

Mr Giles Cheetham  
Definitive Map Officer  
Public Rights of Way  
Kirklees Council  
Flint Street  
Huddersfield  
HD1 6LB

11th September 2017

Dear Giles

**Clayton Fields, Huddersfield – Application to stop-up footpaths under Section 257 of the Town and Country Planning Act 1990**

Further to the deferment of our Section 257 Application by the Planning Sub-Committee on 31<sup>st</sup> August, which we were disappointed with, we set out below our revised proposals and enclose a 'Compromise Drawing' clearly identifying these and a summary of the discussions to date.

We met with local residents and the objectors, assisted by Council Officers and Ward Councillors on multiple occasions now to attempt to reach a compromise position. It was clearly explained at the outset that we cannot re-visit the planning consent that has been granted in full detail and that we could only consider minor changes which could be dealt with by a discharge of planning condition route.

We have fully considered the items requested by the objectors and now propose the following amendments so this process can move forwards:-

The Woodland walk is to be relocated to top of bank to follow the rear garden fence lines of plots 25-34, this route will be maintained by the Resident owned Management Company as part of the overall management of the open space within the estate layout.

The POS area at The Edgerton Road end of the site is now proposed to be landscape planted as regenerative woodland rather than simply grassed and as part of the S106 obligations this area will also be maintained by the Resident owned Management Company.

The gates on Deverson Grove will be opened up/removed and replaced by concrete posts/bollards to continue to prevent vehicles from accessing the site by this route whilst allowing pedestrian access. An

order has been placed with a contractor to do this straight away and pedestrian access will be provided up until construction commences on site.

We will be widening the existing recorded width of the existing Hud/345 PROW as part of our proposals.

The objectors also requested the following changes be made at the second meeting with them at the council offices on 7<sup>th</sup> July. These have been fully considered but are unacceptable to Seddon Homes for the reasons provided below:-

The request for the Woodland Walk to be extended to follow the batter/bank top behind plots 35 to 40 and along the boundary behind plot 41. This is not acceptable as there is insufficient room to construct a footpath and deal with the retaining issues along this boundary, the approved layout does not allow for a route along this line and it is also not a claimed PROW route either. The layout already provides numerous alternative routes that create sufficient permeability throughout the site.

The request for the POS area to be transferred to the Clayton Field Action Group is not possible as the planning permission and the Section 106 obligation requires that this is maintained by a Resident Owned Management Company.

The request for a new footpath to be created along the back of rear gardens to plots 14 to 10 inclusive. This is not on any previously claimed route or alignment and is not acceptable due to the severe difference in levels and the requirement for a retaining wall/feature to deal with the level differences. There would also be a detrimental loss of privacy and security to the private family gardens and it would create an undesirable alleyway without much natural surveillance.

The site has had many constraints to deal with that have dictated why the approved layout looks the way it does. There are significant level changes and steep gradients, large public sewers cross the site, tree protection zones and boundary details. They have all been addressed with the layout as approved, it is not easy to make any small changes that do not have a large knock on effect and would require a revisit of the planning approval which as stated we simply cannot do.

I trust this is of use in the preparation of your next report to committee and demonstrates that we have exhausted all possible avenues open to us given that we have always stated that a revisit of the approved planning permission is not an option. The Section 257 process is the only thing preventing us from commencing on site, we are very keen to make a start for these much needed new homes as soon as practically possible.

Thank you for your assistance with this matter, please do not hesitate to contact me should you need any further information or clarification.