

MINUTES OF MEETING		Job Ref: 2014.034
Job Title Railway cutting, Heckmondwike	Description Housing development	Date of Meeting 14/12/2018
Purpose of Meeting Public Consultation	Location of Meeting Heckmondwike Table Tennis Club	Time of Meeting 15:00

PLACE OF MEETING:

Heckmondwike Table Tennis Club

PRESENT:

Mr Andrew Stoddart – VIDA – Architect
Mr Paul Cookson – Ernest Gordon Developments
Mr Daniel Baines – VIDA Architects
Cllr David Sheard
15No representatives from the *Oppose the Heckmondwike Railway Line Development* opposition group

APOLOGIES:

None

DISTRIBUTION BY E-MAIL:

Mr G Wakefield – Planning Department, Kirklees Council

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1.0 Introduction

- 1.1 Mr Paul Cookson (PC) announced start of the meeting and defined its purpose: to answer queries relating to the outline application for development of the railway cutting (2018/91661), as asked for by the members of the Strategic Planning Committee. PC introduced himself and VIDA Architects before opening up to the floor for questions. Attendees were made aware that the meeting is being recorded in order to report back to the Committee as accurately as possible.

Q1 **Why have you organised the meeting between 3:00 and 4:30 on a Friday afternoon, when the majority of the Heckmondwike residents will be either working or picking children up from school?**

A: PC stated that it will never be possible to organise a meeting at a time that will be suitable for everybody. PC also advises that 9 days' notice was given for the holding of this meeting: 2 days more than the Local Authority's typical 7 days' notice period.

PC added that he has endeavoured to act in accordance with protocol established by the Government via the Planning authorities, regarding the holding of this meeting. At the last Committee meeting – 28/11/2018 – the decision was deferred to the date of the next Committee meeting of 03/01/2018. PC cites Planning Policy guidelines that list the Committee's reasons for deferring their decision as allowing time for provision of further information, for further negotiation or for a site visit. This guideline comes with a caveat that such deferrals inevitably have an adverse effect on processing times. Subsequently, he has a duty to attempt to provide an opportunity for this negotiation, whilst under the constraint of having to do so before the 03/01/2018 meeting, as well as the Christmas break (during which arguably even fewer people would have been able to attend). It was noted that all those who wished to attend planning meetings previously – which are also held during the day, but at slightly shorter notice – were able to do either do so.

PC specifically referred to "Department of Environment Best Practice Protocol for the Operation of Planning Committees June 2015" and read out paragraph 37.

Q2 **How was notice for this meeting sent out?**

A: PC answered that the meeting notice was circulated by e-mail.

(questions Q1 and Q2 are repeatedly asked and answered).

Asker of Q1 and Q2 accused PC of deliberately selecting a time that precludes the majority of Heckmondwike residents, for whom he believed the meeting has been held. PC stated again that the meeting information was distributed to the Planning Department, the councillors involved, and to Mrs Harrington (liaison for the *Oppose the Heckmondwike Railway Line Development* group). Mrs Harrington (VH) interjected at this point to state that the notification of this meeting was sent "at the bottom of a string of e-mails to Cllr Viv Kendrick" and that she is just one person that objects to this application. VH suggested that PC has not meaningfully consulted the people of Heckmondwike at any point and reiterates the accusations of the previous asker. VH refused to acknowledge the validity of this meeting as meaningful consultation. PC disagreed, arguing that the meeting was publicised with the required amount of notice and is attended to an acceptable degree; PC proffered that those with a genuine wish to attend have either done so or taken steps to have representation at the meeting; either via other residents able to attend, by local councillors or – in some cases - by correspondence with the Planning Officer and the Strategic Planning Committee themselves.

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Gordon North (GN) referred to his attending and speaking at the Committee meeting, but despite hearing the outcome of the Committee meeting suggested that he does not know what this consultation meeting today is about or what it is for. In his view it has not been called. GN would like an agenda for the meeting, claims to have no idea who PC is in relation to the scheme, or why the meeting has been called. PC referred GN to his opening of the meeting 8 minutes earlier, where he introduces himself and stated the purpose of the meeting. Once PC reiterated his part in the scheme, GN repeated that nothing in writing has been received and that he only found out about the meeting by second hand within the last 15 minutes. GN continued to state that he understands that the purpose of the meeting is for the applicant to consult with people and discuss what is required. In this regard, GN was expecting to see plans of the scheme, public display of some fashion and essentially a more substantial version of the scheme “to push back against” and without this, he thinks the current state of the meeting is “a complete shambles”. GN adds that he will be contacting the Council as he believed that the democratic process has been bypassed in the arrangement of this meeting. Andrew Stoddart (AS) advised that GN is incorrect in his statement of events, before further interjection by asker of Q3.

(Q3)

Why this venue specifically?

Asker continued that she is not from Heckmondwike and happened to know where specifically it was located. However, a Heckmondwike resident of 50 years had to ask her where it was. In her opinion it is nowhere near the site and there are a number of alternative venues nearby that would have been more suitable. She also infers that the number of chairs set out (nine) is an indication that PC did not expect anyone to turn up. PC responded that the loose chairs set out were the only ones available on the premises.

Asker continued that the schools in the area finish at approximately 15:15, rendering most parents collecting children from school unable to attend. She repeated the statements made earlier that those working are unable to attend and that she specifically is losing money – being self-employed – and that she has had to arrange childcare to collect her child so that she could attend this meeting which, in her opinion, has been held at the most inconvenient time. In her opinion, the arrangement of this meeting has been underhand, sneaky. AS responded that the meeting has been widely publicised via Facebook – the opposition group’s primary means of communication – but the asker stated that she is not even part of this social network and thereby unable to access such notifications. She informs AS that she is, however, abreast of the social media footprint of VIDA and that they do not use Twitter currently. Should this change, she would be keen to correspond with VIDA as such. Asker of Q1 and Q2 stated that the event was only publicised on Facebook by a member of the opposition group and not by the applicant personally, which AS is fully in agreement with.

AS returned to original point made by GN about the bypass of democratic process – to clarify his understanding of the planning process. AS explained that the purpose of the outline application submitted is fundamentally to establish the purpose of use of the land, as well as to determine the access point to the property. AS continued to remind GN that the Committee deferred their decision to allow discussion with the opposition group and the general public to facilitate this application and this application only. AS responded to GN’s remark on the lack of drawing material by stating that this level of detail does not exist yet, as by its nature the scheme is only outlined. The point of the meeting being to discuss principle of use and point of access is underlined at this juncture by AS. GN suggested that the Committee ruling was that the outline planning application had sufficient detail and so a full planning application, which AS responded to as being factually incorrect and not in line with UK planning procedure. In GN’s opinion, the Committee asked the applicant to consult with the public and come back with worked-up details, which AS again reminded GN was not the outcome of the Committee meeting. GN refused to be admonished on planning procedure, owing to his running of the Strategic Planning Committee for three years.

PC intervened to reinforce original point made by AS; that outline planning permission is typically applied for prior to full planning permission on a development of this scale. GN agrees with this but insists that the Committee’s standpoint was to demand a fully detailed scheme before deciding; AS reminded GN that this was not the outcome of the last Committee meeting.

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Q3 Why, after an Engineer's report was asked for, were gabions shown as a solution, but no report submitted?

A: AS stated that with this application, an engineering further engineering report was not required as details of the principles of retaining structure were submitted to the Local Authority consultees, who reviewed this information and deemed it appropriate.

Asker of Q1 / Q2 stated his understanding of the situation is that when asked to provide a report documenting how the stability of the surrounding land will be maintained during the construction phase, that the applicant and agent had instead chosen to withdraw the application to encompass just the access to the site and not anything actually happening on the site. PC responded that this was done in order to submit these details as part of a subsequent Reserved Matters application. He also reminded the asker that the engineers that are consultants to the Local Authority will not let a scheme get to the stage of being built without the necessary calculation for / assurance of its viability; the planning process / building regulations approval stage of construction would not allow for the malfeasance that the asker is inferring is taking place. AS reminded the asker that this application was not withdrawn: the agent, in fact, worked in conjunction with the Planning Officer to ensure that the principle of the application submitted was satisfactory and that the information supplied in support of it was also satisfactory. For clarification, AS clarifies that this was achieved through modification of the initial application, in order to maintain some flexibility at this stage in what the site layout and road layout may be. The asker could not see how a change in layout might pertain to the solution employed to stabilise the surrounding land: AS pointed out that any changes in foundation levels or grade levels on the proposed scheme will govern where any support is placed and thus the nature of any stabilisation, should any be deemed to be required.

Another local resident echoed earlier disapproval of the time of the meeting, adding the suggestion that having the meeting on Saturday would have probably gotten more attendees, branding the arrangement "ridiculous" and "totally unfair". PC referred him back to the earlier dialogue in response to Q1 and Q2; this resident then opined that everything done by the applicant so far has been to suit themselves. He used the Highways assessment as an example; that the applicant himself should personally have to come up at a time of the residents' choosing to see what they have to endure. PC responded by telling the resident that the procedure required to be followed by an applicant is to employ a certified professional to assess the condition of something like the highway usage / feasibility. The resident offers his opinion on how it should be conducted – planning authorities and applicant all meeting at a time suitable to the residents to assess the situation – which is respectfully disagreed with by PC. PC repeated that the professionals hired to produce these analyses have submitted their findings to the Council, who have found them satisfactory. AS reminded the resident that the Highways Department consultant spoke at the Committee meeting, ruling in favour of the development as it stands. In addition, it was noted that the head of the Planning Department, Matthias, was also in agreement that the application was in line with their expectation. The resident relates his experiences of traffic congestion in the area, saying that the version reported by these professionals is not real life. PC attempts to assuage the resident with the fact that he is not able to govern his planning application based on personal anecdotes or a method of his own choosing; that there is a procedure in place to avoid the sort of bias that may come from deciding on planning permissions based on personal circumstances only.

Same resident asked how many wagons will be using the street daily. PC says this is information of a level not required at this stage. This resident - and the asker of Q3 – also question the accuracy of the ecology report, asking that the applicant should be listening to the local residents for candid assessment of the land, rather than the findings of the professionals employed. PC spoke of the integrity of the professionals employed to undertake the required studies and that they work on a national level providing the services that they do. PC stated that, in his opinion, they would not compromise their professional integrity for the purpose of deceiving the Planning Department, nor would it be of benefit to them. The Planning Department, too, have found all the information sent to them to be satisfactory.

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Q4 GN: following the Strategic Planning Committee meeting of 28/11/2018 (where the scheme was defined insofar as the use and the access point), is there any new information for us, the residents to comment on?

PC reiterates that if there are any concerns relating to the scheme as it stands (i.e. a housing development with access from Horton Street), that wholehearted attempt will be made to address those concerns in what remains of this meeting. PC made clear to the attendees that he is not their enemy and is endeavouring to follow the planning application put in place by the government. Another resident also voiced their belief that the queries regarding the timing of the meeting had been batted away without being fully answered. She also stated her belief that the applicant has said the access point on Horton Street is completely fine. PC reminded the resident that it is a highways consultant and the relevant authorities at the Council that have deemed the access point as acceptable.

Q5 VH: with the number of 74No houses proposed, accommodating two spaces each, how can – reports and metrics aside – it be logical that this scheme will not have a serious effect on the traffic congestion and pollution in the area?

A: PC repeated that the consultants authorised to assess these conditions without prejudice have deemed the impact of the proposed scheme on the surrounding road network to be of a manageable level. This was unsatisfactory to several residents; the opinions of these residents were in contradiction to these findings. PC is accused of repeatedly returning back to the rules and regulations; PC responded that this is the only way in which this process can be conducted. PC emphasises that he is not a specialist in any of these consultant fields – highways consultancy included – so has employed experts to provide the insight provided by the Council, who have equally well-qualified professionals to assess the information provided.

Q6 Contrary to the desktop studies conducted on this site, a walk up to Horton Street and Brunswick Street at this time would reveal the area to be “chock-a-block” with school traffic for approximately 1 hour in both weekday mornings and afternoons, making construction access at this time a nightmare. Are you aware of this? That you might face legal action for ignoring this?

PC assured the asker that the development would not incur any legal action in its delivery.

Q7 Asker of Q3: If you say the Highways department’s assessment should be acceptable to use, why have you (the applicant) appealed the refusal of the previous application which involves infill of the railway cutting?

PC stated that it was his prerogative as the applicant to appeal the decision and provide an argument for why the decision could be overturned, just as it was the right of members of the public to appeal against a decision made by the Council.

Asker of Q3 asked PC if he would like to live in an area with lorries coming through it, day-in, day-out, causing pollution and congestion. AS pointed out that the proposed scheme would not have this amount of traffic on and off of the site as no infill is being employed.

Q8 Asker of Q7: Are you aware of the number of similar developments within a quarter of a mile of the site over the past 10 years?

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AS stated awareness of three developments in the area in more recent years; the asker responded that there were six over the ten years. The asker's point was that rather than these developments establishing precedent, the area was, in his opinion, saturated. AS pointed the asker towards the UDP for the area and the Local Plan formed by the Council in response to this. AS also made the point that the substance of these documents was reflected in the Senior Planning Officer's endorsement of the site as being suitable for housing development. Furthermore, the head of Kirklees Planning Department stated in the last Committee meeting that sites such as this one make a significant contribution to the housing quota of 450No dwellings that they the Council have pledged to provide via windfall site. AS referred the attendees back to the webcast / minutes of the Committee meeting.

Another resident reports his understanding of the meeting outcome as being that the highways information presented was unsatisfactory and that the applicant was told to go back and look at it again. PC stated that his interpretation of the meeting outcome was not in line with this; the way he understood the feedback from the council, the meeting was simply to provide an opportunity for mediation with the opposition group and other members of the public. The same resident says that based on the outcome of that meeting, he was unable to go on the word of PC that the application had been passed. For clarification, PC responded that the application, whilst being recommended for approval, had *not* been passed yet, before repeating his assertion that the authorities involved had no objections, but had deferred their decision to give members of the public an opportunity to voice any concerns with the application – as it stands – to the applicant or his representatives. PC reinforced again the point of procedure that is the Council's own Highways Department coming back to him with points in the application to be addressed, before finally being in a position where they could recommend the scheme for approval.

Asker of Q1 and Q2 adds that he thought that the state of affairs on the day prior to the last Committee meeting was such that the Council's Highways Department's stance was one that did not back the scheme for approval. PC does not recall this being the case; the asker of Q1 / Q2 then clarifies that rather than the Highways Department not recommending the scheme, the issue was that the recommendation from the Highways Department was not published on the Kirklees Council Public Access site. AS addresses this as an issue that the gentleman has with the administration of the Kirklees Planning web portal and that he would be best suited taking this up with them. AS continued to assure the asker that all documentation required by the agent on behalf of the applicant has been supplied in a timeous fashion. PC concurs. Asker challenges PC and AS as to whether all the documentation required was submitted to the Planning Department at least a week in advance of the meeting. AS confirmed that this was the case. PC adds, after repeated request to confirm this fact, that documents required of us were submitted within the dates they were asked for, an any administration of these documents once within the hands of the recipients was outside of our remit. AS clarifies this with the asker again; that Kirklees Council have had all the necessary information sent to them before making their decision to recommend approval.

Q9 How are we supposed to get in and out of houses on Horton Street when you are constructing the access road?

Anita Jones (AJ), a resident of Horton Street, reports of the last year or more of work on the Grammar School; she stated that this was just about bearable with a degree of detouring, but is not confident that access to this cul-de-sac can be feasibly preserved during construction.

A: PC answered that the Highways Department actually asked for alterations to our initial proposal, demonstrating how the Planning Department are actually working in favour of the residents. AJ stated that her concern is more with the construction phase rather than the completed works. PC goes on to state that the level of inconvenience will not only be manageable, but no more than the level of any construction project of this size. PC classifies the change to the use of the cul-de-sac during the build as typical of any road works of similar nature. PC also brought to the residents' attention the benefits of such a development in the area, in terms of being a *bona fide* investment in the townscape and the public realm of Heckmondwike.

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VH expressed her outrage at the claim of the development being a benefit to the community and accused the applicant – and the previous owner the site - of acting contrary to the benefit of the community by preventing Sustrans from linking together cycleways on either end of the site. PC asked in response where the funding for such a venture would come from, as Sustrans – or the Council – would not be providing it. VH suggested that the people of Heckmondwike would have opened that up, before being reminded by PC that the site is privately owned. VH accused PC of holding the site to ransom. PC asked for proof of this, before reminding VH that an earlier application formed in conjunction with Sustrans was rejected. VH continued to voice displeasure at this.

Q10

Will the greenways on either side be connected?

A:

PC stated that access would be granted from either end to a cycleway with full right of way, that would then pass under the South side bridge.

PC brought up the subject of the ecology; the full ecology report, having tested for all manners of protected species, stated that none were deemed as being resident on the site. PC made clear for the residents in attendance that the consultants performing these works do not work for his benefit; they present the facts of their findings as they are. The scheme, in the view of the ecologists, does not cause detriment to ecology in the area. The finding was that development here could actually give wildlife, green space and tree planting in the area a boost. The cycleways that would hopefully be a part of the eventual scheme proposed would grant access to thousands of people, hopefully for decades, even centuries to come. The question of the trees cut down on the site already, PC let the resident asking this know that these were self-seeding saplings, without any sort of Tree Preservation Order on them.

PC adds, on the subject of benefits of the development that, on top of the rights of way that the scheme would introduce, hundreds of thousands of pounds would be donated to the community in the form of contributions to schools and community infrastructure. On top of this, in his opinion, there would be hundreds of thousands of pounds generated in terms of rateable value added to properties in the area. PC predicted that, once complete, the amenities created on the site would be flocked to by local residents. There would also be benefits more globally, as countrywide more housing is required.

Asker of Q3 was incredulous of PC's assertion that ecology is not threatened on the site: she claims to be able to go down under the bridge and find a newt, or toad, lots of which can be found near the pond. The asker calls the ability of the ecologists used into question, not believing that they were unable to find any of these animals on the site. AS queries if these animals the asker found in the past were on the applicant's property, the asker is quick to point out that these newts and toads were located on land adjacent to the site. AS clarified that with this being the case, the findings on the adjacent site will be different to those on the applicant's property. The asker also claimed to have seen an owl hunting on the applicant's property on her walks in the area. AS reminded the attendees of the Head of Planning Department's remarks regarding the improvement of ecological diversity / abundance in an area as a result of development – in terms of an increase in planting and an improvement of the bat corridor amongst other factors - as well as referring the asker of Q3 back to PC's earlier statement on the matter.

AS also asserted, following a further complaint by the asker of Q3 on the number / spread of the proposed housing, that there is no planned housing layout for the scheme at present. It is repeated that the application thus far is only for the principle of development and for the point of access. PC interjected at this point with information regarding newts in the area. PC cites the findings of the ecology report, that state that while there are great-crested newts living in the vicinity of the site (c. 1.8km away), there are no bodies of water on the site and no present of these newts on the site. The pond to the south of the site has fishing platforms, therefore is not a suitable habitat for the great-crested newt.

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At this point, Cllr David Sheard (DS) spoke on the subject of contesting the findings of professionals employed to assess the applicant's site. DS advises residents in attendance that the Committee have to base their decisions on facts, actual findings and planning law rather than opinions and demagoguery. DS goes on to speak contrary to the belief that the site should be left as is, as walking through the site recently – which PC acknowledges happens – reveals that fly-tipping is abundant on the land. DS asserted that if the area is developed, there is no doubt that the resultant planting on this part of the site will improve the current state of parts of it such as these that have been victim to fly-tipping.

DS continued – his main concern with the scheme as it stands pertains to the matter of engineering; the amount of cut and fill that is required to deliver this housing and the effect on the stability of the surrounding land, as well as the resultant dust and disruption. DS then reiterates that if there are objections that residents have to the scheme that they wish to halt it, then there has to be a better reason than their opinion: there has to be a valid reason rooted in fact or at least planning legislation. GN complains that he has around 10 questions that he wishes to ask that he has gotten about halfway through. PC reminded GN that he has had the floor for more than a proportionate amount of the available time and that there are still people that wish to be heard. GN repeated his displeasure at the timing of the meeting, before allowing the asker of Q7 to speak.

Q11 How do you plan to mitigate the noise created by the scheme?

The asker was concerned as a shift worker that the noise throughout the day will be highly disruptive to those that, like himself, work unsociable hours and sleep during the day.

A: PC assured the asker that the proposed solution would be part of the construction management plan lodged with the application, either as part of a Reserved Matters application or a full planning application. PC also mentioned the topography of the site, insofar as the build being set down somewhat in the cutting would serve to naturally mitigate site noise to the asker's house, some 100 yards away from the site border on Horton Street. The asker agreed to disagree, proffering that the noise travels up the hill and maintains his stance on the noise level being a potential problem. PC at this point observed that many of these questions are, at the moment, hypothetical; being beyond the scope of the level of detail produced for the extant application, it is difficult to say with any certainty exactly how such site issues will be approached. PC also admonished the asker of Q11 in the regard that any short-term disruption of a handful of residents would be outweighed by the long-term benefit of the scheme being in place to thousands of users. PC opined the potential nature of the groundworks on this site are not far removed from many other developments of similar scale in the country. The asker of Q1 / Q2 expressed his belief that, in his opinion, this is a site with an inordinate level of land engineering that will require years and years of pushing earth around, wagons carting earth on and off site six and a half days a week; as such, he refused to believe PC's assertions that this build would be a relatively typical one, despite the fact that AS supports this opinion and that Matthias – the Head of Kirklees Planning – also stated in the webcasted Committee meeting that this is not an exceptional site in terms of topography and that there are far more difficult sites to work with in the Kirklees area, let alone the UK. The asker of Q1 / Q2 refused to believe the statements made by any of these construction professionals: both PC and AS let the asker know that he is entitled to his opinion and consider the question answered.

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GN began to discuss a previous application that includes a roundabout on Oakley Lane; GN is advised that this application was for another site by another applicant of which he is aware. GN's point is that this was did not go ahead on the grounds that the local authority required a £100,000 bond in order to facilitate the Highways integration. GN continued to mention two adjacent sites; one being the Old Station site to the North, which he deems wholly unsuitable for cycling on account of the emergence from a hole in the ground, as well as traffic reversing across the route. The second site – Carriage Way – is, in his opinion, a more favourable cycling route; used by the community and a key part of the public realm. The scheme originally submitted by the applicant – which included a cycleway – is more favourable to GN than the current indicative layout. GN also cites the retention of (part of) the site as greenway in the UDP and that this does not change under the proposed Development Plan. GN stresses his desire for any cycleway on the scheme to run independently of the road, completely unbroken, rather than in the fashion shown - albeit indicatively – in the current outline proposal. This leads to the eventual question by GN

Q12 GN: would you (the applicant) be prepared to finance the linking of any cycleway on the site to the neighbouring site as a Section 106 agreement?

A: PC categorically stated that he would not be prepared to agree to such an outlay in a meeting such as this one but brought the subject back to the subject of the greenway on the previous application. This application was rejected; PC was initially prepared to grant access by the cycleway at either end of the site to the spine road that would either be private or adopted (built to adoptable standards). The planners responded by requesting that the applicant provide a separate cycleway which took the cyclists away from having to cycle on the spine road running through the site. With this application being an outline one, PC was open to the idea of this requested separate cycleway in principle, with the details of it being proposed at Reserved Matters stage.

PC and AS also confirmed the inclusion (in principle) of a cycleway in the current outline application, as arranged in conjunction with the Planning Department. The position of the cycle path on the indicative plan submitted as part of the outline application shown was queried by GN and VH. PC stated that the path is currently shown alongside the spine road. There was concern expressed at the driveways crossing the cycleway by GN; PC made GN aware that the cycleway is crossed by a main road on the Carriage Way site that GN cited as an exemplar. PC also made the point to GN and VH that Sustrans had not linked the two sections of cycleway in the past, due to the fact that the cycleway to the North of the site in question was not installed to Sustrans standards.

Q13 Asker of Q3: You have stated that the road will a private road: why are you not making the road public, instead of keeping the road private and *allowing* access to the public access?

PC clarified that the road would be built to adoptable standards, but the decision for the road to be adopted is one that the Local Authority make. DS concurred, with the additional information that roads that give access to six or more houses are considered adoptable by the Local Authority.

PC commented at this point that without someone in place to see this development through, there would be no linking up of this cycleway at all; the scheme serves to offer benefits accessible to all members of the community. The asker then requested that land be simply relinquished to the members of the community. DS attempted to clarify that rationally, the asker meant that after development was complete, the surplus land would be handed over to the community. The asker actually added that it was her request that all development be ceased, and the land turned over to the community for them to use as they see fit. PC and AS answered that this was an unrealistic proposal, bearing in mind the number of investors involved in the venture and the scale of the commercial endeavour in terms of the people employed and, again, the potential future benefits to all involved.

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DS raised his concerns over the engineering solution that would be employed to support the houses eventually proposed, as well as the potential disruption to the local residents. Two attendees made clear that they were shift workers and that inordinately loud site works – namely piledriving – would be of the utmost inconvenience to them. PC said that, realistically, the most he would expect on a build of this type would be a mini-pile solution; consisting of drilled-down piles of approx. 150mm diameter. When asked how many of these would be implemented, PC and AS both reminded the floor that at this outline stage, this was undetermined, to the point where, potentially, none of this piling may be required.

The notification and the documentation of this meeting was raised again, primarily by GN and VH, who asked whether a further meeting could be arranged between now and the next Committee meeting; PC responded that in his estimation, another meeting would not raise points that had not been already addressed in this meeting or in any discussions on the application to date.

The tenor of the meeting veered for a time towards the nature of the applicant's engagement with the community; the general consensus put forward was that they had not felt engaged with directly by the applicant. PC defended this stance by saying that he was duty-bound to follow the channels provided to progress this application and was choosing not to resort to demagoguery to influence any decisions made.

DS reminded other attendees that planning procedure was in place for a reason; that decisions made by those parties have to be based in planning law, as opposed to subjective opinion. He also outlined the planning procedure in the capacity of appeal, bringing to attention that when an impasse is reached in situations such as this, an external party is consulted to decide on the application, which is based, again, dispassionately on planning legislation.

Another resident wished to have her reservations put on record that there were no definite statements being made at the meeting in terms of the treatment of the cycleway; that there was talk of what may be done, which principles will broadly be followed and layouts that were indicative. PC reminded this resident that the level of detail she wants to see would come with a Reserved Matters application. AS also retrospectively affirmed the earlier account of DS, regarding the planning procedure and the standpoint that an external party would take. As such, he and the applicant were working to reach a reasonable solution at this point, by working with the Local Authority. VH was reminded that there were no planning grounds for refusing the outline application as it stands, referring back to the statement made by the head of the Planning Department. On this basis, in the event of further deferral, a decision made by an external planning officer would be based solely on planning law and subsequently passed. VH asked whether she would be entitled to be involved in any of these appeal proceedings personally. She was informed that she would not. Upon her disagreement with this, PC encouraged her to seek confirmation of this independently. DS offered admonition as a long-time party to such proceedings, confirming that an appeal decision would be in the hands of a planning professional and, as such, no appellant – be it VH or PC - would have a place in the proceedings.

DS raised the issue that in the event of a nearby railway being opened, there would be added onus on the Local Authority to have the greenway developed as part of this scheme. At the moment, the application only relates to the access point; he would be keen, when the application progresses to Reserved Matters, to see the detail of how the continuation of the greenway is envisaged.

DS raised his other concern that with the outline application listing a certain number of houses - seventy-four – the amount of engineering required to deliver this number would cause more than the anticipated amount of disruption. DS was aware of PC's view on this but wished for his concerns to also be recorded.

DS echoed the concern of other local residents, that the strain on the local road network during the construction phase is a major issue with the scheme, in spite of what the Highways report might say.

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DS also had a concern with regards to the land left undeveloped after the scheme was complete. He suggested that holding on to this land as a private owner afterwards may cultivate suspicion among local residents that further development may be crammed into the remaining space. Conversely, handing over this remaining space to the community for public use would be a worthwhile exercise. PC responded that, while there are other parties that would have a say in that happening, he was open to this as a step to take in the future.

VH commented that, in her opinion, 2 years could have been saved with further community engagement earlier in the process; that a compromise could have been reached. PC disagreed, in the sense that between his view in favour of residential development on his land and the opposition group's view to the contrary, and impasse had been reached.

Publication of notice about this meeting was raised again by several residents. PC reaffirmed that posting a notice to each home in Heckmondwike and potentially beyond was not feasible, nor was it a requirement to hold an effective meeting. He also remarked that with an advert posted in the press, the requisite amount of notification has been issued throughout the application process.

The asker of Q3 complained of the applicant's treatment of the site, namely trees cut down and sections of metal fence left lying around the site boundary. PC informed the complainant that he had attempted to erect a metal boundary fence, only for the majority of the fence to have been stolen. When questioned on the boundary wall that was demolished, PC reminded the asker of Q1 / Q2 that doing so was his right as the landowner, as it was similarly his right not to reinstate any built boundary in its place.

Resident (asker of Q7) wanted to confirm, for the record, that the footpath to the North was a public right of way. PC and AS confirmed that this was outside the boundary of the development. PC added that access to the area under the bridge from this footpath could be granted as part of the development.

Another resident asked whether he thought that PC would have benefited from better consultation with the community, regardless of what is required by law to do. PC did not agree, extending the belief that in reality, this would have been unlikely to affect the ultimate standpoint of any residents in genuine opposition to the development. The resident wished to record that answering objections sooner and forming a stronger channel of correspondence with the community members would have moved the whole process along more smoothly. PC agreed in this regard, that pleasant working relationships make all manners of working with one another easier.

Asker of Q1 / Q2 resisted the request of PC to trust in the professionals employed to make decisions on this application, as the applicant had made appeals himself. PC spoke on the planning process again, stating how professionals on both side of the argument use the laws in place and actual information to debate their standpoint. The asker then accused the team of professionals working for PC of only writing what they were told / paid to write, rather than acting dispassionately. PC and AS dismissed this as slanderous, reminding the asker of the duty of care bestowed upon said professionals by their own professionals by the bodies they are members of.

Another resident wished for the comments of DS regarding engineering to be addressed in future meetings. AS accepted the lodging of this genuine concern, before confirming that this would be addressed in future proceedings, in the form of a detailed construction management plan. AS summarised earlier comments relating to construction, the cycleway et al. AS also reinforced that the details that some people were seeking for satisfaction were typical of the next stage of planning application: Reserved Matters in this instance.

Asker of Q3 raised the issue again of why an appeal had been lodged against the decisions of the professionals they had been asked to put faith in. AS expressed to the asker that this appeal was an appeal against the implementation of the process that was in place, rather than a personal indictment of any of the said professionals.

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DS and AS discussed the engineering reports that would be provided in due course; the concerns of DS were again acknowledged and AS indicated their inclusion in future detailed planning application(s).

PC closed by outlining the above-mentioned benefits that he intends to bring with this development and that, between the development team and the Planning Department, a scheme of benefit to the community will be achieved. PC also reiterated the long-term gains that would far outweigh the temporary inconvenience.

Summary The majority of salient concerns raised by attendees pertained to the potential disruption caused during the construction phase. There was also a degree of interest in the nature of the cycleway, its proximity to vehicular traffic and its connection to cycleways on adjacent sites. In light of the meeting documented above, the applicant expressed their openness to the inclusion of the following discussed benefits:

- The inclusion of a segregated cycleway, as per VIDA drawing
- The surplus green space (adjacent to the Western boundary) being handed over to the local community
- Willingness to submit a detailed Construction Management Plan as part of a Reserved Matters application, to detail how noise, dust and access will be regulated during the construction phase.

The above points are to be subject to detailed discussions to take place as part of the preparation of a Reserved Matters Application.

Minutes Produced by:	DANIEL BAINES For & on behalf of VIDA
Date:	16/12/2018