
Report of the Head of Planning and Development

STRATEGIC PLANNING COMMITTEE

Date: 05-Dec-2024

Subject: Planning Application 2023/91212 Erection of 21 dwellings with access from Laithe Avenue Land off, Bankfield Drive, Holmbridge, Holmfirth, HD9 2PH

APPLICANT

Orion Homes Ltd

DATE VALID

04-Oct-2023

TARGET DATE

03-Jan-2024

EXTENSION EXPIRY DATE

19-Dec-2024

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

[Public speaking at committee link](#)

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral wards affected: Holme Valley South

Ward Councillors consulted: Yes

Public or private: Public

RECOMMENDATION:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report and to secure a Section 106 agreement to cover the following matters:

1. Affordable Housing: Three affordable housing units (all First Homes, comprising 2x 2-bed and 1x 3-bed) to be provided in perpetuity.
2. Biodiversity: Contribution of £104,880 towards off-site measures to achieve biodiversity net gain.
3. Public Open Space: An off-site contribution of £55,932.16.
4. Public Right of Way: A contribution of £10,000 for the connection onto the Public Right of Way (HOL/91/20).
5. Management and maintenance: The establishment of a management company for the management and maintenance of any land not within private curtilages or adopted by other parties, and of infrastructure (including surface water drainage until formally adopted by the statutory undertaker).

All contributions are to be indexed-linked.

In the circumstances where the Section 106 agreement has not been completed within three months of the date of the Committee's resolution then the Head of Planning and Development shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Head of Planning and Development is authorised to determine the application and impose appropriate reasons for refusal under Delegated Powers.

1.0 INTRODUCTION:

- 1.1 This is an application for planning permission for a residential development of 21 dwellings.
- 1.2 The application is presented to Strategic Planning Committee due to the development not providing all of the planning contributions required in line with local and national planning policy, and given the substantial number of representations received (contrary to the officer recommendation). Additionally, former ward Councillor Firth asked for the application to be brought to committee.

2.0 SITE AND SURROUNDINGS:

- 2.1 The application site comprises site allocation HS183 (allocated for housing). The site is 0.66 hectares and is of a rectangular shape.

- 2.2 The site is currently a greenfield site bounded by low dry stone retaining walls. Land levels fall quite substantially from the southeast to the northwest of the site. To the west of the site is a separate parcel of land currently safeguarded within the Kirklees Local Plan (SLS15), with Laithe Avenue to the east. To the south of the site is the Public Right of Way HOL/91/20.
- 2.3 The area surrounding the site is predominantly residential to the north and east, with more sparsely distributed properties to the west, and open countryside to the south which is Green Belt land. The nearest part of the Peak District National Park lies approximately 650m to the south.
- 2.4 The site is not within a conservation area or within close proximity to any listed buildings.

3.0 PROPOSAL:

- 3.1 The applicant seeks full planning permission for the erection of 21 dwellings with access from Laithe Avenue. Internally, a new estate road would be provided.
- 3.2 Dwellings would be arranged along the new estate road, provided as 14 semi-detached properties, a small row of three terrace properties and four detached dwellings. The mix would comprise five 2-beds, twelve 3-beds and four 4-beds. Five house types have been proposed – these are the Edinburgh, Preston, Bamburgh, Gosford and Cheltenham. Materials would include artificial stone to the walls with concrete tiles to the roofs.
- 3.3 All the dwellings would have off-street car parking.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

At the application site:

Planning applications:

- 4.1 92/04281 Outline application for residential development – Refused and appeal dismissed.

Pre application advice:

- 4.2 2022/20239 Pre-application advice sought for residential development – Comments provided.

Surrounding the application site:

A number of planning applications have been submitted regarding nearby residential properties for extensions and outbuildings.

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):

- 5.1 Amendments and additional information has been sought as part of this application process regarding, but not limited to, achieving the required density and housing mix, protecting residential amenity and an acceptable highway layout. A viability appraisal has also been submitted with this application.

6.0 PLANNING POLICY:

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27/02/2019).

Kirklees Local Plan (2019):

- 6.2 Site allocation HS183 relates to 0.66 hectares (gross and net) and sets out an indicative capacity of 23 dwellings. The site allocation identifies the following constraints:

- Public right of way to the south of the site
- Proximity to Special Protection Area/Special Area of Conservation
- Proximity to a Local Wildlife Site

Relevant Local Plan policies are:

- LP1 – Presumption in favour of sustainable development
- LP2 – Place Shaping
- LP3 – Location of new development
- LP4 – Providing infrastructure
- LP5 – Master planning sites
- LP7 – Efficient and effective use of land and buildings
- LP9 – Supporting skilled and flexible communities and workforce
- LP11 – Housing Mix and Affordable Housing
- LP20 – Sustainable travel
- LP21 – Highways and access
- LP22 – Parking
- LP24 – Design
- LP26 – Renewable and low carbon energy
- LP27 – Flood risk
- LP28 – Drainage
- LP30 – Biodiversity & Geodiversity
- LP32 – Landscape
- LP33 – Trees
- LP34 – Conserving and enhancing the water environment
- LP47 – Healthy, active and safe lifestyles
- LP48 – Community facilities and services
- LP49 – Educational and health care needs
- LP51 – Protection and improvement of local air quality
- LP52 – Protection and improvements of environmental quality
- LP53 – Contaminated and unstable land
- LP63 – New open space
- LP65 – Housing allocations

Neighbourhood Development Plans

6.3 The Holme Valley Neighbourhood Development Plan was adopted on 08/12/2021 and forms part of the Development Plan.

- Policy 1 – Protecting and Enhancing the Landscape Character of Holme Valley
- Policy 2 – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design
- Policy 11 – Improving Transport, Accessibility and Local Infrastructure
- Policy 12 – Promoting Sustainability
- Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain

6.4 The application site is within Landscape Character Area 4: River Holme Settled Valley Floor.

The key landscape characteristics of the area are:

- Framed views from the settled valley floor to the upper valley sides and views across to opposing valley slopes and beyond towards the Peak District National Park.
- Boundary treatments comprised largely of millstone grit walling. The stone walling which runs parallel with Upperthong Lane is representative of local vernacular detailing.
- A network of Public Rights of Way (PROW) including the Holme Valley Riverside Way which follows the River Holme from Holmbridge through Holmfirth and downstream. National Cycle Route 68 follows minor roads through Upperthong towards the centre of Holmfirth before climbing the opposing valley slopes.
- Mill ponds reflect industrial heritage and offer recreation facilities.

The key built characteristic of the area are:

- Mill buildings, chimneys and ponds, including Ribbleden Mill with its chimney, associated mill worker houses and ashlar fronted villas link the area to its industrial and commercial heritage and are a legacy of the area's former textile industry.
- Terraced cottages and distinctive over and under dwellings feature on the steep hillsides with steep ginnels, often with stone setts and narrow roads.
- Narrow winding streets with stepped passageways, stone troughs and setts characterise the sloping hillsides above Holmfirth town centre.
- Small tight knit settlements on the upper slopes are characterised by their former agricultural and domestic textile heritage.
- There are mixed areas of historic and more recent residential and commercial developments. Small tight knit settlements on the upper slopes are characterised by their former agricultural and domestic textile heritage.
- There are mixed areas of historic and more recent residential and commercial developments.

6.5 Supplementary Planning Guidance / Documents:

- Highway Design Guide SPD (2019)
- Housebuilders Design Guide SPD (2021)
- Open Space SPD (2021)
- Affordable Housing and Housing Mix SPD (2023)

6.6 Guidance Documents:

- Biodiversity Net Gain Technical Advice Note (2021)
- Planning Applications Climate Change Guidance (2021)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
- Waste Management Design Guide for New Developments (2020, updated 2021)
- Green Streets Principles for the West Yorkshire Transport Fund (2017)
- Kirklees Housing Strategy (2018)
- Kirklees Interim Housing Position Statement to Boost Supply (2023)
- Viability Guidance Note (2020)
- Kirklees Joint Health and Wellbeing Strategy and Kirklees Health and Wellbeing Plan (2018)

6.7 National Planning Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) 2023, and the Planning Practice Guidance Suite (PPGS), first launched 06/03/2014, together with Circulars, Ministerial Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

6.8 Other relevant national guidance and documents:

- MHCLG: National Design Guide (2021)
- DCLG: Technical housing standards – nationally described space standard (2015)

Climate change

- 6.9 The council approved Climate Emergency measures at its meeting of full Council on 16/01/2019, and the West Yorkshire Combined Authority has pledged that the Leeds City Region would reach net zero carbon emissions by 2038. A draft Carbon Emission Reduction Pathways Technical Report (July 2020, Element Energy), setting out how carbon reductions might be achieved, has been published by the West Yorkshire Combined Authority.
- 6.10 On 12/11/2019 the council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system, and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target; however, it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the council would use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 The application has been advertised as major development and development affecting the setting of a Public Right of Way.
- 7.2 The application has been advertised via site notices, within the press and letters delivered to neighbours adjacent to the application site. Final publicity expires on the 29/11/2024, which would be two days after the publication of this committee report. Final comments will therefore be included within the committee update.
- 7.3 As a result of the above publicity, 121 representations (all objecting to the development) have been received from local residents. The concerns raised are summarised as follows:

Visual amenity/density:

- The housing density of the planned development is far higher than on the existing estate. The revised plan which alters the style of housing in order to accommodate 21 homes rather than 16 would have a highly detrimental effect on the character of the area and would contradict Kirklees Council's own guidelines on rural development.
- 21 dwellings would be an over intensification of the site regardless of highway issues.
- 21 houses is 31% more than the original plan. This is too intensive with the concentration and character of the properties out of line with the existing estate which has 12 houses on a similar plot size.
- Over-intensification, the proposed plot has 21 properties, whereas the neighbouring plot in Bankfield has 11 houses, this breaches planning.
- Additionally, artificial stone which is proposed would further negatively impact this planned blot on the landscape.
- Natural stone must be used to match these houses.

- The natural stone is very important to preserve the character of the valley, these proposed properties will damage the character of the village which will cause a negative impact for years to come.
- The development does not share the same character as the adjacent housing stock e.g. wholly detached, open front gardens, some single storey properties.
- The development would be an intrusion on the landscape and will not blend in with the Green Belt it abuts. No effort has been made to design houses sympathetic to the site location so close to the greenbelt.
- I would like to know why the proposed plans have increased in volume from 16 to 21 properties and a new design layout. Is this because Orion Homes are trying to influence Kirklees with some affordable properties to push through the application? I find the design of these properties appalling, a total lack of respect for the area and the community. Typical new housing development.
- The development would destroy a green field site.
- The Phase 1 document showed 25 houses, the April 2023 version dealt with 16 houses and the October 2023 version now shows 21 houses. Each of these applications had different "styles" of house and totally different road / plot layouts.
- The proposed development is on the edge of the village and would result in the loss of more of Holmbridge's surrounding green band. It is close to if not directly in the Green Belt area of Holmbridge. The site borders the north end of the Peak District National Park.
- We now seem to have abandoned the higher principles of our Grandparents by being prepared to build more and more housing developments right up to the boundary of this National Park. This planning application and others within the curtilage of such a beautiful public space should be refused.
- Over time the beautiful village of Holmbridge is being slowly ruined by the number of developments being considered and passed for construction. We are losing our countryside, green spaces, character and charm. The countryside, scenic views, peace and tranquillity are disappearing, and all in the name of commercial gain and greed.
- The visual impact of the development would be detrimental to the landscape which can be clearly seen from the Woodhead Road as it is high above. The size and scale of the given development would be unattractive from the road compared to a green field. Holmbridge is a tourist area which borders the Peak District and many walks around reservoirs, and therefore my point about the visual impact consigns the development to be refused on this basis alone.
- This is a greenfield site and unbelievably it was highlighted as part of the Kirklees development plan 2019, therefore I do not have much confidence that Kirklees will refuse this planning application. However, I do hope they will enforce the concerns of the local residents. If it does go ahead then the design of this development should be changed as it is not in keeping with the surrounding area. The plots are a generic design and the whole development would be an eyesore on the landscape, not to mention the other issues around infrastructure etc. My major concern would be that the area will attract other developers which will ruin Holmbridge.
- The plans include link detached houses but there are no link detached properties on Laithe Avenue, Bankfield Drive, or Laithe Bank Drive.

- In 1993 when a previous application for development was rejected, Kirklees stated that 'the proposed development would significantly detract from the character and scale of Holmbridge and destroy the visual amenity'. In addition, very close to the site, Yorkshire Water were instructed to build underground as it was recognised that building above ground would again 'destroy the visual amenity'.
- The proposed development observes only 'minimum' distancing guidelines from existing properties. Given the uneven sloping nature of the site and the differences in levels of existing properties the new development will dominate and overshadow the existing houses on Bankfield Drive. No elevation plans have been made available which show how the new houses (or any new boundary fencing/planting or possible garden terracing) will sit in relation to the existing adjacent properties and existing boundary wall heights.
- There is no clarity in the proposed plans that the development will reflect the character and appearance of nearby housing.
- I strongly object to the design of buildings proposed by Orion Homes, these are out of character for the street, the size and design along with materials.
- The proposed development contrasts dramatically with the surrounding countryside/Bankfield estate and will form a stark intrusion on the landscape.
- I would like to object to this application based on its effect on the local landscape and contravention of sensible Kirklees and Holme Valley Development Policies. The field involved is currently used as pasture, is directly adjacent to the Green Belt, is alongside a footpath used by walkers and only 600 yards from the boundary of the Peak District National Park – Britain's first National Park .
- There is no adherence to the Holme Valley Neighbourhood Plan which was compiled to preserve the character of the valley.

Residential amenity:

- The closeness of the properties to Bankfield Drive and Laithe Avenue would lead to a lack of privacy, overlooking and overshadowing.
- Existing residents have the right to light.
- Loss of light to existing properties and gardens during the winter months.
- There is a very similar planning application to this one for 35 houses to be built on a site at Wesley Avenue, Netherthong (2023/61/90714/W). However, there has been much greater separation distances given to the existing houses on this site than we have been given on Laithe Avenue despite the layout and levels being much the same (see plan below). I note that the end property on Wesley Avenue (equivalent to our position on Laithe Avenue) only has one window on the side wall, towards the rear, rather than two, and the principal entrance is at the front of the property, facing the road, and not at the side facing the development like ours. There is also a privacy strip with hedging and fencing between the existing property and the first plot on the new development. For the sake of consistency, the site off Bankfield Drive should be given the same treatment as the site off Wesley Avenue to provide sufficient privacy and prevent loss of light and overshadowing.
- In relation to the PROW planned at the side of our house, if for any reason the footpath does not materialise, please can a condition be attached that the strip of land between our property and plot number one

will remain for the benefit of privacy and will not be used for any other purpose or engulfed into the garden of plot number one.

- Concerns regarding separation distances to existing residential dwellings, with references being made to the council's Housebuilders Design Guide SPD and Policy LP24 of the Kirklees Local Plan.
- The planning application does not contain any cross-sectional plans or mention of how the steep gradient of the site will be built into. This could have a significant effect on the light into existing properties. The distance of only 12 metres from the existing properties on Bankfield Drive is unacceptable.
- There are far too many houses for the plot creating over-intensification of the site and plot 1 is much too close to 2 Laithe Avenue which, according to Kirklees SPD Guidelines, should have a separation distance of at least 12 metres as there are windows to habitable rooms on the side wall of the house. The small distance that has been provided will give rise to overlooking, overshadowing and lack of privacy.

Highway safety

- The only access to the site is via Bankfield Drive or Laithe Bank Drive which have 1:5 and 1:6 gradients respectively. These two roads form part of the 5-way junction also involving Smithy Lane and Dobb Top Road. The junction has no level standing, the slopes of Bankfield Drive and Laithe Bank Drive continuing across Dobb Top Road and into a dry stone wall opposite. There are poor sight lines due to the steep gradient of Smithy Lane and a wall on the corner of a blind bend where the carriageway narrows to a width of 4.8 metres. Dobb Top Road, Smithy Lane and Bank Lane are narrow, devoid of footways, and have constant parked cars due to there being no off-road parking. They are effectively reduced to single track. The junction contravenes guidelines within the Kirklees Highways Design Guide, Kirklees Highways Guidance Notes and the National Planning Policy Framework in terms of gradients, no level standing, poor sight lines, carriageway widths and lack of footways. This junction is dangerous.
- The junction is part of a rural school route for children walking to and from Hinchcliffe Mill J & I School, Holmbridge Pre School and Holmbridge Out of School Club, and by children attending Holmfirth High who walk down to the A6024 to catch the bus.
- There are a number of accidents at this junction every year. In wet, icy or snowy conditions vehicles lose control on Bankfield Drive and Laithe Bank Drive (which are never gritted) and plough into the retaining wall on the other side. The repairs to this wall by the council are plain to see. There have also been many collisions between vehicles which are not officially recorded as police have not been called. Recently, after losing control on Laithe Bank Drive, a driver actually bailed out of his vehicle as he feared his car demolishing the wall and plunging down the sheer 40 foot drop on the other side.
- Should ice or snow be forecast many residents of the estate do attempt to park on Smithy Lane or Dobb Top Road in the evening to enable a safer commute the following day, but due to limited availability this is not possible for everyone. Those unable to find a space take a chance in the morning. Only this week (Monday morning 5th December) 2 vehicles lost control and descended Bankfield Drive sideways (having been unable to find a parking space on Smithy or Dobb Top the previous evening).

Fortunately, due to a partial thaw in the early hours, grit had taken effect to a degree on Dobb Top thus preventing two more collisions with the wall, or possibly with pedestrians. Any further development to this estate would exacerbate this problem to an unacceptable degree.

- Planning permission for development of this site has been refused in the past, most recently in 1993 when it was refused first by Kirklees and later on appeal by the Planning Inspectorate who concluded 'The proposed development would lead to an increased hazard for road other road users and pedestrians' and that 'the danger would be sufficient to warrant dismissal of the appeal'.
- Currently on the estate there are 49 houses and 105 cars. 2.14 cars per household, more than twice what it was in 1993. By ratio, 21 new homes would result in a further 45 cars and potentially up to 90 additional commutes per day. Bankfield Drive, the steepest of the 2 access roads is used by 12 homes. Its use would be tripled should the development be approved.
- The transport statement significantly underestimates the additional car journeys the development will generate.
- Concerns raised regarding the traffic generation predicted as set out within the transport statement. It is also important to note that Figure 101 in the report indicates that there were no PSVs included in the total vehicle count. However, Dobb Lane, Dobb Top Road and Smithy Lane are used by the H5 bus service provided by Stotts which runs hourly from 09.30 to 16.30. The counts reported only include traffic flows between 08.45 to 09.45 and 17.30 to 18.30. This casts further doubt on the weight that can be placed on the conclusions reached in this report.
- Some of the assumptions on which the impact on traffic flows are based are questionable, given the inaccuracy of the ATC data. These include the traffic generation, traffic flows, all possible routes to the site not being assessed, the gradient of the highway, visibility.
- The likely number of work-related journeys at peak times is likely to be far higher than the applicant suggests – it is very conceivable that two or three people from each household will be over driving age and in work or using a car to get to higher education etc.
- According to the Office for National Statistics, only 12% of people in this area have no access to a car or van. So, the vast majority have a vehicle. This says that because there is no public transport infrastructure, vehicle ownership is essential. I see this only increasing unless Kirklees get their finger out and sort it. So, when the plans say the car total is 45, this will no doubt increase over time as families have children and children have cars and sons and daughters stay at home longer as they cannot afford to move out. I think 45 cars is on the low side.
- If we assume that each of the households has two cars, works away from the property, this surely would mean that during the AM and PM there would be four journeys per household making a potential of 64 trips during peak times. This isn't inconceivable, is it? A further 64 trips down country roads, abutted by poorly constructed walls with no pavements and blind corners.
- How can Kirklees Council, after all the evidence, deem this junction to suddenly become safe? It is plainly dangerous. House building is clearly being prioritised over general road and especially pedestrian safety. As residents we experience the issues first hand.
- 21 new houses would triple the number of cars using Bankfield Drive and triple the probability of a child being killed at the dangerous junction with

Dobb Top Road. All Committee members should be made aware of this possibility before approving this application.

- Every one of the 111 public consultation comments so far on the planning application is against this development. Over 90% of the objections quote road safety as a major reason. Not only have Kirklees Council ignored these comments, they have chosen to increase the number of dwellings from 16 to 21.
- The proposed mitigation measures to the junction are merely superficial. They make no difference to the layout of the junction as the layout cannot be altered. A new kerb 470mm from the wall is proposed. This kerb would be 325mm high to supposedly stop vehicles breaching the wall. It fails to mention that the result of this would be to force schoolchildren to walk even further into the road than they do now. The other two measures of new road markings and high friction road surfacing, although welcome, will have minimal impact in icy or snowy conditions and will need maintaining. High friction road surfacing has a finite lifespan.
- The council should disregard the Transport Assessments submitted by Optima on behalf of Orion Homes. They contain a whole raft of erroneous and misleading statements and figures and should not be relied upon. Including the width of Smithy Lane with Dobb Topp Road and Bankfield Drive.
- The revised transport statement (October 2023) does not account for these additional vehicles and their impact on surrounding roads. All local approach roads are either estate roads on a steep hillside or narrow lanes linking to the main A6024 at Holmbridge or Hinchliffe Mill.
- The anti-skid coating is proposed for Bankfield Drive only and its effectiveness even if regularly maintained is very limited, particularly in winter weather.
- The development would put wider pressure on the existing road network.
- The parking provision is inadequate and impractical, new homeowners expected to park one behind the other or away from their properties. As a result there will be additional on road parking or use of visitor parking by homeowners.
- It is questionable whether the introduction of an anti-skid/high-friction surface at the junction of Bankfield Drive and Dobb Top Road would be sufficient to reduce the risk of skid-related accidents when the road is covered with snow and ice.
- Without proper gritting services in place, it would be hazardous for vehicles to navigate safely, increasing the risk of accidents and injuries. There would also not be enough parking in other local roads to accommodate the cars from the houses when the road is impassable.
- The proposed installation of a 50m safety kerb will reduce the width of an already narrow road by approximately 5 metres. The installation would also require substantial infill work up to the boundary stone wall because of the steep camber that has developed on the northern side of the road.
- This safety kerb is really a "Wall Protection Kerb" which would do nothing to increase pedestrian safety and may actually decrease it by narrowing the roadway.
- Introducing additional traffic from such a large number of new houses would exacerbate the situation, leading to increased congestion, potential safety hazards, and inconvenience for the residents. It is crucial that measures are taken to address these concerns, ensuring safe and

efficient access for emergency service vehicles, school children, local buses, and local residents.

- During bad weather accidents happen, with children wearing fluorescent tabards since their route to school involves walking along Bank Lane, Smithy Lane and Dobb Top Road which have no pavements. In the case of an accident, a child could be crushed by a car against the wall. The only pragmatic partial answer to this problem is to coat these shared roads with non-slip surfaces and renew / improve road markings whilst not increasing the amount of traffic using such dangerous "shared" roads.
- The current road system, consisting of Smithy Lane, Dobb Top Road, Bankfield Drive and Laithe Avenue carries significant risk which would be severely exacerbated by the proposed development, both from a vehicular access and also from a pedestrian perspective. The suggestion of re-painting a few white lines will not mitigate the risks that these junctions pose, further highlighting the factual inaccuracies in the addendum, particularly given the fact that the transport statement appears to gloss over this (e.g. in relation to the increase of traffic quoted at 300% increase not being a severe impact, the lack of reported accidents etc).
- Child safety is one of the most important problems and therefore a separate report should deal solely with this.
- By suggesting improvements, both the builders and Kirklees Council have admitted the dangers associated with Dobb Top Road at its junctions with Smithy Lane, Bankfield Drive and Laithe Bank Drive.
- There are a lot of comments, and quite rightly, surrounding the gradients of the two primary access routes to the development, and the fact that they contravene Kirklees's own planning policies. How are these being overlooked?
- A Kirklees Highways Guidance Note which immediately followed the Local Plan in March 2019 regarding "Existing Roads Affected by New Developments" outlines requirements for access roads such as Bankfield Drive and Smithy Lane. A further Kirklees Highways Guidance Note (March 2019) entitled "Gradients" gives more detailed recommendations by specifying the actual gradients suitable for infirm or elderly pedestrians, push-chair users etc. This was also written so that new developments within Kirklees would comply with the Equalities Act 2010. I would therefore like Kirklees Council to reject this application and to consider removing site HS183 from the revised Local Plan currently being evaluated.
- Kirklees Design Guides state that no new estates should be built with access roads having gradients steeper than 1 in 20. Laithe Bank Drive and Bankfield Drive have gradients of 1 in 6 and 1 in 5 respectively. This was clearly acceptable in the 1970s but legislation, recommendations and road safety have all moved on and these routes are not compliant with modern thinking. Even the Design Guides of 2019, when the Kirklees Development Plan was written, have now been superseded. Just because the roads are there does not justify Kirklees contravening its own policies and compounding the mistakes of the past.
- This proposed 300% increase in traffic down Bankfield Drive is not acceptable. The probability of a vehicle losing control on wet leaves or frost and crushing a pedestrian, especially a child, against the Dobb Top Road retaining wall would be increased by a factor of three.

- Why is Kirklees allowing more and more building in the Holme Valley when it is obvious that the roads in this area are at saturation point? It takes a minor road closure or accident to render Holmfirth and surrounding areas to gridlock.
- Traffic has increased with more delivery and commercial vehicles all adding to noise and air pollution.
- The access to the proposed development is clearly not suitable, it already services a reasonable sized residential close. Access once leaving the main Woodhead Road through the village is steep and narrow and winding in more than one location.
- The elevations show a steeply rising hill from the dwellings at north of the site and residents will have to drive steeply up hill to exit the site. This will prove difficult in icy and snowy conditions and mean that emergency vehicles will have difficulty accessing the site via Bankfield Drive and Laithe Bank Drive and down the new road at such times. The high elevation of this site of over 200 metres, with greater than average inclement weather, should not be overlooked.
- The planning request grossly underestimates the traffic, access and road safety issues.
- At a "Transport" meeting between "the Council " and Optima / Orion Homes in July 2023, the builders revealed yet another plan with a totally different layout for 21 homes with four affordable homes. No minutes have been provided from this meeting and no reasons given for the change of layout etc. Local residents were informed of this change on 13th October, but the only new information provided to date is a new, very basic Layout Diagram attached to the modified Transport Report relating to the 16 house plan.
- I recognise that this application is on HS183 of which was in the Kirklees Local Plan. However, since the Local Plan was ratified there has been a large increase in house building and vehicle movements in the area with a further 19 houses to be built on the mill site in Hinchliffe Mill bringing with it further increases in traffic issues along Coop Lane, Old Road, Ford Gate, Dobb Lane, Dobb Top Road, Holling Brigg Lane, Smithy Lane, Bank Lane and Woodhead Road. The latter is the main road which has vehicles parked on both sides of the road in Hinchliffe Mill so the other country lanes / roads are already used as a rat run to avoid the main road so in turn is an issue in itself.
- In the world we are living in then it is not just residents' vehicles that use these roads it is also all of the delivery vans that we see on our roads today, many that drive too fast. Having any more houses built in the area on these rural roads is totally acceptable as it is a health and safety issue for all that walk along these country lanes with no pavements which includes residents, children, walkers, tourists, horses and walking groups.
- The description of the bus services in the locality are just plain wrong. The train service is also poor.
- The pavements on Bankfield Drive, Laithe Bank Drive and Laithe Avenue are in a very poor state. They are crumbling away and full of moss and weeds which makes them very slippery. With such steep gradients, people tend to walk on the road to avoid falling but this is obviously dangerous. The developers claim that Kirklees are responsible for maintaining the pavements but there is no maintenance which is why they are in such bad repair.

- The Holme Valley Parish Council have already expressed concerns regarding the amount of traffic on the main A6024 Woodhead Road and the number of parked cars creating obstacles for traffic and pedestrians.
- This junction is simply not safe and has been the scene of numerous accidents over the years especially during the winter time. To increase its use still further would seem to me to be irresponsible. The constant Kirklees Highways argument of it being 'only a few extra houses and therefore not a threat to the safety of pedestrians and other road users' surely cannot continue to be used time after time. These developments add up. I would suggest the highways department visit this junction between 8.30 and 9.00 a.m. on a school day to see the danger for themselves.
- The vast majority of residents of Holmbridge use cars to commute to work as the local public transport facility is wholly inadequate. Almost all of these journeys need to flow through Holmfirth Town Centre which, as everyone is well aware, is becoming more of a bottleneck. Various changes to the traffic system have been put forward as an attempt to mitigate the problem but without success. The road layout in the town centre is what it is and the only way to arrest this ever worsening issue is to stop building these large developments to the west of the town.
- The transport statement describes this location as 'Suburban Edge of Town'? Semi-rural seems more fitting, most residents require a car for travel anywhere as the local bus service is very restricted in terms of destination, service frequency and reliability of journey times. The number of journeys that the development would generate seems understated. Walking times appear to take no account of the topography.
- Most traffic from the development will head towards Holmfirth (58% seems another understatement). From Holmbridge to Shaw Lane, the majority of the Woodhead Road is now only one-way due to the obstruction of parked cars. The existing traffic dangers will be exacerbated by the 19 dwellings which have already been given permission to be built at the Water Street development in Hinchliffe Mill.
- The proposed development would vastly increase the number of vehicles using these dangerously difficult roads and this planning application should be rejected on grounds of road safety.
- Residents have to use cars not public transport to get to work and to access basic services. Developing on this plot would go against Kirklees's aim of concentrating developments in areas where public transport can be effectively utilised. Using the same ratio, 16 new houses would result in 34 more cars and therefore potentially up to 68 extra work trips per day.
- The proposal has not fully considered the safety impact to pedestrians and road users of the increased use of vehicles. They are proposing 45 car park spaces, building 16 houses x two vehicles per house – two movements per day = extra 64 vehicles using the roads.
- An independent risk assessment would identify that the risk of accident/incident is high due to a number of factors and the severity of risk is high, which fails to prioritise the risk to residents or users of our local area.
- In 2018, HM Inspector of Planning was made aware of these dangers by local residents and she specified that a Transport Statement should be submitted with any future plans for Site H183 (then known as H 626). At this time it was implicit that a Road Safety Audit would be included to deal with access to this difficult site. Optima Ltd have recently provided

Orion Homes with a Transport Statement to be included with their planning application but this falls well below normal standards by containing several mistakes and omitting many important facts regarding pedestrian safety.

- Optima have themselves concluded that there is no need to carry out a Road Safety Audit on the two access roads to Laithe Avenue. I would suggest that HM Inspectorate of Planning might have different views on this matter.
- The bus doesn't run during snow as it has to turn round in Holme which is far too treacherous to get to hence the cars being left on all nearby roads.
- Planning has just recently been granted for 19 new dwellings and no improvements in the local infrastructure were included in that planning on Water Street. Since the pandemic ended and the Vineyard is back in full swing driving in the local area is nearly impossible, the volume of traffic has increased significantly – most of the roads are reduced to single lane and should you meet a large vehicle such as a bin wagon or delivery vehicle this causes a significant blockage. Also, there are very few places where there are pavements – as a dog walker in the area it feels very dangerous walking on these roads at peak times. Perhaps if this planning is approved you ensure roads are widened where possible or you find a solution to the hundreds of parked cars that are on the highway.
- I would urge, however, that in addition, careful consideration be given to imposing a 20mph speed limit on Dobb Top Road. The HDM response indicates that whilst the speed of majority of traffic using this route is 20.7mph, there is still a minority of vehicles that travel faster than this.
- Whilst the amendments proposed will certainly mitigate some of the concerns identified about traffic flow and road surfaces at the junction of Laithe Bank Drive and Dobb Top Road, and whilst the proposed additional signage is important improvement, these amendments fail to take full account of the risks to pedestrians and cyclists using this route, which will be made greater by even a modest increase in traffic. I would therefore ask the council to address this issue by imposing a 20mph speed limit on the length of Dobb Top Road.
- Dobb Top Road is a designated rural school route (and a designated cycle route) the width of which varies and although it is relatively wide at the point at which Bankfield Drive and Laithe Bank Drive join it, in some places it is extremely narrow, particularly towards the eastern end, where there are also blind corners on a length of road where there are also frequently parked vehicles. As a consequence, pedestrians and cyclists travelling westwards along Dobb Top Road are frequently confronted with vehicles coming round these blind bends, often at some speed.
- This problem is exacerbated by the absence of footpaths. The HDM comments note that there is "no (or very limited) footway provision" on the route. This is true but this statement fails to give the full picture. There is just one length of footway, which is only some 25m long, which runs eastwards on the south side of Dobb Top Road from the bottom of Bankfield Drive. On a road that is some 800m long, this is *extremely* limited and pedestrians therefore have no choice but to walk on the road for almost its entire length, which can be quite hazardous.

Landscaping:

- The recent landscaping plan submitted by Orion is full of vagaries and omissions. In the Arboricultural Survey dated 24/04/2023 Orion agreed after consultation with the council that the existing hedgerow and trees at the northern border of the site would remain intact. They have now submitted a landscaping plan which takes it away!
- There is no detail of ownership and responsibility of maintenance for communal planted areas as well as there being wholly inadequate screening to existing properties. The suggested new native hedge being even lower than the low dry stone wall we assume it will sit in front of. Subsequent ownership and maintenance responsibility for said wall has also not been supplied despite repeated requests.
- It is stated in the Kirklees Council consultation response from landscaping dated 25/08/2023, that 'the approved landscaping scheme shall, from its completion, be maintained for a period of five years'. Who will own these areas and who will be responsible for their maintenance after five years? Are we also right to assume that should the developer cease trading during the initial five years, that the responsibility will fall to the council?
- The proposed native hedge has a height of 60 – 80 cm. This is wholly inadequate screening to the existing properties which have a habitable floor level in some areas of around 170 cm above the level of the field (please see topography point below). 60 – 80 cm does not even reach anywhere near the top of the current low dry stone wall. Additionally, are we right to assume that any hedge will be on the field side of the existing low dry stone wall? As point 2, who will adopt ownership and be responsible maintenance of the hedge on completion?
- On the plan the proposed new trees have a girth of 6 – 8 cm. This would provide no real screening to existing properties especially in the early years. We would therefore request that far more mature trees are provided to enable them to be fit for purpose from a screening point of view.

Ecology

- I provided detailed ecological comments on the application in a previous objection. I have reviewed the latest EclA report (rev 3 dated 07/11/2023) and I do not agree that potential impacts upon the Peak District Moors (South Pennine Moors Phase I) Special Protection Area (SPA) have been adequately considered. At the Competent Authority it is the responsibility of Kirklees Council to consider whether impacts upon the SPA could arise, for example through 'linked functionality' or indirect recreational impacts. The Site is only 2km or so from the SPA, and the EclA concludes that this is a sufficient distance such that impacts cannot arise.
- Guidance from Bradford City Council (Emerging Local Plan and Core Strategy) states that development of land up to 7km from the SPA can have an impact upon the SPA. As a professional ecologist myself, with over 27 years relevant experience, I can confirm that curlew feed locally, and that golden plover also feed on grassland to the east of the SPA, though I have not personally observed them within or immediately adjacent to the application site itself.

- In my view Kirklees Council will not be discharging its responsibilities fully, without requesting further information, and obtaining further evidence, that linked functionality or recreation based impacts will not arise upon the SPA, from the scheme in isolation and in combination with other schemes.
- Various wildlife visit the site including house martins, owls, bats, hedgehogs, raptors (kestrel and sparrowhawks). Disturbance during the building of the estate will undermine these habitats. UK is recognised as one of the most nature-depleted countries in the world, it would be unforgivable to make it more so.
- The site is rich with wildlife that will be impacted by this proposal.
- The ecology report was undertaken during winter therefore it was outside the ideal dates for surveying summer migrant birds. According to The People's Trust for Endangered Species, hedgehogs are deemed to be vulnerable to extinction and the organisation Save our Wild Isles (WWF, RSPB and National Trust) state that over the last half century, 30 million birds have vanished from our skies and 97% of wildflower meadows have been lost since the 1930s. We need to preserve the nature and wildlife in the Holme Valley, not deplete it.
- Ecological site survey was undertaken in winter before summer migrants return, and house martins have been observed foraging over the site for many years, a species that is now on the red list in the UK. We object to the loss of this important foraging habitat, and if any development does go ahead it should include mitigation measures such as artificial nest cups for house martins, water features designed for availability of mud for additional nest building, and replacement high-quality foraging habitat on site such as open water and meadow, following guidance from a suitably qualified ecologist.
- I am not satisfied that sufficient evidence has been provided to demonstrate that there will be no impact upon the integrity of the South Pennine Moors SPA, which lies only 1.5km away. There is a clear pathway for 'linked functionality' to arise, for example, as curlew, golden plover and short-eared owl have all been observed locally, and curlew in particular are frequently heard calling from fields to the south-west of Laithe Avenue during the breeding season. It is possible that curlew breeding within the SPA feed within the application site, and surveys should be carried out between March and June to demonstrate whether or not this is the case.
- We need to preserve the nature and wildlife in the Holme Valley, not deplete it.
- I welcome the inclusion of hedgehog highways within the application but feel that more could be done for protected species, for example the incorporation of integrated bat boxes and bird boxes. In some years a maternity colony of common pipistrelle bats is present within a property on Laithe Avenue (50 bats emerged on the evening of 15/06/2023), and whiskered bats roost in a property at the bottom of Smithy Lane. Brown long-eared also occur locally. House martins nest on some nearby properties and I would encourage artificial nesting cups on some properties to expand this colony. Starlings and house sparrow also breed locally, and should be accommodated within the new development.
- In my view the field has scope to support common lizard, though I have not personally seen this species in the immediate vicinity of the site. I believe that reptile presence / absence surveys should therefore be

carried out, and the results submitted as Supplementary Ecological Information (SEI).

- I agree that the site supports 'other neutral grassland', and the EclA predicts a net loss of 3.93 habitat units. However, the calculation is flawed as urban trees within gardens should not count towards this total; as clearly stated within the guidelines for the most recent Defra metric (Metric 4.0) only trees located outside of gardens should contribute to the overall level of BNG. Furthermore, the EclA does not state how this 3.93 habitat unit shall be overcome, and a net gain achieved (to accord with local planning policy and the NPPF).
- Interestingly, the above ecological impact assessment fails to specifically mention the section 1 birds – owls, kestrels, and sparrowhawks, which I see foraging over the area. Buzzards are regularly seen roosting in the enormous trees just west of the site and within 100 metres. An important omission as I believe these are all protected species.
- I have seen deer roaming in this area along with many other animals and birds, having witnessed a deer jumping over a high wall to its death in order to escape an oncoming car due to the noise.
- Impact on noise for wildlife.

Drainage:

- There are already a number of drainage issues connected to the current estate which have resulted in subsidence to roads and sewage escapes into the River Holme below. Significant volumes of surface water from the field run onto Dobb Top Road already, potentially weakening the high dry stone retaining wall bordering the north of the site. Development of this field could compromise the structural stability of the wall still further and, should it collapse, the knock-on affect to the properties on Smithy Lane would be catastrophic. Appropriate disposal of surface water has not been addressed on the plans submitted. The comments of Kirklees Lead Local Flood Authority dated 26th May 26/05/2023 and 01/11/2023 stated that the drainage strategy on the submitted plans was inadequate and required a revised surface water drainage strategy. This has not been forthcoming. Additionally, the effects of climate change on this severely sloping site also appear to have been entirely disregarded.
- Concerns are raised regarding the possible damage that may occur to houses on Smithy Lane if soakaways are allowed due to the permeability of the 10m high dry stone wall on the south side of Dobb Top Road below the development site.
- The presence of a spring on the site is a potential risk of water pressure to this wall if it is hard covered over. Even culverting the spring may cause the water to appear elsewhere and cause excess water pressure to this wall and potential damage to the wall / road and houses on Smithy Lane. It is imperative that soakaways are not allowed on the site and that all surface water from the roofs and hard cover is sent to attenuation tanks and drained through the main drains.
- There are a number of streams/watercourses that run through the site, and planning to put additional sewers into Dobb Top Road could very easily upset the natural drainage.
- Site HS183 frequently floods, presumably due to natural spring water plus extra surface water from higher fields to the south (ducks have been seen swimming on the ponds formed on this site). Current plans do not show any methods for diverting this extra water from reaching the site.

- The water and sewerage network is already under increased pressure in this area. There have been several recorded sewer flooding incidents, and also issues with clean water pipes bursting and causing flooding on the highway. These new houses won't be the ones who suffer the consequences it will be the residents in Dobb top road, smithy lane and bank lane. I question as to why inspections, testing and modelling were carried out in drier and warmer months, and not the more colder, wetter times this area experiences more often.
- A Legal Constraint applies to this site regarding a Water Right which serves both Bankfield Farm and The Barn on Dobb Top Road. The supply was installed in 1986/87 following the sale of the properties. The original water supply came over the hill from Dobb Dyke. Permission has not been given and will not be given for the supply to be interfered with in any way. Deeds etc refer, the site landowner apparently does not have a copy. Please note that permission has not and will not be given to interfere with the water supply in any way. These properties (The Barn and Bankfield Farm on Dobb Top Road) rely on these water rights for their daily needs and any disruption or interference could have a significant impact on residents' wellbeing. It is imperative that the planning office ensures a long-term solution is in place to protect and maintain the uninterrupted water supply, providing reassurance to the affected property owners.
- The Climate Change Act of 2008 places responsibility to protect public from flooding as climate breaks down. Our rights will be breached if Kirklees Planning does not ensure that the developer pays full attention to flood control.
- The new houses will put stress on the existing water, drainage, sewage and power systems.
- So much water flows from the hills behind, how will this be addressed to ensure flooding doesn't occur (and subsidence and sewage leaks).
- The dry-stone supporting wall on the south side of Dobb Top Road (formerly a cart-track known as Bank Top Lane) has had to be rebuilt in several places. Drainage holes have been built into the bottom of these new sections of wall suggesting that water has caused this wall to collapse. The views of a professional engineering expert, unconnected with Orion Homes, should be sought on all of the above points before proceeding further.
- Are all parties satisfied that the existing drainage system is fit for purpose?
- Residents of Bankfield Drive and Laithe Bank Drive have repeatedly reported issues with the sewerage system over the years. I understand Yorkshire Water do not have the existing estate layout fully mapped – surely any addition to the loads or adjustments to the existing system could have huge implications.
- The plan shows significant numbers of water flow tanks on site under drives and gardens, it would be irresponsible to add further drainage issue to an area.
- I am concerned there is a risk to this wall by changing the use of the land and plans to install sewerage pipes under this wall may impact on the structural strength of the wall. Those of us in the local area are fully aware of the Burnlee Road closure which has gone on for over two years now after the collapse of the dry-stone wall.
- The impact rainfall may have on the retaining wall and the further impact it may have on residents if the wall collapses.

- Where is all this water going when building excavations will obviously disturb its natural flow? The Farmhouse and The Barn both have underground rooms and cellars with a drain. Should the sumps be disturbed, they may well backfire and cause us to flood.
- The additional sewage flow is also connected to the pipe going down Smithy Lane. If additional sewer pipes are required to take this extra flow, it should be noted that the flue for the chimney of the former Clarence Mill passes underneath Smithy Lane, which may cause complications.
- We have lived in this house since 1987 and in that time, during even moderate rainfall, significant volumes of surface water run down Dobb Top Road from the field above. As there are no surface water drains, the surface water in addition to running into Smithy Lane, leaches into the supporting 30ft retaining wall for Dobb Top Road potentially weakening the structure and posing a threat of the wall collapsing creating a danger to life and property, and which ultimately may require structural repairs by the council.
- There is concern that water ingress may occur to the Smithy garden and detrimentally affect the retaining wall, house walls / foundations. The house is believed to date from the mid-18th Century and therefore has no recognisable foundations, being constructed directly on the bedrock.

General objections:

- Could I make the point that the Kirklees Development Plan is not sacrosanct, despite recent quotes from some local Councillor. When allocating site HS183 for housing in 2019, H.M. Inspector of Planning stated that this decision was subject to a number of site constraints including contamination, surface water, transport, etc. The current planning procedure involves the builder supplying such reports as "supporting information" but this method can prove unsatisfactory due to possible conflicts of interest. To be professional, such reports should always be unbiased and not mislead the public by omission or manipulation of data. Since some of the reports issued in this case do not meet this standard, I feel that I must object to this application.
- On the Kirklees Council Strategic Housing consultation response dated 31/05/2023 it states 'affordable homes should be distributed evenly throughout the development'. In a further response dated 24/10/2023 they state 'affordable dwellings should be well integrated within the site layout and not located at specific areas at the edges of sites'. Four affordable homes are designated for this site on the revised plan. Three out of the four are located at the northeast of the site. This is not 'even distribution'. It also contravenes 'Kirklees Affordable Housing and Housing Mix' document Section 6 dated March 2023 as well as national planning policy guidelines.
- It is plain to see on the proposed plan of the site in question that the affordable homes are not dispersed throughout the site. Plots 18 and 19 are next to each other and plot 21 is just behind. Surely one of either plot 18 or 19 should be moved up to plot 7, 8, or 9 in order to follow the guidelines. Putting three affordable homes at the northeast of the site and nothing in the south goes against policy guidelines and invites potential issues, not least from a social exclusion standpoint.
- In addition, a slope stability study should be undertaken to assess the risk of a landslip taking into account the spring water, as water is a major contributor to landslips. Such slips can be seen all over the Holme Valley.

- There is zero evidence presented by the developer that their proposed development will not have an impact on the existing retaining walls to the north of the development, on Dobb Top Road and consequently those on Smithy Lane and Bank Lane, too. This is despite KC Highways and Structures' response to the application clearly indicating this is required. At the very least geological surveys need to be carried out to show what the impact of the proposed development will have on these retaining walls, and if there is a negative impact what is to be done to ensure the integrity of the retaining walls remains intact.
- As others have noted in more detail there are significant concerns about the structural integrity of site retaining walls and responsibility for future maintenance and the potential impact of collapse on other existing walls/roads/properties/drainage. Increasing the site density adds to the risks.
- The stone wall has collapsed and has been replaced in section. This wall borders other properties on Bankfield and Dobb Top Road there is no consideration of the impact the build on this wall and neighbouring properties.
- On the opposite side of Dobb Top Road from this wall is a much larger retaining wall and below this wall are a number of houses. Given the amount of disturbance to the road and wall structures that any building work would create in order to install the planned drainage, who is ultimately responsible for signing off these structures as 100% safe and stable?
- Clearly any subsidence or structural movement in this area will have a very significant impact on the infrastructure but also on the other properties. A wall collapse would be potentially life threatening. None of this is evident without a site visit as maps/drone shots will not show the site geography in the same way.
- There appears to be no guarantee given by Orion Homes as to the stability of the dry stone wall in this case. There also seems to be no acceptance of responsibility should the wall collapse or require repair subsequent to the completion of any development. Additionally, should the wall collapse it could take with it the properties of 2 and 4 Bankfield Drive as well as creating a domino effect compromising the stability of the dry stone retaining wall on the opposite side of Dobb Top Road.
- There is no adherence to the Holme Valley Neighbourhood Plan which was compiled to preserve the character of the valley. The application should use natural stone, there is a quarry very close by and should include solar panels, ground or air source heating and added insulation. The natural stone is very important to preserve the character of the valley.
- Kirklees needs more housing but it should not be sites in areas that would increase danger to pedestrians, be inaccessible, reduce the visual amenity of the National Park and would affect the wildlife in the Holme Valley. Since the supporting documents do not fully address the points mentioned above I feel that I must object to this application whilst hoping that more suitable sites can be found.
- The effect climate breakdown will have on the underlying structure and integrity within the development site, particularly the northern boundary dry stone wall, beyond which lies a 12-13m drop onto Smithy Lane via Dobb Top Road. It would be unforgivable to ignore such warnings in the pursuit of political objectives, however honourable, or differentially

following actions simply because they are part of a council development plan.

- It is a matter of regret that there was no prior consultation between the developers and the Parish Council or local residents. Had this taken place, at least some of the concerns that are currently being expressed by residents right have been addressed in advance of submitting this application.
- It is still not clear from the application that this meets the concerns expressed by the Parish Council and Kirklees about affordable housing provision, or that it meets the requirements of NDP Policy 6, which is in conformity with Policies LP3 and LP11 of the Kirklees Local Plan.
- The proposed development does not appear to meet these requirements, or the concerns expressed in the public consultations for the NDP. In addition, the inclusion of an additional five houses increases the density of housing on the site by a third.
- In terms of climate mitigation, these properties should have heat pumps (air or ground source) installed rather than gas condensing boilers in order to reduce further their carbon impact.
- Will these new houses be energy efficient? Will they have low fossil fuel emissions, solar panels and insulation that addresses climate change? These are vital if we are to reach UK net zero targets.
- I objection on the matters of site access, transport, drainage, aesthetics, effects on wildlife and the fact that Holmbridge attracts tourism and does not need 21 new homes.
- Greater weight is given to private profit. Profits from developments go to the developers. Losses will fall to the local council and council tax payers.
- Should damage to infrastructure occur following the undermining of the site's foundations who would pay for repair, compensation etc?
- Council budgets have been drastically cut over the last 13 years. Private companies have enjoyed huge profits, e.g. water companies, resulting in large bonuses for bosses and shareholders. Meanwhile public and social infrastructure has been pillaged. Why should a council accept developments that may result in additional costs which, following 13 years of austerity, they cannot afford, whilst the developer makes significant profits?
- The plans show our "muckheap" which abuts our boundary wall. The site is downwind of it and you need to be 15 metres from it to avoid the effects of smells, flies, mice, rats and self-combustion, otherwise there will be complaints. Our chicken run is sited just over the wall from plot 14 and won't be moving. Can be noisy and a bit smelly.
- Plots 15, 14 and 6 are too close to our dry stone boundary wall. Foundation excavations may well cause collapse. They are expensive to re-build – at £55.00 a Linear Course metre and of course would create security issues for our horse. The walls are only 4ft 6ins high which means she will be able to reach over into gardens. There are no signs of suitable fencing on the site side to prevent this. A horse can reach over, so fencing will need to be on the site side to prevent feeding access. Most garden plants/shrubs etc are poisonous to horses.
- Where is the replacement grazing for the loss of this site?
- Building so that the footpath is no longer fully visible and is apparently inviting additional use, which creates a whole host of Health and Safety questions both for the users and any horses.
- Gardens would be reasonable over the wall, electric fencing would not be allowed on a public footpath.

- Only from the public footpath that abuts HS183 can the three moors views be seen (Wessenden, Saddleworth and down to Derbyshire). A “quirky” feature!
- All sites have to pass Health and Safety Risk assessments. How is this site going to pass with a horse in the immediate vicinity? And of course, the Public Footpath? It cannot possibly pass and therefore will probably invalidate any insurances so will not be able to operate.
- We wish to remind you that the council owns the dry stone wall sections bordering the rear of all houses on Smithy Lane and Bank Lane and is responsible for maintenance and liability. This was confirmed in 2014.
- The 10m high dry-stone wall to which I am referring is of considerable age and this particular section appears to be sound. However there have been breaches further along and with climate change, increased rainfall, more housing development which will impact on natural land drainage will cause immense problems if addressed with flood management in mind. Should the wall be breached by ingress of water a risk to life and property will forever threaten those who live beneath the development. We charge Kirklees with the responsibility to ensure we and our properties are all safe from harm.
- This increase in number of houses only highlights the developers lack understanding of local issues by increasing the number of houses to ‘meet’ the need for affordable housing does not mitigate existing concerns of local people and an attempt to address this by increasing the number of houses only exacerbates the issues already raised. It underscores the need for a comprehensive re-evaluation of the proposal to ensure that it aligns with the best interests of the community and existing infrastructure.
- I would strongly suggest that all the persons on the planning committee visit site prior to making any decisions regarding this development. (not just one maybe two as is often the case, if any). It is totally wrong that people who sit upon the planning committee who do not reside in the immediate local vicinity of the development in question often do not fully familiarise themselves with the full facts and a firsthand view and tour of the location to understand the implications it will place on the already overloaded infrastructure, the wishes of the wider local community and the immediate existing village residents.
- There are no reports from Orion as to whether the structural integrity of the existing retaining 2.8 metre high wall on the northern boundary of the site has been assessed, as recommended in 8.7 of the Ground Investigation Report. The future stability of the wall may not be suitable for the long-term support of the site and surely undermining this wall with sewerage pipes will affect its stability. The conditions required by KC Bridges and Structures Manager in the report dated 19 October should be strictly adhered to and the development turned down if these conditions cannot be met.
- Any fencing should let the strong prevailing winds pass through. Residents on Bankfield Drive can confirm that any solid fencing will not last the first storm.
- Noise disturbance from the site will be significant.
- Increased noise and air pollution.
- The revised application has only been accompanied by a new Transport Statement Addendum (Oct 2023). All other documentation supplied by Orion is un-altered, and many issues raised in the Consultee Responses and Comments on the original application have not been addressed. It

is therefore difficult to comment on the application without clarification on, e.g., drainage (Kirklees Lead local Flood Authority did not accept the existing plans and calculations for flood risk), landscaping, road layout etc.

- Infrastructure is currently inadequate and this is a quiet village area and the proposed development is out of character.
- The planning amendments have not addressed the serious issues raised.
- I also believe the inclusion of affordable housing in an area which has limited facilities and very poor public transport infrastructure makes little sense.
- Surely this planning application should include detailed plans for improvement to road infrastructure in the area and plans for a significant improvement in amenities. There are no local shops nearby, the local school is already full and public transport is inadequate.
- All residents have to travel for basic necessities and fuel but there is very limited infrastructure in place i.e. public transport, good quality roads, parking amenities and shops. Residents are currently subjected to very lengthy power cuts, not a recent occurrence as it has been continually happening for many years. Schools in the area are limited and already full without the addition of a family housing development. Secondary education from the area entails further travel which requires more public transport which is very limited now and always has been i.e. hourly bus services that is if they turn up!
- We are a small and rural village with one pub, shop and cricket club. I believe the local school is full which will mean that new homeowners will long commutes to the nearest school. It will affect my own family with the overpopulation if I cannot get future children into the school.
- Very disappointing that a development for 16 houses received so much objection and appears to have been ignored and increased to 21 houses.
- Following the revised plans on the above application, I would like to request an extension to the deadline for submitting comments. At the moment it is stated as the 2nd November but as the plans have radically changed and the number of properties has increased from 16 to 21, I feel that this is not a reasonable length of time for local residents to peruse all the information and gather public opinion. The new application did not arrive in time for it to be included on the agenda for the next HVPC and as the next committee meeting is not until the 4th December, I suggest that the deadline is moved until after this date. We are still waiting for a plan to show the topography of the site, details of the building materials to be used, and whether there is permission for the PROW to be installed over the wall dividing the fields.
- Local residents are now being given only three weeks to comment on a totally revised plan. The plan is now for 21 rather than 16 houses with different types of houses (no garages, reduced parking spaces) and a totally different road layout. Most of the reports made by various Kirklees Departments are therefore no longer relevant and will need to be re-submitted.
- For these reasons alone the application for 21 dwellings is quite clear to all who know the area an over intensification of the site and should be reduced back to 16 or below. I notice that Kirklees planning looks to have insisted on building five “affordable homes”. These houses should be called “affordable rented housing” as you cannot buy them outright so not “affordable housing” but “affordable rented housing”.

- I have just had a look in the area and there are 16 houses to rent in the area proving that five affordable housing on this application is not needed as there are already houses to rent in the area vacant.
- I have also looked and under the current pricing formula worked out by councils and building companies for affordable housing there are 87 what would be classified as affordable to buy housing within the area. Again proving that increasing the housing from 16 to 21 by adding five “affordable houses” then there is no need to increase housing numbers in this site. However, If Kirklees planning insists on adding five so called “affordable houses” there should be a reduction of the larger housing so as to have no more than 16 houses on this application no matter what the housing mix.
- The local school would not cope with the extra children. The J & I school is currently under subscribed and was reduced to three classes for this term. How will the school be able to cope with the extra children when the curriculum and staff have been tailored to a three class school?
- Over time the beautiful village of Holmbridge is being slowly ruined by the number of developments being considered and passed for construction. We are losing our countryside, green spaces, character and charm. The countryside, scenic views, peace and tranquillity are disappearing, and all in the name of commercial gain and greed.
- The infrastructure in all aspects is not sufficient in Holmbridge to cope with further residential developments.
- There are many suitable locations in the south Huddersfield area for additional housing – this is not one of them. I am shocked that this development proposal has been allowed to progress at all. The site is not suitable without significant improvement of the local road infrastructure.
- What the UK, Kirklees and in particular Holme Valley South needs is social housing, affordable housing would help, but it must be affordable taking into account the level of the local housing allowance (rent levels ‘allowed’ for social security benefits). The Holme Valley would be enhanced by being a mixed community. It’s not – there’s little dispute that it’s become an area for the middle class.
- The application does not show a cross-sectional plan of the development therefore it is impossible to see how the properties and gardens will lie in relation to the existing houses on Laithe Avenue and Bankfield Drive. For a development of this size, it is surely essential that a cross-sectional plan showing the topography of the land is included.
- Walkers on the public footpath (Holmfirth 91) regularly stop to take advantage of the magnificent views towards the Peak District which will be lost for ever if planning permission is granted.
- I note that none of the sites in the Holmfirth area that are in the LDP have been rejected as yet and am concerned that with all the building taking place we will lose what tourists visit the Holme Valley for. We are in danger of taking a very short sighted view which will result in this area ceasing to be sufficiently rural and therefore no longer being attractive to potential visitors. Tourism is of paramount importance to many businesses in the Holme Valley with a growing number of holiday lets and B&Bs. We are in severe danger of destroying the appeal of the valley to visitors forever.
- I believe Orion are ‘off setting’ the social housing aspect with the plans. There are not affordable housing. They are all 3-5 bedroom houses in an area of outstanding beauty their price point will be, in my opinion,

£500,000 upwards. This development is clearly a money making opportunity. It does not in keep with increasing affordable housing for the area despite 'off setting'. Houses and gardens on Bankfield Drive will be overlooked and impact the residents' privacy.

- Some of the proposed houses are sited too close to our muck heaps and chicken run. All are downwind of our yard and stable areas. Dangerously and potentially confrontational planning.
- We are losing a key aspect of our habitat, which supports our mental wellbeing – a peaceful green field to look over, a beautiful treescape, a wonderful, diverse, rich ecological environment. It is obvious that the building of houses on this site is going to impact on all who live nearby and significantly on those who live closest.
- The 26 houses on Bankfield Drive and Laithe Bank Drive were built in the early 1970s. Since then, a further 20 houses have been constructed on Laithe Avenue and Laithe Court. Presumably these are also connected to the sewer passing down Smithy Lane, Holmbridge.
- There appear to be several errors and inaccuracies in various sections of this application and I would like to thank Kirklees Environmental for picking up on the incorrect soil analysis.
- The PROW has been marked as next to our house, please can you confirm if the applicant has obtained permission for a right of way on to the footpath over the field boundary wall as if not, the PROW is not feasible and should not be included on the plans.
- Other infrastructures such as access to broadband and public transport - the small local school the drainage and water supply are all stretched and limited so addition of further properties without consideration of this will put further strain on the local area.
- There is no affordable or social housing being built - the houses are all 3- or 4-beds so one can anticipate that (a) they will be expensive and (b) the population of the site is likely to be around 90-100 people, in a small village that has no infrastructure to support additional numbers e.g. no shop, only one bus every hour etc, a very small village school.
- There is another planning application in for holiday chalets near this site so maybe the council needs to decide whether it wants to keep green spaces, wildlife and quiet roads for locals and tourists or whether it wants Holmbridge to become a suburban area. If the latter, then a better infrastructure needs to be developed first.

7.4 Responses to the above comments are addressed within this report.

7.5 Holme Valley Parish Council: Concerns raised in respect of affordable housing (as none are intended for rent), climate mitigation, highway and road safety, drainage, run off and saturation of adjacent land, and the fact that a lower density has not been accepted to improve ecology, in line with the HVNP. The Parish Council are also disappointed that the plans proposed artificial stone so close to the Peak District National Park.

Officer comment: These concerns are noted and have been addressed within the report below.

Ward Members:

7.6 Former Councillor Firth: Objections have been raised for the following reasons:

- The road infrastructure around Holmbridge is not capable of handling the properties that are already built, never mind the ones proposed as part of this application.
- The main road through Hinchliffe Mill is barely wide enough to take the extra traffic generated from the previous builds, never mind future development. The road width is less than 3 metres although the ruling is road widths need to be at least 4.5 metres if used by more than two houses, which rules out properties that are already built and certainly the ones that are down for a decision. Ninety percent of the time Woodhead Road is semi blocked up with the weight of traffic using the road to and from Holme Village / Holmbridge / Austonely / Brownhill Road and it is also a through road for traffic going into Derbyshire.
- The builder I am told has paid out for a traffic check on the movement into and out of Holmbridge and guess what they have overlooked it.
- Before anymore decisions are made with regard to all building in Holme Valley South, I would like a complete assessment of all road widths in all our villages both to and from to make sure the standard 4.5 metre rule on road width exists and to make sure there is enough on street car parking, without causing traffic jams.
- Road infrastructure in the Holme Valley is quite capable to handle traffic of 30 plus years ago and nothing can be done in this respect, but we can as a council help to alleviate this problem stop building more houses and ruining the only areas left of our beautiful Yorkshire countryside,
- One of my main worries besides being overrun with traffic is the sewage system which is already overloaded and bursts are getting more regular now than they used to be. The system includes, quite a lot of old Victorian sewer pipes which are being used and coupled on to modern sewage systems. I have actually seen sewer pipes unearthed/manufactured by Hepworth Iron Co. over 150 years ago and house builders told to couple up regardless of the condition of the old sewer pipe, Yorkshire Water refused to replace.
- As planning officials you may think you are not responsible for the outcome of the Planning Committees, but most committees consist of Councillors of other areas who don't or don't want to know the problems of areas they don't represent, if they were given the true facts they may have a different attitude to passing plans.

Officer comment: The concerns have been addressed within the committee report in respect of highway safety and drainage.

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

KC Lead Local Flood Authority: Officers accept the proposed surface water discharge rate of 3.5l/s and associated attenuation storage and proposed discharge to the Yorkshire Water 225mm Diameter Surface Water sewer in Dobb Top Road (subject to Yorkshire Water approvals) as set out on the drainage plan.

8.2 Non-statutory:

KC Environmental Health: No objections subject to conditions being attached to the decision notice in relation to unexpected land contamination, imported materials, the requirement of electric vehicle charging points and a Construction Environmental Management Plan.

KC Highways Development Management: In support of the application subject to conditions regarding cycle parking, highway condition surveys, construction management, the management of waste, vehicle and pedestrian spaces to be laid out, approved access and preliminary street and footpath design details. Request that the public right of way connection be secured within a Section 106 obligation.

KC Waste Strategy: The additional information supplied addresses the concerns officers originally raised. However, if properties are to be occupied before the site construction is complete, provision must be made for temporary waste collection, as refuse vehicles will not enter a construction site. As such, a temporary waste collection condition is required.

KC Strategic Housing: Based on 21 units, four affordable dwellings would be required with the following tenure split: two affordable or social rent, one first home and one RP-led intermediate.

KC Highway Structures: Conditions in relation to a full dilapidation survey of the existing dry stone highway retaining wall adjacent to Dobb Top Road, the design and detail of any new retaining walls adjacent to the highway and any details of any new surface water attenuation features within the proposed highway footprint or influence zone of highway loading are required.

KC Trees: No objection subject to a condition in the case of an approval ensuring that the Arboricultural Method Statement and specifically section 2 is followed and implemented during construction.

KC Landscape: In support of the development proposed subject to a management and maintenance condition for the green open spaces.

KC Ecology: No objections, subject to the securing of the above commuted sum in order to achieve a 10% biodiversity net gain and conditions to secure a Construction Environmental Management Plan (for Biodiversity) and a Biodiversity Enhancement Management Plan.

KC Public Rights of Way (PROW): Officers welcome the new footpath to the definitive footpath to the rear of the development and are pleased to see that it is shown at 2.5m in width.

West Yorkshire Police Designing Out Crime Officer: No objection subject to a security measures condition.

Yorkshire Water: No objection to the proposal.

9.0 MAIN ISSUES

- Land use and principle of development
- Sustainability and climate change
- Design
- Residential amenity
- Landscape issues
- Highway issues
- Drainage issues
- Other matters
- Representations
- Planning obligations and viability

10.0 APPRAISAL

Land use and principle of development

Residential development

- 10.1 Planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.
- 10.2 The 2023 update of the five-year housing land supply position for Kirklees shows 3.96 years supply of housing land, and the 2022 Housing Delivery Test (HDT) measurement which was published on 19/12/2023 demonstrated that Kirklees had achieved a 67% measurement against the required level of housing delivery over a rolling 3-year period (the “pass” threshold is 75%).
- 10.3 As the council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement, it is necessary to consider planning applications for housing development in the context of NPPF paragraph 11 which triggers a presumption in favour of sustainable development. This means that for decision making “Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (NPPF Footnote 8), granting permission unless: (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (NPPF Footnote 7); or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.
- 10.4 The council’s inability to demonstrate a five-year supply of housing land weighs in favour of housing development but has to be balanced against any adverse impacts of granting the proposal. The judgement in this case is set out in the officers’ assessment.
- 10.5 The site comprises site allocation HS183 to which full weight can be given.

10.6 The 21 dwellings proposed would contribute towards meeting the housing delivery targets of the Local Plan, which carries positive weight in the balance of planning considerations. Substantial weight must also be given to the presumption in favour of sustainable development (applying the ‘tilted balance’) unless there are any adverse impacts that would significantly and demonstrably outweigh the benefits. In all circumstances, careful consideration should be given to the relevant planning considerations, Development Plan policies and appropriate national planning policies.

Quantum

10.7 To ensure efficient use of land Local Plan Policy LP7 requires developments to achieve a net density of at least 35 dwellings per hectare, where appropriate, and having regard to the character of the area and the design of the scheme. In this instance, the site is situated within the area covered by the Holme Valley Neighbourhood Plan where paragraph 4.5.16 states that “based on the Local Plan’s identified size of the allocated sites and number of proposed houses, it is estimated that the housing density in the Holme Valley will be approximately 30 dwellings per hectare”.

10.8 In this instance, the site is 0.66 hectares, and the site allocation refers to an indicative capacity of 23 dwellings. The 21 units proposed would provide a density of 32 dwellings per hectare. The quantum of proposed development considered acceptable as it takes into account the topography of the site and the requirement to provide adequate separation distances to third party dwellings.

Unit size mix

10.9 Progressing to housing mix, Local Plan Policy LP11 seeks for proposals to provide a representative mix of house types for local needs. This is expanded upon and detailed within the council’s Affordable Housing and Housing Mix SPD (March 2023).

10.10 The application seeks to provide 21 dwellings which would compromise five 2-beds, 12 3-beds and four 4-bbeds. Of the 21 dwellings, three affordable units would be provided in the form of one 2-bed and two 3-bed units. The table below shows how the proposal would compare with the council’s expectations for meeting housing need for Kirklees Rural West.

Kirklees Rural West	Market Housing Need	Market Housing proposed
1- and 2-bed	30-60%	22%
3-bed	25-45%	56%
4+-bed	10-30%	22%

10.11 As is evident, the proposal does not fully conform with the adopted SPD’s expectations, as it over-provides 3-bed dwellings and under-provides 2-bed dwellings. However, given that this application was submitted before the SPD was adopted and provides an acceptable density, it is recommended that the housing mixture proposed, on balance, can be supported.

Minerals

- 10.12 The site is within a wider mineral safeguarding area relating to sandstone. Local Plan policy LP38 therefore applies. This states that surface development at the application site will only be permitted where it has been demonstrated that certain criteria apply. Criterion c of policy LP38 is relevant, and allows for approval of the proposed development, as there is an overriding need (in this case, housing need, having regard to Local Plan delivery targets) for it.

Sustainability and climate change

- 10.13 As set out at paragraph 7 of the NPPF, the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF goes on to provide commentary on the environmental, social and economic aspects of sustainable development, all of which are relevant to planning decisions. It is considered that residential development at this site can be regarded as sustainable, given the site's location adjacent to an already-developed area.
- 10.14 The submitted Climate Change Statement further sets out what measures would be put in place to reduce the energy demand associated with the proposed development beyond the minimum required by the Building Regulations. These include constructing every home to a high level of insulation, including triple glazing and photovoltaics, and the white goods to be installed in each property or offered to purchasers would be energy efficient with an A+/A rating. Materials are to be sourced locally where possible and the building works would be carried out by local trades and contractors. These measures are considered acceptable for the size of the site and the number of dwellings proposed.

Urban Design issues

- 10.15 The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) where Paragraph 131 provides a principal consideration concerning design which states:

“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

- 10.16 Kirklees Local Plan Policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.
- 10.17 Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring: “a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...”.

- 10.18 Paragraph 129 of the NPPF sets out that design guides and codes carry weight in decision making. Of note, Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 10.19 Policy 1 of the Holme Valley Neighbourhood Development Plan (HVNDP) relates to protecting and enhancing the landscape character of Holme Valley, and states that: *“All development proposals should demonstrate how they have been informed by the characteristics of the Landscape Character Area (LCA) in which they are located”*. The Policy goes on to note that proposals should be designed in accordance with the character and management principles in respect of landscape set out for each LCA in order to avoid detrimental impact on the LCA.
- 10.20 Policy 2 of the HVNDP relates to protecting and enhancing the built character of the Holme Valley and promoting high quality design. Policy 2 notes that proposals should be designed in accordance with the management principles for each LCA in respect of built character in order to avoid detrimental harm to the LCA.
- 10.21 Principle 2 of the Kirklees Housebuilders Design Guide SPD states that: *“New residential development proposals would be expected to respect and enhance the local character of the area by:*
- *Taking cues from the character of the built and natural environment within the locality.*
 - *Creating a positive and coherent identity, complementing the surrounding built form in terms of its height, shape, form and architectural details.*
 - *Illustrating how landscape opportunities have been used and promote a responsive, appropriate approach to the local context”*.
- 10.22 Principle 5 of this SPD states that: *“Buildings should be aligned and set-back to form a coherent building line and designed to front on to the street, including corner plots, to help create active frontages. The layout of the development should enable important views to be maintained to provide a sense of places and visual connections to surrounding areas and seek to enable interesting townscape and landscape features to be viewed at the end of streets, working with site topography”*.
- 10.23 Principle 13 states that applicants should consider the use of locally prevalent materials and finishing of buildings to reflect the character of the area, whilst Principle 14 notes that the design of openings is expected to relate well to the street frontage and neighbouring properties. Principle 15 states that the design of the roofline should relate well to site context.
- 10.24 The application site is located on the edge of an existing, well-established settlement. Residential development exists to the north and east, with more scattered development to the west. The site is also bounded by dry stone walls. Given these existing human interventions around the site, the proposed development would sit comfortably within its context, without appearing as a sprawling, inappropriate enlargement of Holmbridge. Given the change in levels within the wider vicinity, the proposed development would be visible from several viewpoints. However, officers consider the visual impact of the

proposed built form here to not have a significant or adverse impact on the context of the surrounding development already built. Green Belt land lies immediately to the south of the site and would continue to provide a green framing around the settlement, without being directly impacted upon. The Peak District National Park also lies to the south and west of the development, and the western and southern edges of the development are likely to be visible within the long-distance views of the site. As such, natural boundary treatment and planting would be appropriate for these site boundaries.

- 10.25 The proposed layout, and the development's quantum and density, is considered to respond to the site's shape and constraints. The dwellings would be situated well within their plot, giving suitable separation from the highway and appropriate side-to-side spacing. Driveways are proposed to the side of dwellings where feasible and this would help the development comply with Principle 12 of the Housebuilders Design Guide SPD, which states that car parking should *"not dominate street frontages through parking arrangements that place cars at the front of all dwellings and with overly dominant integral garages at the front of dwellings"*. Some parking, however, has been proposed to the front of the dwellings, as the only practical solution, however, this is not uncommon, and in this case the spaces would be suitably broken up by front landscaping where possible.
- 10.26 The proposed scale of the buildings are typical for modern dwellings and would be two storey in height. Section plans have been provided (referenced site sections/street scenes rev B) which show how the dwellings would relate to the existing built form. The plans show the overall height of the dwellings to the south of the site to be similar to 2 Laithe Avenue. The new dwellings would be slightly taller than those that exist on Bankfield Drive due to changes in topography, however, the difference would be inconsequential with any impact mitigated by the extensive separation distances proposed.
- 10.27 Regarding architectural form, the proposed dwellings would have a typical modern vernacular, some of which would benefit from a front gable, or projecting lean-to for the integral garage, in order to add some variation to the house types. Dwellings in the area have some variations in their appearance but are mostly respectful of the traditional Pennine vernacular that characterises the Holme Valley. This context includes two-storey dwellings and bungalows. In terms of openings, adequately sized windows are proposed. To the rear elevations, the inclusion of larger areas of glazing to some of the dwellings is considered acceptable. This would accord with Principle 14 of the Housebuilders Design Guide SPD which states that *"innovation for energy efficiency is encouraged, particularly for maximising solar gain"*. All new window frames should be set back into the reveal by 100mm and it is recommended that this be added as a condition to the decision notice. Roof forms in the area are predominantly pitched with gables, and therefore the scheme has been designed to include gable roofs, to respond to the local character.
- 10.28 The dwellings would be faced in artificial stone to the walls with concrete tiles to the roofs, to reflect some of the existing housing to the east. While natural stone would have been preferable due to the site's sensitive location, a high quality artificial stone can be supported at this site (which is not within a conservation area, and which is adjacent to a street where brick and other materials have been used). However, samples of the materials to be used (specifying manufacturers, products and colours) would need to be provided prior to their use. Samples of window and door materials would also be required prior to their installation.

- 10.29 Limited information regarding the proposed development's boundary treatments has been provided and therefore, it is recommended that full details of all boundary treatments, fences and walls be secured and considered at conditions stage, prior to the commencement of development. It is, however, noted that the intention is to retain the existing stone boundary walls to the perimeter of the site. Careful consideration should be given to additional planting/natural screening to the southern and western boundaries given their sensitive location adjacent to the open countryside.
- 10.30 In conclusion, it is considered that the details provided within this full planning application demonstrate that the development has been designed to sympathetically respond to the character of the area and would comply with the council's guidance documents for residential developments.

Residential Amenity

- 10.31 A core planning principle as set out in the NPPF is that development should result in a good standard of amenity for all existing and future occupiers of land and buildings. This is also reinforced within part (b) of policy LP24 of the Kirklees Local Plan. Principle 6 of the Housebuilders Design Guide SPD sets out that residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking. Specifically, it outlines that for two storey dwellings the following, typical minimum separation distances between existing and proposed dwellings, are advised:
- 21 metres between facing windows of habitable rooms at the back of dwellings.
 - 12 metres between windows of habitable rooms that face onto windows of non-habitable room.
 - 10.5 metres between a habitable room window and the boundary of adjacent undeveloped land.
 - For a new dwelling located in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metre distance from the side wall of the new dwelling to a shared boundary.
- 10.32 In addition to this, Paragraph 135 (f) of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.
- 10.33 Principle 16 of the Housebuilders Design Guide seeks to ensure the floorspace of dwellings provide a good standard of amenity for future residents and make reference to the 'Nationally Described Space Standards' document (March 2015). Principle 17 states that development should ensure an appropriately sized and useable area of private outdoor space is retained.
- 10.34 The application site is surrounded by residential development mainly to the north and east, with more scattered development to the west and open fields to the south and west. With regard to separation distances, it is noted that the majority of the dwellings would retain 21m between windows of habitable rooms and 12m between windows of habitable rooms that face onto a non-habitable room, both within the site and to third party properties. This would ensure that there would be no undue overlooking, commensurate with the minimum recommended separation distances set out in the SPD.

10.35 Notwithstanding the above, officers note the concerns raised by some residents along Bankfield Drive and Laithe Avenue, and therefore the relationship between the application site and the nearest properties is discussed in more detail below.

4 Bankfield Drive

10.36 This property is situated to the east of the proposed plots 20 and 21. A separation distance of approximately 21.8m is proposed to these neighbours conservatory and 24m to their nearest side elevation. 4 Bankfield Drive also has a detached outbuilding, which lies close to the boundary with this site. A separation distance of 18m would be retained to this building. Officers are therefore satisfied that there would be no material overbearing, overshadowing or overlooking affecting these neighbours' amenity, as a result of the development proposed. However, the hedgerow proposed adjacent to the dry stone wall to the eastern boundary of the site, appears to be relatively low in overall height and therefore, officers would wish to see this slightly heightened in order to provide some natural screening between the application site and the properties along Bankfield Drive. This would be secured in the proposed boundary treatment condition.

6 Bankfield Drive

10.37 This property is situated to the east of plot 19 and would have a rear-to-side relationship. A separation distance of 16m is proposed, which would exceed the guidance set out within the council's Housebuilders Design Guide SPD. Furthermore, the only ground floor opening proposed within the side elevation of plot 16 would be to serve the kitchen, which is considered to be non-habitable. At first floor a bathroom window is proposed which is also likely to be fitted with obscure glazing. As such, officers are satisfied that the development would not lead to any undue overbearing, overshadowing or overlooking at these neighbours.

8 Bankfield Drive

10.38 Plots 12 and 13 would be situated directly adjacent to the rear elevation of 8 Bankfield Drive. There would be a separation distance of approximately 24m between these neighbours. As such, officers are satisfied that there would be no undue overbearing, overshadowing or overlooking as a result of the development proposed. As mentioned previously, the height of the proposed hedge along the eastern boundary should be increased to afford more privacy to these neighbours, and this would be secured via condition.

10 Bankfield Drive

10.39 Plots 7-10 would be situated adjacent to the rear elevation of 10 Bankfield Drive. A separation distance of 23m would be retained between these neighbours and the aforementioned plots. As such, officers are satisfied that there would be no material harm to these neighbours' amenity as part of the development proposed.

2 Laithe Avenue

10.40 These neighbours are situated to the east of plot 1. There would be a separation distance of 9m including plot 1's off-street parking and the new proposed pedestrian link to the PROW. Officers note that 2 Laithe Avenue has side openings which could be impacted by this proposal. However, there is considered to be sufficient space between these neighbours to ensure that any overbearing would not be detrimental. For instance, plot 1 is situated slightly further forward within its curtilage. With regards to overshadowing, 2 Laithe Avenue is situated to the east, meaning that any overshadowing would only be evident in an evening and their garden and side openings would still receive daylight for the majority of the day. The floor plans for the house type Bamburgh also show that the only window to be proposed within the side elevation would be to serve a hallway and therefore officers are satisfied that the development would not give rise to any material overlooking. As such, this relationship can be supported.

75 Dobb Top Road

10.41 This neighbouring property is situated to the west of the application site, however, it benefits from a generous curtilage, meaning that there would be over 40m between the dwellinghouse known as 75 Dobb Top Road and plots 14 and 15. As such, officers are satisfied with this relationship, as it would preserve these neighbours' residential amenity.

1-3 Smithy Lane and The Smithy

10.42 The aforementioned dwellings are situated to the north of the application site. Given the substantial change in levels between the application site and 1-3 Smithy Lane and The Smithy, officers are satisfied that there would be no undue overbearing, overshadowing or overlooking upon these neighbours' amenity.

10.43 Consideration must also be given to internal separation distances and the amenity of future occupiers. The proposed internal separation distances meet or exceed the minimums set out within the Housebuilders Design Guide SPD and therefore the proposed layout, for residential amenity purposes, is considered acceptable. The layout meets the aims and objectives of Policy LP24 of the Kirklees Local Plan.

10.44 The quality of the proposed residential accommodation is also a material planning consideration. Officers are satisfied that each unit would meet or exceed the Government's Nationally Described Space Standards and would be provided with dual aspect for all residents, with regard to outlook, privacy and light.

10.45 The proposed private gardens are considered commensurate in scale to their host dwellings. They offer good separation and space about dwellings, while offering private amenity space for residents, and securing a high standard of visual and residential amenity.

Landscape Issues

- 10.46 The impacts of the proposed development upon the wider landscape (including on views from the adjacent Public Rights of Way network, and on views that also take in the settlement of Holmbridge, the Green Belt and/or the Peak District National Park) is considered acceptable, given the site's relationship with the existing built-up area.
- 10.47 It is accepted that no meaningful on site public open space can be achieved on this site due to density requirements and the site's topography. In line with Policy LP63 of the Kirklees Local Plan, a contribution towards off-site provision would instead be appropriate in this instance. This would equate to £55,932.16, and it is recommended that this be secured within a Section 106 agreement.
- 10.48 A landscaping plan has been submitted as part of this application. The proposed landscaping has been appropriately designed. The species proposed within the green space are acceptable, subject to a condition requiring their management and maintenance.

Highway issues

- 10.49 Paragraph 114 of the NPPF states that, in assessing applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, that safe and suitable access to the site can be achieved for all users, and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or highway safety, can be cost-effectively mitigated to an acceptable degree. Paragraph 115 of the NPPF adds that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or if the residual cumulative impacts on the road network would be severe.
- 10.50 Local Plan Policy LP21 requires development proposals to demonstrate that they can accommodate sustainable modes of transport and can be accessed effectively and safely by all users. The policy also states that new development would normally be permitted where safe and suitable access to the site can be achieved for all people, and where the residual cumulative impacts of development are not severe.
- 10.51 The application site is located in Holmbridge to the south of the village centre, and is proposed to be accessed via Laithe Avenue, which is an existing residential estate road. The site is allocated for residential development in the Local Plan (with site reference HS183) and has an indicative capacity of 23 dwellings.
- 10.52 Immediately to the west of the site is further 'safeguarded land' designated in the Local Plan, which may be accessed in future via the HS183 site. As such, in accordance with Local Plan Policy LP6, the proposals must not prejudice the possibility of long term development of the safeguarded land. This requirement has been accommodated within the site layout, with the extended section of Laithe Avenue passing through the site and connecting to the sites western boundary with the safeguarded land.

Site access

- 10.53 Access to the site is proposed via Laithe Avenue, which links to Dobb Top Road / Smithy Lane to the north via Bankfield Drive and Laithe Bank Drive, which are both residential estate roads that are c.5.5m wide with c.1.8m wide footways and street lighting.
- 10.54 On the approach to the Dobb Top Road / Smithy Lane junctions, both Bankfield Drive and Laithe Bank Drive have steep downhill gradients (circa 1:6-1:7). At the Bankfield Drive / Dobb Top Road / Smithy Lane junction, there is also restricted visibility to the west along Smithy Lane, and Dobb Top Road forms a further junction on the west side of the Bankfield Drive minor arm in the large bellmouth area. The applicant has now proposed a package of improvements at this junction, in response to these existing issues, which will be set out in more detail below.

Site layout, servicing and waste collection

- 10.55 The site layout includes an initial section of highway that is designed to Local Residential Street (Type 2) standard, which includes a 5.5m wide carriageway and 2m wide footways on both sides. A shared surface street is then provided, which serves the northern section of the site. The shared surface street is 5.5m wide, with a 2m wide pedestrian route provided on the west side, which has been provided due to the shared surface street being steeper than 1:20 (the street gradient is 1:12 at its steepest).
- 10.56 The shared surface street includes a turning head that has been designed to accommodate the council's Design Refuse vehicle, and additional turning provision has been provided for light vans at the end of the shared private drives located at the end of the shared surface street. Swept path analysis has been provided to confirm that these turning facilities are adequate. Bin presentation points have also been identified.
- 10.57 The site layout has been subject to an independent Stage 1 Road Safety Audit, which has not identified any safety issues that cannot be addressed at the detailed design stage.

Highway adoption

- 10.58 The applicant has confirmed that the internal roads would be built to adoptable standards, and a plan has been provided to confirm the areas that are proposed to be offered for adoption, which includes the areas required for junction and forward visibility splays.
- 10.59 The applicant has confirmed that the existing retaining wall that runs along the north site boundary adjacent to Dobb Top Road is proposed to be partially reconstructed, to enable the proposed drainage connections to be installed beneath it. This approach has been discussed with the council's Highways Structures team and is acceptable in principle, and the final details of these works will need to be secured by condition.

Parking

- 10.60 All dwellings would be provided with off-street car parking in line with the council's Highway Design Guide SPD, which recommends that two spaces are provided for 2- and 3-bed dwellings and three spaces for 4+-bed dwellings. To achieve the required car parking provision, some of the dwellings include garages. As such, the applicant has confirmed that these would have minimum internal dimensions of 3m x 6m, which is in accordance with the council's design guidance.
- 10.61 The proposals include five visitor parking bays, which are provided in formalised laybys on the shared surface street. The street layout also provides other opportunities for informal on-street parking. This level of visitor parking provision is in accordance with Council guidance that recommends 1 visitor parking space per 4 dwellings.
- 10.62 For the dwellings with garages, cycle parking can be accommodated within the garages. However, for dwellings without garages, an external cycle store / shed would be required, and it is recommended that the details of this provision be secured by condition. External access to rear gardens is to be provided for all dwellings, which would enable access to the secure cycle store to be accommodated. All dwellings are proposed to include one electric vehicle charging point, with the location shown on the site layout plan. This provision is considered acceptable.

Public Right of Way

- 10.63 PROW footpath HOL/91/20 runs along the southern boundary of the site, and it is proposed to provide a 2.5m wide link to the PROW from the site access road. This link is welcomed and is acceptable. However, it is understood that the applicant has not yet been reached agreement with the adjacent landowner to break through the boundary wall (which may be in shared ownership) to make the final connection to the existing PROW. Therefore, should the applicant be unable to reach agreement with the adjacent landowner, the council's PROW team have confirmed that they would be willing to use the available powers in Sections 25 and 26 of the Highways Act to help facilitate the final connection of this PROW link. To enable the council to progress this process, a Section 106 contribution would be required of £10,000. This is to cover the council's costs relating to the order process, and other associated costs in delivering the connection through the boundary wall only.

Road safety / off-site highway improvements

- 10.64 The applicant has proposed a package of improvement measures at the Bankfield Drive and Laithe Bank Drive junctions with Dobb Top Road, as shown on drawing 22027/GA/01 rev D. These works have been subject to a Stage 1 Road Safety Audit, which has not identified any issues that would prevent the works from being deliverable and are acceptable.

10.65 The proposed junction improvements works are summarised and assessed as follows:

- Improvement to junction visibility at Bankfield Drive / Dobb Top Road / Smithy Lane junction:

Visibility from the Bankfield Drive minor arm looking west (to the left) towards approaching traffic from Smithy Lane is currently restricted due to the presence of a dry stone wall. Therefore, improvements to the junction's road markings are proposed to improve visibility. This includes amendments to the centreline on the Bankfield Drive minor arm, and changes to the give-way lines on the adjacent junction with Dobb Top Road. These changes are intended to make the junction more compact and encourage drivers waiting to enter Smithy Lane to position their vehicle further to the east, where the sight line to/from approaching traffic from Smithy Lane to the west are improved.

In addition to the benefits of the amended road markings to the users of Bankfield Drive, the changes to the give-way line position for the adjacent Dobb Top Road junction (e.g. bringing the give-way line forward) will improve visibility for vehicles exiting Dobb Top Road, to the benefit of these users.

The proposals also include additional centreline markings on Dobb Top Road / Smithy Lane and edge of carriageway markings, as recommended by the Stage 1 Road Safety Audit.

- Proposed containment kerbs opposite Bankfield Drive and Laithe Bank Drive junctions with Dobb Top Road, and high friction surfacing at Bankfield Drive / Dobb Top Road junction:

As highlighted by many local residents in their objections, there have been a number of junction overshoot incidents (damage only incidents) at the Bankfield Drive and Laithe Bank Drive junctions with Dobb Top Road, which have resulted in vehicles colliding with the stone wall opposite the junction. This has then created gaps in the wall, which have created secondary risks for passing pedestrians, as there is a high drop on the north side of the wall. A contributory factor in these incidents is likely to be due to the steep downhill approach to the junctions from Bankfield Drive and Laithe Bank Drive.

Therefore, to address the above issue, the applicant has agreed to provide new containment kerbs on the north side of Dobb Top Road, opposite both the Bankfield Drive and Laithe Bank Drive junctions. Whilst the containment kerbing would not prevent a junction overshoot incident occurring, it would reduce the safety risk of vehicles striking the wall and then creating gaps. This would reduce the risk of an errant vehicle crashing through the wall, and help to mitigate the secondary risk of gaps in the wall that affect other highway users (e.g. passing pedestrians).

The new containment kerbs would also have secondary benefits in improving drainage adjacent to the wall, by directing water to gullies rather than passing through the wall, and by protecting street furniture (e.g. street lighting columns and warning signage).

To reduce the risk of vehicles skidding on the Bankfield Drive approach to Dobb Top Road (which is likely to be the primary route to and from the site) the applicant has proposed to resurface the Bankfield Drive minor arm approach with high friction surfacing (HFS with 68+PSV), which would help address overshoot incidents in dry and wet conditions.

To ensure the greatest benefit from the HFS is achieved, it is proposed to plane and overlay the carriageway with a HFS wearing course, rather than by an applied surface coating, which would provide a more durable HFS finish.

In addition to the Bankfield Drive approach to the junction, the full extent of the junction would be resurfaced with HFS, including the Dobb Top Road approach to the west, which should reduce the risk of vehicles skidding on all approaches.

- Proposed signing and other improvements on Dobb Top Road / Smithy Lane / Bank Lane:

Dobb Top Road / Smithy Lane / Bank Lane is the primary route to the site from the A6024 Woodhead Road. This route is relatively narrow, has no (or very limited) footway provision and is a bus route. Therefore, 'Rural School Route' signage on yellow backing boards are currently provided on the route to highlight the presence of pedestrians within the shared surface highway. However, one of the sign posts originally provided to the west of the Bankfield Drive junction is currently missing.

Due to the physical constraints on these routes, there is limited scope for improvement (e.g. width constraints do not allow for new footways etc.). However, the improvement works at the Bankfield Drive / Dobb Top Road junction are proposed to include additional 'Pedestrian in road – rural school route' warning signage on yellow backing boards, on both approaches to the junction (including replacement of the missing signs). It is noted that the new signs proposed to the east of the junction would be protected by the proposed containment kerbing, ensuring the signs are less vulnerable to vehicle collisions, and thus easier to maintain and at lower risk of causing secondary incidents. The containment kerbing would similarly protect the adjacent street lighting columns.

- 10.66 Highways officers are in full support of the measures proposed and consider them reasonable for the level of development proposed.

Accessibility

- 10.67 The supporting Transport Statement includes a high level review of the site's accessibility via non-car modes. This has confirmed that site has at least some degree of access by public transport, with hourly services available within walking distance of the site on Woodhead Road, with a lower frequency service available on Dobb Top Road. The provision of the new footpath connection to PROW HOL/91/20 is a significant positive element of the scheme, which would be of benefit to future residents and other highway users, and is welcomed. Whilst no pedestrian improvements are feasible on the local highway network due to width constraints, the off-site highway improvements at the Bankfield Drive and Laithe Bank Drive junctions with Dobb Top Road junction include additional pedestrian warning signage, to highlight the presence of pedestrians in the shared surface highway. The development would include secure cycle parking for all dwellings.

10.68 In light of the above, it is considered that the development has taken up the available opportunities to provide access for sustainable transport modes, in accordance with local and national planning policy.

Traffic Impact / Network Assessment:

10.69 In response to officer comments, the applicant submitted additional traffic information in a Transport Addendum dated October 2023. This included additional weekday peak hour traffic generation data for the development based on bespoke trip rates obtained from surveys of existing traffic using Bankfield Drive. However, following discussions between officers and the applicant's transport consultant, the methodology for deriving the bespoke trip rates has been amended to utilise existing data for both the Bankfield Drive and Laithe Bank Drive junction, and to utilise the peak hourly flows over the 3hr AM and PM survey periods, which provides higher bespoke trip rate, and thus a more robust assessment. This data has been included within the Stage 1 Road Safety Audit Brief (Figures 105 and 106), and has been taken into consideration by the RSA Team when considering the off-site highway works proposals.

10.70 Below is a summary of the average weekday peak hour vehicle trip rates and associated development trips identified in the original Transport Statement report (extrapolated for the 21 dwellings now proposed), together with the more robust bespoke trip rates and associated development trips.

Time Period	Development Traffic Generation based on TRICS data included in March 2023 Transport Statement					
	Trip rate (per dwelling)			Development Traffic (21 Dwellings)		
	In	Out	Two-way	In	Out	Two-way
AM Peak Hour (0800-0900)	0.156	0.35	0.506	3	7	10
PM Peak Hour (1700-1800)	0.328	0.167	0.495	7	3	10
Time Period	Development Traffic Generation based on Bespoke Trip Rates included in RSA Brief					
	Trip rate (per dwelling)			Development Traffic (21 Dwellings)		
	In	Out	Two-way	In	Out	Two-way
AM Peak Hour (0730-0830)	0.184	0.592	0.776	4	12	16
PM Peak Hour (1730-1830)	0.388	0.204	0.592	8	4	12

10.71 Highway Development Management officers accept the above development trip assessment assumptions and agree that the identified development trips and distribution derived from the bespoke trip rates provides a robust basis for assessment.

10.72 The Transport Addendum also includes additional survey data of vehicle, pedestrian and cycle traffic at the Bankfield Drive / Dobb Top Road / Smithy Lane junction, which is summarised as follows (this includes all passing and turning movements):

- 59 and 45 vehicle movements during AM (08:45-09:45) PM (17:30-18:30) weekday network peak hour periods respectively;
- 41 and 38 pedestrian movements during AM (07:00-10:00) and PM (16:00-19:00) weekday 3hr survey periods respectively; and
- 3 cycle movements during both the AM (07:00-10:00) and PM (16:00-19:00) weekday 3hr survey periods.

10.73 Based on the robust vehicle trip generations that have been identified, and the additional traffic (vehicular, pedestrian and cyclist) data that has been provided, it has been demonstrated that existing and proposed development traffic on the local highway network is low; and that the impact of additional vehicular traffic (up to 16 additional vehicle trips during peak hourly periods) would not have a significant impact on the operation of the local highway network.

Construction Management Plan (CMP) and Highway Condition Surveys:

10.74 During construction of the development, construction access management practices should be implemented that address potential impacts arising from the development and ensure that the site operates efficiently and safely and minimises impact on existing highway users. This should be covered in a Construction Environmental Management Plan (CEMP) that considers construction access arrangements, hours of operation, treatment of delivery/construction vehicles (including wheel washing requirements etc), loading areas, and parking arrangements for construction staff, with the plan secured by a recommended pre-commencement condition.

10.75 It is expected that HGV traffic would need to avoid school start / finish times to minimise impact on pedestrians and other highway users on the local network, which will need to be confirmed in the CEMP. As a temporary road closure is anticipated to be required during the works to the retaining wall on Dobb Top Road along the northern site boundary, in addition to any diversion arrangements that are agreed with the Highway Network Management Team, temporary waste collection arrangements will also need to be agreed with the council's Waste Strategy Team, and evidence of the agreed arrangements should be identified in the CEMP.

10.76 Highway conditions surveys (prior to and post completion) and remediation works (should damage to the highway occur during the construction works) should also be secured by condition.

10.77 In summary, KC Highways Development Management consider the scheme to be acceptable, subject to the conditions identified above and a Section 106 agreement for the PROW connection. This is to accord with Policies LP21, LP22 and LP24 of the Kirklees Local Plan and the aims of the Highway Design Guide SPD and National Planning Policy Framework.

Flood risk and Drainage issues

10.78 Paragraphs 165 to 168 of the NPPF and Policy LP27 of the Kirklees Local Plan state inappropriate development in areas of flood risk should be avoided by directing development away from areas at highest risk through application of a sequential test.

10.79 The site is within Flood Zone 1, and therefore is at the lowest risk of flooding.

10.80 The applicant proposes to dispose of surface water via a new attenuation tank (beneath the new estate road, in front of units 19 to 21), from which water would flow at a rate of 3.5l/s down to existing drainage pipework beneath Dobb Top Road. Foul water would also be disposed of via the existing sewer beneath Dobb Top Road.

10.81 The Lead Local Flood Authority (LLFA) are satisfied that space is available within the layout for water. The LLFA have also confirmed acceptance of the proposed surface water drainage rate of 3.5l/s and associated attenuation storage and proposed discharge to the Yorkshire Water 225mm Diameter Surface Water sewer in Dobb Top Road (subject to Yorkshire Water approvals) as set out on the drainage layout plan (rev H). Conditions are recommended regarding overland flow routing and a construction phase surface water plan. A management company is required to be set up with the specific task of maintaining the drainage infrastructure installed on site until such a time that it is adopted by statutory undertaker or a NAV equivalent. This would be secured under the Section 106 agreement.

Other matters

Ecological considerations

10.82 Chapter 15 of the NPPF relates to conserving and enhancing the Natural Environment. Paragraph 185 of the NPPF outlines that decisions should promote the protection and recovery of priority species and identify and pursue opportunities for securing net gains for biodiversity. Paragraph 186 goes on to note that if significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. This is echoed in Policy LP30 of the Kirklees Local Plan.

10.83 Furthermore, Policy LP30 of the Kirklees Local Plan outlines that development proposals should minimise impact on biodiversity and provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist. Principle 9 of the Housebuilders Design Guide SPD echoes the Local Plan in respect of biodiversity.

10.84 A revised Ecological Impact Assessment (EclA) has been submitted. The report makes a number of recommendations with regard to mitigation measures, alongside the need for re-survey of invasive species, to be undertaken in the optimal growing season. This can be secured via condition, given the timeframe of the application and the minimal impact of the potential invasive species that are present.

10.85 The habitats on site comprise grassland and scrub, with some trees also present at the site. The precautionary measures detailed in the EclA can be secured via an appropriately worded condition to ensure that impacts to protected species are adequately mitigated.

10.86 A 10% net biodiversity gain should be demonstrated in accordance with chapter 15 of the NPPF, Local Plan policy LP30, and the council's Biodiversity Net Gain Technical Advice Note. Achieving biodiversity net gain within an application site is the preferred option. If this cannot be achieved within an application site (i.e., where it can be demonstrated that on-site compensation methods have been exhausted), applicants are required to secure off-site compensation. In those situations, as set out in the council's Biodiversity Net Gain Technical Advice Note (paragraph 3.4.1 onwards), applicants will need to demonstrate that sufficient off-site habitat creation or enhancement has been secured to achieve a minimum 10% biodiversity net gain. Off-site compensation can be secured through one, or a combination, of the following:

- Management of land within the control of the developer;
- Purchase of the required compensation value from a habitat bank;
- Payment of a commuted sum to the Local Planning Authority; or
- A combination of all or some of the above.

- 10.87 In accordance with the council's Technical Advice Note, applicants are encouraged firstly to source and bring forward appropriate sites on which their biodiversity offsetting can occur. These should be reasonably close to the development site and have the potential to establish or enhance in-kind habitats to those due to be lost. For applications submitted prior to biodiversity net gain becoming mandatory (on 12/02/2024), if an applicant is unable to secure a site where adequate biodiversity offsetting can occur then a financial payment to the council, for use to enhance biodiversity on council-managed land, will be required.
- 10.88 Taking into account site constraints and other demands on space, officers are satisfied that on-site compensation methods have been exhausted. The applicant does not control any further land within the vicinity of the application site where further provision would be deliverable.
- 10.89 The applicant has submitted a biodiversity metric calculation. This sets out the application site's existing values (i.e., its baseline), as well as the site's post-development values, and the changes (in units and percentages), as follows:

Unit type	Existing (baseline)	Proposed (post-development)	Change in units	Percentage change
Habitat	5.54	1.54	-4.01	-72.28%
Hedgerow	0.22	1.10	0.88	402.10%
Watercourse	0.00	0.00	0.00	0.00%

- 10.90 Although it is noted that the sites hedgerow unit baselines are low, the respective 402.10% increase (which would be received on-site) is nonetheless welcomed. A condition securing the delivery of these gains is recommended.
- 10.91 Regarding the development's impact upon habitat units, in order to compensate for the 72.28% loss and to achieve a 10% gain, 4.56 habitat units would need to be delivered, via off-site compensation. This can be achieved via a financial contribution of £104,880 (based on a £20,000-per-unit cost, and a 15% administration fee). It is recommended that this be secured via a Section 106 agreement.
- 10.92 Subject to the biodiversity net gain contribution being secured, and conditions being applied in relation to ecological mitigation and landscaping, it is considered that the proposed development is acceptable in terms of its ecological impact.

Trees

- 10.93 Policy LP33 of the Kirklees Local Plan states that "the Council would not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity...Proposals should normally retain any valuable or important trees where they make a contribution to public amenity, the distinctiveness of a specific location or contribute to the environment". This is supported by Principle 7 of the Housebuilders SPD and Policy 2 of the Holme Valley Neighbourhood Development Plan.

10.94 KC Trees have been consulted as part of this application. The initial Tree Survey and Arboricultural Method Statement (AMS) showed that the early mature English Oak Tree and the semi-early mature hedgerow to the northern boundary of the site would be retained. However, this was based on the original submission for 16 dwellings. Therefore, given the changes to the layout and the requirement to take down part of the retaining wall along Dobb Top Road for drainage and structural purposes, it is likely that these trees would need to be removed. To mitigate against this loss, the submitted landscape plan shows additional tree and hedge planting along the northern edge of the site which would provide adequate mitigation. This is considered to accord with Policy LP33 of the Kirklees Local Plan. From a trees perspective, the proposed development is considered acceptable, provided that an appropriate condition is imposed, ensuring that the submitted AMS (particularly section 2) is followed and implemented during the construction phase.

Contaminated land

10.95 KC Environmental Health have reviewed the Phase I and Phase II reports submitted with this application, along with a letter by GVR Geoservices Ltd dated 11/08/2023. Officers agree with the findings of the reports and the information provided, however, should any sub soils be stockpiled for re-use then additional testing will be necessary given that all the samples to date have been limited to the near surface shallow soils. It is therefore recommended that conditions be imposed regarding the finding of any unexpected land contamination and any imported materials are secured.

Electric vehicle charging points

10.96 With regard to the West Yorkshire Low Emission Strategy, a condition is recommended, requiring the provision of an electric vehicle charging point for each dwelling. Technical details of the chargers to be submitted would be required at the discharge of condition stage. This is to ensure compliance with Policies LP20, LP24 and LP47 of the Kirklees Local Plan and Chapters 2, 9 and 15 of the NPPF.

Construction activities

10.97 The site is adjacent to existing residential properties. All reasonable steps must be taken to minimise and mitigate adverse effects from construction-related activities that may lead to a loss of amenity. As the submitted documents do not include a Construction Environmental Management Plan (CEMP), a condition to secure this is recommended.

Crime prevention

10.98 The West Yorkshire Police's Designing Out Crime Officer has been formally consulted as part of this application. The officer has raised no objection to the proposed layout but has requested that a condition requiring security measures be attached to the application in the case of an approval. This would include details of boundary treatments, lighting, window and glazing details, doors and locking systems, CCTV and alarms and cycle and motorcycle storage, in accordance with Policy LP24 (e) of the Kirklees Local Plan.

Representations

10.99 121 representations have been received from local residents. Most of the matters raised have been addressed within the report above. However, responses to the further concerns (raised by residents) are set out below.

Concerns regarding proposed parking – Tandem parking is not usual for new developments.

Query regarding effectiveness of anti-skid surfacing – It is accepted that the anti-skid surfacing would have limited impact in snow/ice conditions. However, it will assist at other times including when the road surface is wet and so will improve the current situation at the junction.

References to highway design guidance – The guidance specified above relates to new streets, not to existing/access roads within the vicinity of the site. The streets within the development itself have been designed in accordance with the Highway Design Guide SPD.

Pavements on Bankfield Drive, Laithe Bank Drive and Laithe Avenue are in a very poor state – This concern has been noted and comments have been sought from the Highway Authority Maintenance Team, who have advised that “whilst I appreciate the footways do not look aesthetically pleasing and in some places the bitumen has eroded to leave simply aggregate I am satisfied that the footpaths do not pose a danger to users of the highway network at this time and are safe for the continued usage by pedestrians. Bankfield Drive, Holmbridge is subject to a scheduled highway safety inspection by our highway asset maintenance technicians on a 12 monthly basis in September of each year and our highway asset maintenance technicians will continue to monitor the location until it is highlighted for a scheme and will programme any routine maintenance repairs require”.

Independent risk assessment required – This is not required as part of the development management process.

20mph speed limit required – This concern has been noted but is not considered necessary as part of this development proposal, however, local residents could make this request directly to the Highway Authority as a separate matter to this planning application.

Materials – Officers consider a high quality artificial stone to be acceptable at this site, as such materials can be found on neighbouring buildings. However, Officers note the sensitivity of the site, on the Green Belt edge and within fairly close proximity to the Peak District National Park. Final samples of the stonework to be proposed would be conditioned for officers to approve.

Wholly detached, open front gardens, and some single storey properties required – This has been noted, however, in line with Policy LP11 of the Kirklees Local Plan new development should provide a mix of house types to help meet local needs.

Query regarding increase in quantum – The council raised concern with the number of dwellings originally proposed and the lack of an appropriate housing mix. An amended scheme to increase the number of dwellings was therefore sought.

Loss of a green field site – The site is designated for housing within the Kirklees Local Plan.

Inclusion of link detached houses – In this instance, providing a link between some of the houses for car parking, would omit the sites frontage from being dominated by a sea of hardstanding.

1993 refusal and Yorkshire Water required to build underground – These points are noted, however developments must be assessed with regard to current policies and considerations, and site-specific circumstances.

Comparison with Wesley Avenue development – This concern has been noted, however, each application is assessed on its own merits. A full assessment upon residential amenity can be found above within the committee report.

Query if PROW connection does not materialise – Officers would wish to see the PROW connection retained for the lifetime of the development. To amend the proposal (in the case of an approval) would require a Variation of Condition application, as the development would not be carried out in accordance with the approved plans. In this instance a full new assessment would need to be undertaken upon residential amenity.

Lack of sections – Section plans have been submitted with this application to show the relationship the new dwellings would have with the existing properties on Bankfield Drive and Laithe Avenue. A full assessment on this can be found within the residential amenity section of the committee report.

Concerns regarding Arboricultural Survey dated 24/04/2023 – The arboricultural survey submitted with the application was based on the initial scheme for 16 dwellings. In this case, the layout of the scheme has been amended and officers are now aware that the dry stone wall to the north of the site would need to be taken down and partially re-built in turn damaging the roots of the existing hedge (G2) and the early-mature English Oak Tree (T1). As such, it is likely that these species would need to be removed as part of this planning application and therefore the revised landscape plan reflects the planting now proposed. KC Trees have confirmed that on balance the density of the replacement trees and the additional hedgerow to be provided on site would provide adequate mitigation for the existing species which would be lost.

Responsibility for communal planted areas – The green space within the site would be managed and maintained by a private management company which would be secured as part of the Section 106 agreement. The maintenance of dry stone wall is not crucial to the acceptability of the proposed development. Therefore, the queries raised regarding this wall are not a material consideration relevant to this application.

Management of landscaping after five years – The green space within the site would be managed and maintained by a private management company in perpetuity. This would be secured as part of the Section 106 agreement.

Proposed hedge height – Officers note the height of the hedge and have requested that this is increased slightly in order to maximise privacy for both the future occupiers and new residents. This information would be submitted under the boundary treatment condition and would be assessed by officers. The hedge as shown on the landscape plan would be situated on the application site and would be managed and maintained by a private management company secured as part of the Section 106 agreement. Officers are, however, satisfied with the height of the trees given the proximity to the highway.

Concerns regarding ecological survey – These concerns have been noted by KC Ecology within their consultation response and therefore an appropriately worded condition to require the re-survey of invasive species, to be undertaken in the optimal growing season has been proposed. An assessment upon the nearby statutory and non-statutory designated sites has also been undertaken within the report. Regarding alleged omissions (relating to kestrel, buzzards etc), it must be noted that ecological surveys sometimes do not capture every species that may visit a site or may be observed nearby over a long period of time.

Bat and bird boxes needed – A Biodiversity Enhancement and Management Plan would be secured via condition which will set out how ecological units can be achieved on the application site. This could include the provision of bat and bird boxes.

Potential for common lizard to be present – The ECIA submitted with the application includes an assessment on reptiles.

Drainage concerns – The revised drainage plans show that there is adequate space within the site for water. The LLFA consider the drainage proposals to be acceptable. Officers also note that part of the retaining wall to the north of the application site would need to be deconstructed and re-built for the installation of two drainage connections.

Concerns regarding soakaways – The drainage scheme does not include a soakaway.

Concerns regarding springs – The council have no record of springs running through the site. However, if these were to be discovered during construction, the developer would need to contact the council's Drainage Team to address this matter.

Concern regarding private water supply serving Bankfield Farm and The Barn on Dobb Top Road – No evidence to support this claim has submitted, and in any case this is considered to be a private matter not relevant to the consideration of this planning application.

Climate change and flooding concerns – The LLFA are satisfied with the information submitted as part of this application, however, have requested a condition with regards to flow routing which would take into account the effects of 1 in 100 year storm events, with an additional allowance for climate change.

Pressure on utilities – This is noted, however, the LLFA and Yorkshire Water consider the information submitted to be acceptable.

Sewer capacity – Foul sewage is assessed by Yorkshire Water and it is their responsibility to ensure that there is sufficient capacity to take the foul sewage from the application site.

Concern regarding site's retaining wall – These concerns have been noted and a Method Statement for the retaining wall has been provided. KC Highway Structures have also requested a condition requiring a full structural dilapidation survey of the existing dry stone highway retaining wall adjacent to Dobb Top Road to be submitted to the council before development commences. An adequate condition regarding a full structural dilapidation survey of the existing dry stone highway retaining wall adjacent to Dobb Top Road has been recommended.

Drainage during excavation – A temporary drainage condition has been recommended for the construction period.

Independent reports required – As is normal with planning applications, reports have been submitted to support the application by the applicant's consultants, which in turn have been assessed by the council's relevant consultees. Their comments can be viewed within the above committee report. Local planning authorities do not normally commission independent reports regarding relevant planning issues (when assessing planning applications), although for this application an independent viability consultant was instructed by the council.

Clustering of affordable housing – Since this comment was submitted, a Viability Assessment has been submitted for the site which shows that only three affordable units can be provided, in the form of First Homes. The First Homes would be situated within the northern parcel of the site, however, they would be indistinguishable in terms of their design. In a development of this size, it is inevitable that the affordable housing units will be located close to each other. Given the size of the site and the limited development proposed, officers consider the location of the affordable units to be acceptable.

Objection to providing affordable housing – This concern has been noted, however, LP11 requires the provision of affordable housing for all residential schemes over 10 units.

Improvements to schools and roads needed – Road improvements have been proposed, however, the size of the site does not require any financial contribution towards local school provisions.

Greater weight is being given to private profit – As with most applications, the applicant is a business. Government guidance states that developments should comply with planning policies, meet known needs, and take into account all material considerations. Developer profit is not a key consideration for local planning authorities, except in financial viability assessments (where, the Government advises, a reasonable level of profit should be accepted to ensure a development would in fact go ahead).

Damage to adjacent property – This would be a private matter to be resolved between the relevant parties.

Cuts to council budgets – This is noted, but is not a materially planning consideration relevant to this application.

Adjacent “muckheap” and chicken run – Paragraph 193 of the NPPF sets out that planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities. In this case, whilst the site adjacent does not appear to be an existing business, it is not unknown for horsiculture to be located close to residential development. The pile of manure and any noise that may arise from the chicken run is not considered to be of a scale where odour and noise impacts would blight this housing allocation. The responsibility would also be upon the developer to make future residents aware of the adjacent site.

Adjacent dry stone wall and risk of collapse – This has been noted, issues surrounding land stability and the responsibility for securing a safe development rests with the developer and/or landowner as outlined within Paragraph 190 of the NPPF.

Need for replacement grazing – This is not considered necessary to make the proposed development acceptable in planning terms.

Public footpath impacts – Natural surveillance of the public footpath would be provided by the dwellings to the rear of the site. This is a similar relationship to which the PROW has with the properties on Laithe Avenue. KC PROW have also been consulted as part of the application process raising no objection to the scheme.

Reference to holiday chalet application – This has been noted, however, each application has to be assessed on its own merits, with this site being allocated for housing.

Health and safety risk, and insurance – Private insurance is outside of the remit of this planning application. Furthermore, in respect to Health and Safety the onus is on the developer to ensure a safe site during construction works.

Members should visit the site – A site visit has been scheduled.

Lack of public consultation – Additional rounds of publicity have been undertaken as part of this application process, to allow members of the public to comment on the application.

Financial contributions and planning obligations

10.100 Paragraph 56 of the NPPF confirms that planning obligations must only be sought where they meet all of the following tests. They must be: (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development and (iii) fairly and reasonably related in scale and kind to the development.

10.101 The following represents a policy-compliant suite of Section 106 obligations for the proposal:

- Affordable homes: Four affordable units (2x affordable/social rent, 1x First Home and 1x Intermediate Home).
- Biodiversity: An off site contribution of £104,880.
- Public Open Space: An off-site contribution of £55,932.16
- Public Right of Way: A contribution of £10,000 for the connection onto the Public Right of Way (HOL/91/20)

10.102 Section 106 obligations that would be required regardless of the financial contributions include the provision of a management/maintenance arrangements for the drainage (prior to adoption) and the on-site green space.

10.103 The applicant has provided a viability assessment seeking to demonstrate that the proposal would not be viable if a full suite of Section 106 financial planning obligations was required. The Government's planning practice guidance provides the following overview of the viability assessment process, for context:

Viability assessment is a process of assessing whether a site is financially viable, by looking at whether the value generated by a development is more than the cost of developing it. This includes looking at the key elements of gross development value, costs, land value, landowner premium, and developer return.

Any viability assessment should be supported by appropriate available evidence informed by engagement with developers, landowners, and infrastructure and affordable housing providers. Any viability assessment should follow the government's recommended approach to assessing viability as set out in this National Planning Guidance and be proportionate, simple, transparent and publicly available. Improving transparency of data associated with viability assessment will, over time, improve the data available for future assessment as well as provide more accountability regarding how viability informs decision making.

In plan making and decision making viability helps to strike a balance between the aspirations of developers and landowners, in terms of returns against risk, and the aims of the planning system to secure maximum benefits in the public interest through the granting of planning permission.

10.104 The applicant's viability assessment has been reviewed by an independent viability assessor (Altair) appointed by the council, to advise officers on this specialist subject.

10.105 A review of the original viability report submitted was undertaken by the council's consultant, however their findings were contested by the applicant. The applicant's response included additional evidence to substantiate the applicant's position regarding GDV, affordable transfer values, profit margins, contingency, finance and the benchmark land value. This information was reviewed by Altair and the following table was provided:

Assumption	Applicant – Sep24	Altair – Sep24	Comments
Open Market Values	£6,050,578	£6,330,000	Altair original assumption.
Build Costs	£3,766,835	£3,766,835	Agreed.
Contingency	5.0%	4.0%	Altair revised assumption.
Developer's Return – Private Sale	20.0%	17.5%	Altair original assumption.
Developer's Return – Affordable Housing	8.0%	6.0%	Altair original assumption.
Professional Fees	8.0%	8.0%	Accepted.
Sales & Marketing Fees (Resi)	2.00% £500 pu legal fees	2.00% £500 pu legal fees	Accepted.
S106 / CIL	BNG: £125,313 POS: £47,040	BNG: £104,880 POS: £35,844 PROW connection: £10,000	Accepted.
Town Planning Fee	£13,168	£13,168	Accepted.
Finance Costs	8.0%	8.0%	Accepted.
Programme	17 months	17 months	Accepted.
Benchmark Land Value	£486,000	£445,500	Altair revised assumption.

10.106 Taking the above table into account, Altair have concluded that only a 10% affordable housing contribution could be achieved in the form of 1x First Home and 1x Shared Ownership or 2x First Homes plus a £75,000 off-site commuted sum in lieu of an on-site provision of affordable housing. In this instance, it is considered preferable to provide a third affordable unit on site, as opposed to the financial contribution. Therefore, it has been calculated that the financial contribution of £75,000 could achieve an additional 2-bed affordable unit. This would mean three First Homes (comprising two 2-beds and one 3-bed), which would be a 15% affordable housing contribution. The size of the units proposed are considered to meet the needs of the local area and would accord with the council's Affordable Housing and Housing Mix SPD.

10.107 The final Section 106 package would therefore include:

- Affordable homes: Three affordable units (three First Homes in the form of two 2-beds and one 3-bed).
- Biodiversity: An off site contribution of £104,880.
- Public Open Space: An off-site contribution of £55,932.16.
- Public Right of Way: A contribution of £10,000 for the connection onto the Public Right of Way (HOL/91/20).

10.108 Of note, the above could be achieved whilst achieving a profit level of 17.5% for the applicant. This is within the 15%-20% range that the Government advises as being appropriate within financial viability appraisals.

10.108 The applicant has accepted this position and therefore it is recommended that the aforementioned planning obligations be secured within a Section 106 agreement.

11.0 CONCLUSION

- 11.1 The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.
- 11.2 The site is allocated for residential development under site allocation HS183, whereby 21 dwellings are proposed. Site constraints include topography, visual and residential amenity and various other material planning considerations. The proposed development adequately addresses each of these. The design and appearance of the proposed development is considered acceptable, with adequate separation distances to third party properties. The proposed access and highway impacts have also been considered, and are deemed acceptable. Other planning issues, such as drainage, ecology, and protected trees, have been satisfactorily addressed through the proposal.
- 11.3 It has been demonstrated that the viability of the development prevents a fully compliant suite of Section 106 financial contributions being offered. A slight reduction in the number of on-site affordable housing from four dwellings to three (achieving 15%) has been agreed by the applicant. However, all other planning obligations would be secured in full as part of this application.
- 11.4 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval, subject to final neighbour representations being assessed within the committee update and conditions and planning obligations been secured via a Section 106 agreement.

12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Planning and Development)

1. Three years to commence development.
2. Development to be carried out in accordance with the approved plans.
3. Samples of walling and roofing materials.
4. Details of windows and doors.
5. All windows to be set back into the reveal by 100mm.
6. Details of secure cycle storage.
7. Submission of a highway condition survey and remediation measures.
8. Details regarding the management of waste.
9. Details of vehicle and pedestrian spaces.
10. Means of access to and from the site shall be in accordance with the preliminary access arrangements shown on the approved plans.
11. Details of the preliminary street and footpath design.
12. Off-site highway works to be provided as shown on 22027/GA/01 Rev. D.
13. Submission of a full structural dilapidation survey of the existing dry stone highway retaining wall adjacent to Dobb Top Road.
14. Details for new retaining walls / building retaining walls/attenuation tanks adjacent to the proposed adoptable / existing highway including any proposed modifications to the existing highway retaining wall adjacent to Dobb Top Road.
15. Details of the design and construction details for all new surface water attenuation tanks/pipes/manholes located within the proposed highway footprint or influence zone of highway loading

16. Reporting of unexpected land contamination.
17. Submission of a verification report.
18. Submission of a strategy for imported materials.
19. A scheme detailing the EVCPs.
20. Submission of a Construction Environmental Management Plan.
21. Details of measures to deter crime and anti-social behaviour.
22. Management and maintenance of landscaped areas.
23. Submission of a Biodiversity Enhancement and Management Plan.
24. Submission of a CEMP:Biodiversity.
25. Full details of boundary treatment (including the increased size of the hedge to the eastern boundary).
26. Submission of an informed by up-to-date ECIA to include additional surveys of invasive species during optimal growing season.
27. Submission of a revised Method Statement for the Retaining Wall (given the location of the attenuation tank).

Background Papers:

Application and history files.

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Certificate of Ownership – Certificate B has been signed.