining this application.

The revised proposal to provide a landscaped feature, funded by Harron Homes, would protect the safety and security risks the presence of the path would create and, in the context of para. 7.32 of the Housebuilders Design Guide SPD, it would enhance the recognised importance of exposure to nature for residents.

² Secure by Design Homes 2019 (Version 2, March 2019), para. 8.7



The footpath, as originally proposed, would not form part of the proposed adopted highway and would fall within the maintenance regime for the residents Management Company.

Concerns have been expressed, by some of the representations submitted, that the maintenance costs would be increased for residents to manage the feature as a landscaped area, however this would not be the case. The maintenance requirements for the area as a landscaped feature would be infrequent and arguably have less onerous long-term costs where remedial works to a footpath with steps could be significant, e.g. resurfacing. As a footpath link, there would also be more regular need for management, especially during winter months for clearance, gritting, etc to ensure it was accessible and safe.

On balance we believe the proposal to create an enclosed landscaped feature provides ecological, visual amenity and safety/security benefits that would be preferable to the areas originally approved use. The costs for the creation of the area would be funded by Harron Homes and the anticipated long-term maintenance costs for the management of the area by the Management Company would be less than for those the footpath link.

As the design of developments and the features within them has evolved since the original planning approval, and furthermore the principles have since been incorporated in planning guidance that is a material consideration in determining this application, we would respectfully ask that this application is approved for the reasons outlined above.

Yours faithfully

Planning Manager
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