

SCHOLES FUTURE GROUP

**ADDITIONAL COMMENTS RE KMC
SUSTAINABILITY APPRAISAL REPORT
AS IT APPLIES TO SITE H597**

1. Context of these comments

We make these comments on KMC's Sustainability Appraisal Report dated October 2016 ("the SAR") following the Programme Officer's email of 10 May 2018 inviting them.

We have serious misgivings as to the fundamental soundness of the SAR, and the assumptions for appraisals of residential site options set out in Table A4.1 of the SAR, as they apply to site H597 (and indeed H297 and SL3359).

We will take our comments made to KMC on the PDLP, and our Hearing Statement on Matter 44 as read, save only to repeat that we seek that sites H597 and SL3359 should be designated as Local Green Space.

2. Fundamental difficulties in compiling the SAR

It is understandable that those compiling the SAR should, in light of the size of the task, wish to use prescribed assumptions. As they apply to residential development they are set out in Table A4.1, and the inherent difficulties of this approach are noted in sections 2.35 – 2.39 of the SAR. These assumptions and difficulties result in a SAR compiled without the benefit of local inspection or knowledge – a deficiency which in our view renders much of the scoring in Annex 1 to the SAR unsound.

For example, section 2.37 assumes an average walking speed of 4.8km/hour. This is a fairly brisk pace. It certainly ignores the local topography of the Holmfirth area. The only walking return from Holmfirth to H597 is either up South Lane / Cinder Hills / Sandy Gate, or Dunford Road / Cross Gate Road / Cross Lane. These are steep ascents. The same can be said of the returns from New Mill and Jackson Bridge. Many would struggle to achieve an average 3.6km/hour on these routes – and for the elderly, infirm, disabled, infants, and mothers with pushchairs they are not a viable option.

We set out in section 4 below our particular comments on the SA Scores for various SA Objectives as set out in Annex 1 to the SAR for H597, and on the SA Justifications underlying them as set out in Table A4.1 to the SAR.

Immediately below, we summarise the corrected scores we believe should be applied where a correction appears to be justified.

3. Summary of revised scores for H597

Our proposed revised SA scores for various SA Objectives for H597 are as follows.

Objective 1 - from minor negative to questionable significant negative.

Objective 2 - from negligible to minor negative.

Objective 3 - from questionable minor positive to minor or significant negative.

Objective 8 - from significant positive to questionable negligible.

Objective 10 - from minor positive to negligible or minor negative.

Objective 13 - from questionable negligible to significant negative.

Objective 16 - from minor negative to significant negative.

Objective 19 - from minor positive to negligible or minor negative.

4. Comments on individual SA Objectives

4.1. Objective 1

Timing assumptions are based on non-car based modes of transport to the nearest employment node. We assume the employment node is Huddersfield and that the assumption is based on walking to a bus stop in Scholes and then taking the bus to Huddersfield. It is not clear if there is any assumption as to further walking once in Huddersfield, or other onward journey.

Employment opportunities locally are extremely limited, and in any case, the reality is that people living in Scholes will in many cases travel further afield than even Huddersfield to their place of work – typically Sheffield, Wakefield, Leeds, or Manchester. The SA Score already acknowledges that there is a component of H597 which rates a significant negative (journey time more than 50 minutes). The reality for most people is that the time to get to work from H597 by non-car based transport would exceed 50 minutes. We believe a more accurate score would be questionable significant negative (--?).

4.2. Objective 2

It is surely a false assumption that “the location of housing sites will not affect the success of the local economy” and that consequently “the effects of all residential site options will be negligible”.

The whole of H597 is let out to local farmers for grazing of cattle and sheep – see for example the images in Appendix 8 to our PDLP comments. It is agricultural land and has been for many years – see for example paragraph 2 of the Planning Inspector’s decision of 1996 reproduced as Appendix 5 to our PDLP comments.

There would undoubtedly be an effect on local farmers such that a minor negative at least is required for this objective.

The same text seems to have been use on every allocation for this objective – effectively allowing those engaged in the production of the SA Score for this objective to ignore it.

4.3. Objective 3

Bearing in mind that there will be no exit from the site onto Ryecroft Lane, the straight-line distance from the north-east corner of the site to the entrance to the nearest secondary school measured on the OS 1:25000 map is 9cm, or 2.25km. Walking at 4.8km/hour gives just over 28 minutes. The actual walking time must therefore be something over 30 minutes, and definitely not the 21-25 minutes stated in Annex 1. Given that it is these timings alone which seem to generate the questionable minor positive (+?) score, we would expect the score on this basis alone to be at best negligible.

The main issue here is the likely availability of school places to accommodate the extra primary and secondary pupils generated by an additional 141 houses.

KMC’s Infrastructure Development document produced to the Inspector under Matter 15 assumes that over the next 15 years, in the Holme Valley, there will be no need for any additional primary school places, and that over the same period, in the Holme Valley, Honley, and Meltham there will be no need for any additional secondary school places. These assumptions lack credibility – particularly in light of the Department of Education pupil numbers projection document SFR

31/2017 which predicts a 2.2% increase in state-funded primary school pupils and a 19.1% increase in state-funded secondary school pupils by 2026. We assume the DoE's figures are based on there being no abnormal increase in population numbers such as will result from the level of development proposed for the Holme Valley, and Scholes in particular.

Given all the above we would expect a minor or significant negative score.

4.4. Objective 8

The assumptions for Objective 8 indicate that the effect of new sites will "depend in part on the provision of open space, green infrastructure or sports facilities within the new development, which is unknown at this stage". The SAR is dated October 2016 – so shortly before the publication of the PDLP. How much scope there will be for this type of provision amongst the 141 new dwellings on H597 is, in our view, quite clearly very little.

As for the children's playground off Ryecroft Lane, KMC seem to have plans for this and all other play facilities within Kirklees. We refer to the recently published "Draft Living Play 2020 – Playable Places Strategy". Section 2.2 of the document – "Why we need a Play Strategy" states in part (our bold underlining) :

"In addition to the heavy reliance on manufactured play equipment and increasing concerns for non-compliant provisions; past developments of play areas has seen a prolific use of non-play infrastructure such as hoop top boundary fencing and motorised gates; these alongside the manufactured play equipment are required to be inspected on a 4-6 week cycle. **The on-going demands and the growing cost of maintenance and repairs of both the equipment and the non-play infrastructure means the current play provisions are becoming increasingly financially unsustainable.**

"The need for a play strategy becomes apparent when we consider that these growing costs are for potentially poor quality play provisions. The purpose of the strategy will be to assess what we have, and what is wanted by the stakeholders and come up with an action plan that will result in a network of diverse, high quality and financially sustainable play provisions that appeal to, and can be enjoyed by, all across Kirklees."

This is a consultation document, but underlying it seems to be a cost-cutting move by KMC to withdraw support and maintenance from its playgrounds. We believe this may have been happening to some extent already.

As to proximity to existing recreational facilities within 600m, the scorers have managed to identify four : the playground on Ryecroft Lane (see above), an “area of amenity green space” 354m to the north east, an adjacent bridleway, and a PROW 97m north of the site. These last two manage to push the score from minor positive to significant positive, are little-used, and in our view are scraping the barrel.

Neither have we yet succeeded in finding the “area of amenity green space” 354m to the north east .

Given the above, we believe the score for Objective 8 should be questionably negligible effect (0?).

4.5. Objective 10

We cannot understand the logic for the range of scores for the assumptions in Appendix 4 for this Objective. The choices are : significant positive, minor positive, and significant negative. Surely the range should be more nuanced than this, as it is for most other sites. Why is there no score possible between minor positive and significant negative? Given that significant negative applies where none of eight features are identified, and significant positive is achieved by having four of the eight features, there should be a finer gradation between these extremes than simply minor positive where between one and three features are present.

Given that most sites are likely to have at least one feature present, the scoring is set so that it is virtually impossible to have a significant negative, minor negative or negligible score. The system looks like it is rigged as regards this objective in favour of a positive score.

Our guess is that that H597 should reasonably be either negligible or minor negative with only two out of eight features present.

4.6. Objective 13

The justification for Objective 13 score of questionable negligible states that Historic England (“HE”) has been consulted on the list of residential site options and has rated each as red – significant negative, orange – uncertain effect, yellow – minor negative, or green – negligible

effect based on the likely effects on the historic environment of developing the site in question. It is acknowledged that in every case much will depend on the exact scale, design, and layout of the new development, and any opportunities which may exist to enhance the setting of the heritage feature.

The score given to the effect of H597 in Annex 1 is questionable negligible (0?). The justification given is that :

“Historic England has rated this site “green” in terms of the potential for effects on the historic environment, as the development of this site is unlikely to result in harm to any designated asset.

“The effect of the SA objective is therefore negligible but uncertain as the potential for effects on cultural heritage assets will depend on the exact scale, design and layout of the new development”

We wonder if any review at all has been made of the SA score for H597 in light of it being broken out from the larger, original H38. The score and justification are identical to those given to H38 in the SAR of September 2015 issued with the first draft Local Plan.

We also wonder what data was put to HE for comment in light of the representations made on HE’s behalf by Mr Ian Smith at the public hearing on this allocation. He supported our own Mr Sherwell’s comments on the significance of Sandy Gate Farm and echoed the HE document submitted in relation to Matter 21 which states :

H597: Land to the south of Sandy Gate, Scholes

We disagree with the evaluation of the contribution which this site makes to the setting of the Grade II Listed Sandy Gate Farm and the mitigation necessary to reduce the harm.

- Sandy Gate Farm is visible in views across this site from the most of Scholes Moor Road, it is also visible in views from Moorlands to the south, and Ryecroft Lane. Therefore, it with perhaps the area immediately adjacent to the housing to the south, most of this area of farmland ought to be identified as being of Moderate Significance in terms of its contribution to the setting of this Listed Building.
- As the Heritage Impact Assessment notes, the field boundaries across this area have remain intact since the First Edition OS Map in 1892.

- Given the acknowledgement within the Appraisal that views towards the asset are of high significance and that, should these views be lost, it would cause substantial harm to the setting of the asset, the extent of this site should be reduced to simply the field immediately adjacent to the existing housing on Moorlands

We find it impossible to reconcile the above with the justification given by KMC for its SA score on this SA Objective for H597.

Moreover, KMC's own Heritage Impact Assessment on H597 states that:

Sandy Gate Farmhouse has evidential, historical, aesthetic, and communal value,

The immediate settings have evidential, illustrative historical, and aesthetic value, and

The wider setting has evidential, illustrative historical, and aesthetic value.

As regards the possible impact of the allocation on this heritage asset, KMC's Heritage Impact Assessment states that :

The access roads have high significance,

The views towards the farmhouse have high significance,

The boundary walls have high significance, and

The adjacent land has moderate significance.

In light of all the above we believe the SA score for H597 as regards Objective 13 should be significant negative.

We agree with HE that, given the views of HE and KMC's own assessment, the extent of the site should be reduced to simply the field immediately adjacent to the existing housing on Moorlands.

In saying this we are also mindful of the enormous adverse effect on our village a site of this size would have, and the comments of the Planning Inspector in 1996 as to the impact of a smaller development on the north-east corner of H597, namely :

“An additional 91 dwellings, as proposed, would represent a further increase of 16% [in the size of Scholes]. I regard this enlargement as very substantial bearing in mind the overall policy of restraint which the Structure Plan imposes on development outside PUAs. Against this planning policy background, I consider that the appeal proposal would be incompatible with the size of Scholes”.

4.7. Objective 16

SAR Appendix 4 defines Objective 16 as “Prevent inappropriate development in flood risk areas and ensure development does not contribute to increased flood risk for existing property and people”.

In our comment on the draft Local Plan and on the PDLP we have consistently raised concerns about inadequate drainage in Scholes and possible flooding resulting from development of the allocations in Scholes – see for example section 14 of our comments on the PDLP. We can now see the reality of development on what was formerly H297 following KMC’s approval of an application by Miller Homes to build 39 dwellings on the site – which abuts at its northern end the children’s playground, and on its eastern side existing residential dwellings.

We reproduce over three pages in the Appendix to this document (which we urge you to read) the text of a report in the Huddersfield Examiner, together with photographs. A stop notice was issued by KMC, which was largely ignored by Miller Homes, pending production by Miller Homes of a satisfactory drainage scheme. Permission to proceed has now been given by KMC on the basis of a scheme which KMC described to us as “not unacceptable”. A rather intriguing choice of words !

We believe there is a real risk that development of H297 may result in flooding of adjacent properties and the children’s playground.

As for H597, it is lower than H297, and like H297 it slopes downwards from its south-west extremity to its north-east extremity. Appendix 9 to our PDLP comments reproduces images of flooding on H597.

Given what we have always believed to be the case, and what we have now seen during development of H297, we believe it is clear that the score for H597 should be significant negative.

4.8. Objective 19

We have the same comments here as for Objective 10 at 4.5 above. The range of scoring is inadequately nuanced. It provides for a minor or significant positive score in virtually every case.

There is nothing in the allocation of H597 for the development of 141 houses that will reduce carbon emissions. Indeed, it will increase them as private car commuting and school runs out of the village will increase.

Scholes has no railway link and only a half-hourly (at best) bus service to Holmfirth and Huddersfield. Some who work in these two locations, and most who work further afield, will generally commute using their own cars. Parents needing to get children to school outside the village will use their cars - the J&I school certainly cannot absorb the likely level of pupil numbers resulting from an extra 141 dwellings on this site in addition to the extra 39 on the former H297.

We would expect a score here of negligible or minor negative.

APPENDIX – HUDDERSFIELD EXAMINER REPORT ON H297 (3 PAGES)

A Kirklees councillor has called for work on a new housing estate to be halted following serious flooding on the site.

Holme Valley South councillor **Donald Firth** said the Miller Homes development of 39 houses on land off Cross Lane at Scholes, **Holmfirth**, should be halted until the flooding issue affecting properties on nearby Moorlands had been resolved.

Hazel Stead, who lives in the bottom of the cul de sac on Moorlands, said a lake had formed behind her house while an adjacent children's play area was also under water.

Workmen from Miller Homes carrying out groundwork on the site have dug holes in a bid to drain the water and have built a banking in an effort to prevent the floodwater spreading. But residents say the floodwater is continuing to rise.



The groundworks site for new homes in Scholes which has caused flooding in to Hazel's garden and the children's play area behind her home

Clr Firth said: "I have had promises from **Kirklees** to send enforcement officers out there, but no one has been – and there's now a reservoir at the back of Hazel's property. If the banking that the builders have put up overflows there are going to be a lot of houses flooded out. We need to put a stop notice on this job until they decide where the water is going to go. It is not soaking away."

He added that locals had warned council officers before planning permission was granted last September that there were a lot of springs on the land. "There's only about a foot of top soil before you hit bedrock," he said. "The soil is clay, which is not porous, so it's no good putting in a soakaway."

Mrs Stead, 68, a retired textile worker, said the floodwater had reached the back of the garage next to her house, saying: "The workmen have dug holes to take the water away, but it is not working. It is flooding the back of my garage and onto the play area. I have rung Miller Homes up and no one has come back to me. I have heard nothing – it's absolutely disgusting.

"The fence at the back of my house is 3ft 3in and the banking is higher than that," she said. "It is still filling up. If that is what it's like now, what will it be like when they come to build houses on it?"

Kirklees planning committee gave Miller Homes the green light to develop the site on the recommendation of planning officers – despite strong objections from local residents and local councillors.

A Kirklees Council spokesperson said: "Planning permission was granted for residential development on the land with several conditions requiring drainage details to be agreed. The council are aware of soil strip and excavations for drainage trial holes that are required to satisfy conditions.

"The recent weather has resulted in significant amounts of water accumulating on the site which has hampered progress with drainage tests.



The groundworks site for new homes in Scholes which has caused flooding in to Hazel's garden and the children's play area behind her home

"In these circumstances the council continue to liaise with the developers and have advised not to commence construction of any dwelling until drainage matters are resolved.

"The council are monitoring the progress of surface water management on the site and if the developers commence works on the houses without suitable drainage measures in place the council will consider formal enforcement options."

Miller Homes was asked to comment but did not respond.