

To all Members of the Planning Committee

You are hereby summoned to attend a meeting of the **PLANNING STANDING COMMITTEE** to be held at **HOLMFIRTH CIVIC HALL, HUDDERSFIELD ROAD, HOLMFIRTH HD9 3AS** on **MONDAY 4 APRIL 2022** at **700pm** to transact the following business: -

**- AGENDA – (A)**

**Welcome**

**Open Session at Planning**

**7.00 pm**

At the commencement of the meeting, there will be an open session lasting up to 15 minutes, for members of the public to address Members of the Committee in connection with planning applications to be considered at the meeting. This session allows both applicants and objectors to address Members. Any other information relating to items on the agenda will be considered as part of the agenda item.

Issues/concerns/information not related to any item on the agenda will be considered at a later date or referred to the appropriate body.

**2122 214      Public Bodies (Admission to Meetings) Act 1960 amended by the Openness of Local Government Bodies Regulations 2014 on 6 August 2014      7.15 pm**

As Local (Parish and Town) Council meetings can now be recorded, the Chairman to check if any members of the public wish to record the meeting, to ensure reasonable facilities can be provided. The meeting is already being recorded by the Officer for public broadcast via the Holme Valley Parish Council YouTube channel.

**2122 215      To accept apologies for absence      7.16 pm**

**2122 216      To receive Members’ and Officers’ personal and disclosable pecuniary interests in items on the agenda      7.17 pm**

**2122 217      To consider written requests for new DPI dispensations      7.18 pm**

**2122 218      To consider whether items on the agenda should be discussed in private session      7.19 pm**

- Any recording to be halted during such items and members of the public asked to leave the meeting.

**2122 219      To confirm the Minutes of the Previous Meeting      7.20 pm**

- Minutes of the Planning Committee meeting held on 7 March 2022, numbered 2122 198 – 2122 213 inclusive **(B)**

**2122 220      Completed Kirklees Planning Applications List      7.21 pm**

- To note List 2021/11 updated with the views of the Committee. **(C)**

# Holme Valley Parish Council

- 2122 221**      **New Planning Applications – Kirklees Council**      **7.22 pm**
- To consider new or amended applications received by Kirklees Council from 1 March 2022 to 28 March 2022 inclusive – List 2122/12 enclosed **(D)**
- 2122 222**      **Kirklees Council – Planning Officers’ Decisions**      **8.00 pm**
- To note list of Decision Notices issued by Kirklees Council for the period 1 March 2022 to 28 March 2022 inclusive **(E)**
- 2122 223**      **Neighbourhood Planning**      **8.01 pm**
- i.      - To note, the Deputy Clerk has ordered and paid for 25 copies of the Holme Valley Neighbourhood Development Plan to be printed by Autobind of Denby Dale. These can be given out, - with covering note, - at the Annual Council Meeting 16 May 2022.
  - ii.     - To note, the Deputy Clerk has written a letter to Nick Grimshaw, Team Leader Conservation at Kirklees Council, regarding the proposed listing of Non-Designated Heritage Assets (NDHAs) and conservation area appraisals. Deputy Clerk to report. **(F)**
- 2122 224**      **Reviewing Parish Council Outcomes**      **8.05 pm**
- To note, the Deputy Clerk has made contact with Zoe Stewart the newly appointed Project Manager Small Centres. Details of her role are enclosed. To consider, any further engagement at this time with the Project Manager. **(G)**
  - To note, the Deputy Clerk’s letter to Kirklees Highways to arrange a meeting with members of the Highways team to discuss the viability of creating 20mph zones in our village centres. Deputy Clerk to report. **(H)**
  - To note, the results of the Your Voice, Your Holmfirth consultation. **(I)**
- 2122 225**      **Peak District National Park Authority**      **8.10 pm**
- i.      - To consider new or amended applications received by the Peak District National Park Authority Council from 1 March 2022 to 28 March 2022 inclusive – List 2122/4PD enclosed **(J)**
  - ii.     - To note the list of Decision Notices issued by the Peak District National Park Authority for the period 1 March 2022 to 28 March 2022 inclusive. **(K)**
  - iii.    - To consider a response by the Parish Council to the government’s [Landscapes Review – National Parks and Areas of Outstanding Natural Beauty](#) including specific reference to off-roading in protected landscapes. Chair to report. **(L)**

# Holme Valley Parish Council

2122 226

## Ongoing Highways campaigns

8.25 pm

The Committee previously voted to put on-hold further chasing of Kirklees on the ongoing highways campaigns until the new Service Director had been appointed. An appointment has now been made. Graham West is the new Service Director – Highways and Streetscene for Kirklees Council. The ongoing campaigns are:

i. **Concerns of local residents regarding speeding and noise pollution Woodhead Road Holmbridge to Holme**

- To consider any further actions at this time.

ii. **Campaign for a Safer Magdale**

- To consider any further actions at this time.

iii. **Hade Edge Road Intersection**

- Chair to report on Highways developments with regard to the Hade Edge road intersection.
- To consider any further actions at this time.

iv. **Burnlee Road Closure**

- A Kirklees South Councillor had suggested that the Parish Council should serve a Section 56 notice on Kirklees Council with regard to the year-long closure of Burnlee Road to inquire as to whether the highway authority, - in this case, Kirklees, - admits that the repair of the road surface is its responsibility. Kirklees would have a month to respond. If there is no response in that time, then a complainant can take the issue to Crown Court, with attendant legal costs, and that can result in a Court Order which could specify a timeframe in which the repair must be carried out. The Ramblers Association have produced [templates](#) of Section 56 orders and other paperwork to serve. **(M)**
- To consider any further actions at this time.

2122 227

## Ramsden Road

8.35 pm

- To note, the Deputy Clerk's follow-up letter with information supplied by Cllr Wilson, sent to Will Acornley, Head of Operational Services at Kirklees Council regarding further potential solutions for the secure barriers for entry to the byways around Yateholme, Ramsden and Riding Wood reservoirs. **(N)**
- To note, also the email from Andy Leader of the Peak and Northern Footpath Society to Will Acornley. **(O)**
- To consider any further actions on this issue.

2122 228

## Town End Road

8.40 pm

- Cllr Wilson reports a longstanding, partial closure of Town End Road, Wooldale. Scaffolding has been erected for over a year now, blocking the road. This has caused further problems in that gritting wagons cannot access that part of the street. Cllr Wilson to report.
- To consider any further actions on this issue.

# Holme Valley Parish Council

**2122 229      Footpaths      8.45 pm**

- i. Bridge Lane to Sands  
To note, the formal documentation to accompany the Map Modification Order, already noted, on the footpath from Bridge Lane to Sands. **(P)**
- ii. Temporary Traffic Regulation Order (TTRO) to Public Right of Way HOL 31/40, Honley  
To note, the Deputy Clerk has tried to chase up the Kirklees PROW team for more information on this lengthy, proposed closure. The original Officer had left the Council, hence the delay. Deputy Clerk to report.
- iii. Holmfirth Footpath 60 Wolfstones  
To note, as already shared informally with Councillors, the proposal to divert Holmfirth Footpath 60 at Wolfstones has been refused by the Department for Transport. **(Q)**

**2122 230      Publicising the work of Holme Valley Parish Council      8.50 pm**

- To consider, recent events or news that this Committee wishes to publicise via the press, Parish Council website or social media.

Close **9.00 pm**

Please note that timings on the agenda are given for guidance of the Chairman and Committee only and should not be taken as the time at which discussion of a particular item will commence.

*Rich McGill*

Rich McGill  
Deputy Clerk

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## MINUTES OF THE PLANNING STANDING COMMITTEE HELD IN HOLMFIRTH CIVIC HALL MONDAY 7 MARCH 2022

Those present:

Chairman: Cllr M Blacka

Councillors: P Colling, T Dixon, R Hogley, S Sheard, A Wilson

Officer: Mr R McGill (Deputy Clerk)

### Welcome

- The meeting started at 1903. Cllr Blacka welcomed five other Councillors and seven members of the public to this meeting of the Planning Standing Committee. The members of the public were present regarding three specific planning applications.

### Open Session at Planning

- The Committee resolved that standing orders would be suspended under item 2122 205 to allow Members of the Public to speak and answer questions on specific applications. Therefore, nobody spoke in this Open Session.

### **2122 198 Public Bodies (Admission to Meetings) Act 1960 amended by the Openness of Local Government Bodies Regulations 2014 on 6 August 2014**

- Council meetings can now be recorded.  
**RESOLVED:** The Officer was recording the meeting in video format for upload to the Parish Council's YouTube channel. No other people present wanted to record the meeting.

### **2122 199 To approve apologies for absence**

- Cllr RP Dixon had tendered his apology.  
**RESOLVED:** The reason for his apology was approved by the Committee.

### **2122 200 To receive Members' and Officers' disclosable personal and pecuniary interests in items on the agenda**

- Cllr Wilson declared a personal interest in a Peak District National Park Authority planning application, - 2122/03PD/01, - being considered under item 2122 209 i.

### **2122 201 To consider written requests for new DPI dispensations**

- No written requests for new DPI dispensations had been received.

### **2122 202 To consider whether items on the agenda should be discussed in private session**

- **RESOLVED:** Members decided that no items on the agenda should be discussed in private.

# Holme Valley Parish Council

## 2122 203 To confirm the Minutes of the Previous Meeting

- **RESOLVED:** The Minutes of the Planning Committee meeting held on 7 February 2022, numbered 2122 181 – 2122 197 inclusive were approved.

## 2122 204 Completed Planning Applications Lists

- **NOTED:** The Planning Committee noted List 2122/10 updated with the views of the Committee.

## 2122 205 New Planning Applications – Kirklees Council

- Members considered new or amended applications received by Kirklees Council from 1 February 2022 to 1 March 2022 inclusive – List 2122/11.  
At this point, standing orders were suspended to allow members of the public to report on specific planning applications and those planning applications pertinent to those people were moved to the top of the running order. Two people spoke in opposition to one specific Kirklees Planning application; one person spoke in support of their own planning application; one further person spoke in support of their own planning application. Members of the public left after each planning application pertinent to them was deliberated.  
**RESOLVED:** That the Standing Committee's comments on the above applications be forwarded to Kirklees Council by the Deputy Clerk.  
**RESOLVED:** The Deputy Clerk would write to Kirklees with regard to how Planning Applications are currently advertised, given that the tradition of lamppost notifications does not seem to have been restarted after the pandemic. The Parish Council would ask for on-site lamppost notifications to be re-introduced.

## 2122 206 Kirklees Council – Planning Officers' Decisions

- **NOTED:** The Planning Standing Committee noted the list of Decision Notices issued by Kirklees Council for the period 1 February 2022 to 1 March 2022 inclusive

# Holme Valley Parish Council

## 2122 207 Neighbourhood Planning

- i. - At the last Planning Committee Meeting, Members voted to supply a hard copy of the Holme Valley Neighbourhood Development Plan to all Councillors. The Deputy Clerk reported on options for printing and binding including that of the purchase a binding machine. Members considered the options.  
**RESOLVED:** Autobind of Denby Dale would be commissioned to print and bind 25 copies of the Holme Valley Neighbourhood Development Plan at a cost of £360.  
**RESOLVED:** The Committee resolved that copies of the Neighbourhood Development Plan would essentially be loaned to Councillors and they would be asked to return copies of the NDP if they then left the Council.
- ii. - The Committee Chair and Cllr Hogley had drafted a covering note to accompany the Neighbourhood Plan being distributed, as above, to Councillors. Members considered approving the submission of this covering note.  
**RESOLVED:** The Committee resolved that the covering note as supplied would be included with copies of the Neighbourhood Development Plan to be given to Councillors.
- iii. - **NOTED:** Members noted that the Deputy Clerk has promoted the Neighbourhood Development Plan via the Parish Council website, social media, and noticeboards, explaining how local people can access the Plan.
- iv. - **NOTED:** The Committee noted reports from the Chair and from Cllr Hogley on their communications with members of the Kirklees Planning team regarding usage of the Neighbourhood Development Plan. Both shared positive messages from their Kirklees contacts and that Planning Officers and developers were “getting up to speed” with the NDP.
- v. - **NOTED:** Members noted that the Deputy Clerk had emailed Julie McDowell, Area and Neighbourhood Action Coordinator for Kirklees, regarding the timeframe for the £1.5m Small Centres Funding set aside for Holmfirth. He had received no reply.

# Holme Valley Parish Council

## 2122 208 Reviewing Parish Council Outcomes

- At the last Planning Committee meeting, it was resolved that Members would endeavour to continuously review the work of the Parish Council in the light of the Neighbourhood Development Plan with a view to prioritising outcomes. These outcomes could subsequently constitute a focus for the Small Centres Funding (as above) or the Parish Council's own expenditure.

Members considered, identifying specific targets for the Parish Council (or for the Planning Committee) based on the policies of the Neighbourhood Plan which would be part of actively focused work and campaigning.

**RESOLVED:** 1) That the Deputy Clerk would formally request an update and clarification on the pending but delayed conservation area appraisals including that for Honley.

**RESOLVED:** 2) That the Deputy Clerk would formally contact with Kirklees about the plan for the local consultation on listing non-designated heritage building assets in Honley. Cllr Hogley will forward prior communications about this to the Chair and Officer.

Cllr Hogley reported that a clear theme in the Council's action-planning is to do with traffic, speed limits, HGV limits, priority passing lanes, green lanes, traffic reduction and so on.

**RESOLVED:** 3) That Holme Valley Parish Council would prioritise action on highways issues and initiatives particularly on options for 20mph limits in suitable built-up settlements in the Holme Valley:

- That Cllr Wilson would attend a YLCA online training event regarding the national "20's Plenty for Us" campaign regarding 20mph zones.
- That the Deputy Clerk would write to Kirklees Highways to arrange a meeting with members of the Highways team to discuss the viability of creating 20mph zones in our village centres.

## 2122 209 Peak District National Park Authority

- The Committee considered new or amended applications received by the Peak District National Park Authority Council from 1 February 2022 to 1 March 2022 inclusive – List 2122/3PD.  
**RESOLVED:** That the Standing Committee's comments on the above applications be forwarded to the Peak District National Park Authority by the Deputy Clerk.
- The Committee Chair reported on ongoing work on a draft response by her and Cllr Wilson to the government's [Landscapes Review – National Parks and Areas of Outstanding Natural Beauty](#) including specific reference to off-roading in protected landscapes.  
**NOTED:** Members noted that consideration of a draft report would be deferred to the next meeting 4<sup>th</sup> April with a deadline of 9<sup>th</sup> April.

# Holme Valley Parish Council

- iii. - The Committee considered a request from the Peak Park Practices Forum to comment on the Peak District National Park Authority's Development Management Practice Note Policy DMH1: New Affordable Housing.  
**RESOLVED:** The Committee resolved not to respond to this consultation. The Deputy Clerk would write to the Peak Park Parishes Forum to thank the Forum for their communication, to say the Parish Council had discussed the request, but we do not wish to raise any objection to the existing policy.

## **2122 210 Ongoing Highways campaigns**

### **i. Concerns of local residents regarding speeding and noise pollution Woodhead Road Holmbridge to Holme**

- **NOTED:** Members noted the Deputy Clerk's report that there had been no further communication from Kirklees on this campaign issue since the last meeting.

### **ii. Campaign for a Safer Magdale**

- **NOTED:** Members noted the Deputy Clerk's report that there had been no further communication from Kirklees on this campaign issue since the last meeting.

### **iii. Hade Edge Road Intersection**

- **NOTED:** Members noted the Deputy Clerk's report that there had been no further communication from Kirklees on this campaign issue since the last meeting.

### **iv. Burnlee Road Closure**

- **NOTED:** Members noted the Deputy Clerk's email to Mark Scarr at Kirklees Highways thanking him for the letter from the Structures team but insisting that the necessary works to see through the re-opening of the road are progressed with due haste. Members discussed a communication on this to the Parish Council from Cllr Nigel Patrick.

# Holme Valley Parish Council

## 2122 211 Ramsden Road

- **NOTED:** The Committee noted the Deputy Clerk's letter and supporting documentation, supplied by Cllr Wilson, sent to Will Acornley, Head of Operational Services at Kirklees Council, regarding the lack of progress of the Public Space Protection Order on the lanes and byways around Ramsden, Brownhill, Riding Wood and Yateholme reservoirs.
- **NOTED:** The Committee further noted Will Acornley's response to the above.
- Cllr Wilson reported on ongoing anti-social behaviour in the Ramsden Road area, namely, two instances of flytipping and one burnt out Land Rover.

Members considered any further actions on this issue.

**RESOLVED:** The Deputy Clerk would go back to Will Acornley to suggest trialling a cheaper, gated option, that the expensive option proposed.

Cllr Hogley suggested seeking advice from Yorkshire Water regarding the specifications of gates they have installed at Digley reservoir. Cllr Wilson said he would seek advice from the Forestry Commission about gates that they used.

## 2122 212 Footpaths

### i. Bridge Lane to Sands

- **NOTED:** The Committee noted that the Planning Inspectorate had made a decision on the footpath Bridge Lane to Sands. The decision, on 2 February 2022, was to modify the Definitive Map and Statement and record a Restricted Byway 231 between Bridge Lane and the Sands Recreation Ground. A Restricted Byway does not allow for the use of mechanised vehicles by the general public. The only vehicles permitted under this Order is the private use already in place for the Foundry, Holmfirth Cricket Club and Holmfirth Bowling Club.

- ### ii.
- **NOTED:** Regarding the Temporary Traffic Regulation Order (TTRO) to Public Right of Way HOL 31/40, Honley, Members noted the Deputy Clerk's email to Kirklees Highways regarding this lengthy, proposed closure. The Deputy Clerk reported that he had received no reply in the interim.

### iii. Holmfirth Footpath 60 Wolfstones

- **NOTED:** Members noted that there was still no outcome with regard to the public inquiry into the diversion of Holmfirth Footpath 60 at Wolfstones.

# Holme Valley Parish Council

## iv. Recording Historic Paths in England

- **NOTED:** Members noted that the government is to repeal the 2026 deadline for recording historic paths in England. As legislated, the deadline would have meant that on 1 January 2026, public rights over thousands of paths, which are public highways but not yet recorded as such, or not yet recorded correctly, would have been extinguished, with those rights being lost for ever. This had now been scrapped.
- However, Members further noted, alongside this repeal, that the government also plans to introduce a "right to apply" for landowners to divert or extinguish rights of way in certain circumstances.

## 2122 213 Publicising the work of Holme Valley Parish Council

- **RESOLVED:** The Deputy Clerk should keep on publicising the Planning meetings. One of the members of the public had used a model of their proposed new-build in their presentation and it was suggested that that was a good story to share if consent was given.

**The meeting closed at 9pm**

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Chairman

Planning applications lodged with Kirklees from **01 02 2022** to **01 03 2022** - **List 2122-11**. The following applications will be considered by Holme Valley Parish Council ahead of the Planning Committee meeting **07/03/2022**. Where appropriate, recommendations will be made to Kirklees Planning Services regarding whether or not they should be approved, but the final decisions will be taken by Kirklees Planning Services.

Local residents can email [deputyclerk@holmevalleyparishcouncil.gov.uk](mailto:deputyclerk@holmevalleyparishcouncil.gov.uk) to submit their views on applications or attend the meeting in person. There may also be an opportunity to attend a meeting via Zoom and to comment in the Public Session at the start of the meeting. Contact the Deputy Clerk for a link.

Full details regarding deadline dates for comments and how to submit a comment can be obtained from the Kirklees' website: [www.kirklees.gov.uk/planning](http://www.kirklees.gov.uk/planning)

We have reports that the links to Planning Applications below may not work on some mobile devices. This is an operating system issue. If the links to the applications do not work, go to the [Kirklees Planning Portal](#) and search for applications there using the Application No.

<b>HVPC Reference:</b>	2122/11/18
<b>Application No:</b>	2022/62/90416/W
<b>Proposed Development:</b>	Demolition of existing rear extension and erection of single storey rear extension
<b>Location:</b>	9, Wheat Close, Holmbridge, Holmfirth, HD9 2QL
<b>OS Map Ref:</b>	SE 411595.1775406498.2219
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90416">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90416</a>
<b>Ward/Councillors:</b>	Upper Holme Valley – KB TB
<b>HVPC Comment:</b>	Oppose. The development: is too large given the impact of loss of light on neighbours; has not enough space between properties to undertake safe maintenance; is not in keeping with neighbouring properties.
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/19
<b>Application No:</b>	2022/62/90518/W
<b>Proposed Development:</b>	Erection of one detached dwelling (within a Conservation Area)
<b>Location:</b>	Land adj, 64, Town End Road, Wooldale, Holmfirth, HD9 1XT
<b>OS Map Ref:</b>	SE 415064.564409100.9463
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90518">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90518</a>
<b>Ward/Councillors:</b>	Wooldale – JB PD DG
<b>HVPC Comment:</b>	Support subject to conservation area Officer approval. The Parish Council welcomes the applicants' statement on energy conservation/efficiency and the "green" initiatives in their project.
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/12
<b>Application No:</b>	2022/62/90243/W
<b>Proposed Development:</b>	Engineering operations to regrade land and form terraced slope supported by stone gabions, formation of access steps with associated landscaping
<b>Location:</b>	Melton Ford, Park Side, Scholes, Holmfirth, HD9 1UF
<b>OS Map Ref:</b>	SE 416059407601
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90243">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90243</a>
<b>Ward/Councillors:</b>	Scholes – <b>MBI RPD</b>
<b>HVPC Comment:</b>	Support
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/01
<b>Application No:</b>	2022/62/90306/W
<b>Proposed Development:</b>	Erection of extensions and internal and external alterations
<b>Location:</b>	3, Bradshaw Close, Honley, Holmfirth, HD9 6EJ
<b>OS Map Ref:</b>	SE 413462.6082411178.2882
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90306">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90306</a>
<b>Ward/Councillors:</b>	Honley South - JS
<b>HVPC Comment:</b>	Object due to 1) loss of light 2) lack of clarity regarding parking provision. The fact that there was no block plan made assessing this application difficult.
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/02
<b>Application No:</b>	2022/62/90267/W
<b>Proposed Development:</b>	Erection of first floor and two storey extension and exterior alterations (Within a Conservation Area)
<b>Location:</b>	24, Greenway, Honley, Holmfirth, HD9 6NQ
<b>OS Map Ref:</b>	SE 413529.0971412093.6536
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90267">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90267</a>
<b>Ward/Councillors:</b>	Honley Central and East – <b>PC BL SS</b>
<b>HVPC Comment:</b>	Support subject to the provision of sufficient parking for the increased size of property. Again, the fact that there was no block plan made assessing this application difficult.
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/03
<b>Application No:</b>	2022/62/90277/W
<b>Proposed Development:</b>	Erection of two single storey side extensions
<b>Location:</b>	Gate Foot Farm, Gate Foot Lane, Shepley, Huddersfield, HD8 8AZ
<b>OS Map Ref:</b>	SE 418220.6678408490.063
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90277">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90277</a>
<b>Ward/Councillors:</b>	Fulstone – DF DH
<b>HVPC Comment:</b>	Support
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/04
<b>Application No:</b>	2022/62/90063/W
<b>Proposed Development:</b>	Erection of single storey rear extension
<b>Location:</b>	Beech Garth, Field End Lane, Honley, Holmfirth, HD9 6NE
<b>OS Map Ref:</b>	SE 414131411613
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90063">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90063</a>
<b>Ward/Councillors:</b>	Honley Central and East – <b>PC BL SS</b>
<b>HVPC Comment:</b>	Support
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/05
<b>Application No:</b>	2022/62/90094/W
<b>Proposed Development:</b>	Demolition of existing conservatory and erection of single storey rear extension
<b>Location:</b>	38, Burnlee Road, Holmfirth, HD9 2PS
<b>OS Map Ref:</b>	SE 413039.7767407745.528
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90094">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90094</a>
<b>Ward/Councillors:</b>	Upperthong – <b>DC AW</b>
<b>HVPC Comment:</b>	Support
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/06
<b>Application No:</b>	2022/62/90279/W
<b>Proposed Development:</b>	Erection of front porch, formation of permeable hard standing to front garden, conversion of existing garage into living accommodation, raising rear deck level, and extend existing dropped kerb with external alterations
<b>Location:</b>	29, Spring Bank Croft, Holmfirth, HD9 2LW
<b>OS Map Ref:</b>	SE 412918.895407909.2653
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90279">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90279</a>
<b>Ward/Councillors:</b>	Upperthong – <b>DC AW</b>
<b>HVPC Comment:</b>	Support
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/07
<b>Application No:</b>	2022/62/90346/W
<b>Proposed Development:</b>	Erection of single storey rear and first floor side extensions and rear dormer and external alterations
<b>Location:</b>	12, Edgemoor Road, Honley, Holmfirth, HD9 6HP
<b>OS Map Ref:</b>	SE 413248.9546411364.12
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90346">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90346</a>
<b>Ward/Councillors:</b>	Honley West – <b>SE CG</b>
<b>HVPC Comment:</b>	Oppose due to extension being too large relative to the house, - not subservient to the house. Insufficient parking.
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/08
<b>Application No:</b>	2022/62/90072/W
<b>Proposed Development:</b>	Demolition of existing side extension and erection of single storey side extension and alterations to front door
<b>Location:</b>	8, West Moor View, Honley, Holmfirth, HD9 6HU
<b>OS Map Ref:</b>	SE 413332.5786411679.6948
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90072">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90072</a>
<b>Ward/Councillors:</b>	Honley West – SE CG
<b>HVPC Comment:</b>	Oppose due to concern from the plans available regarding the proximity to the property boundary line, - insufficient gap between properties. Again, the fact that there was no block plan, only elevations, made assessing this application difficult.
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/09
<b>Application No:</b>	2022/62/90098/W
<b>Proposed Development:</b>	Erection of single storey rear extension
<b>Location:</b>	43, Holmebank Mews, Brockholes, Holmfirth, HD9 7EA
<b>OS Map Ref:</b>	SE 415069.457410929.0682
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90098">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90098</a>
<b>Ward/Councillors:</b>	Brockholes - MP
<b>HVPC Comment:</b>	Support
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/10
<b>Application No:</b>	2022/62/90047/W
<b>Proposed Development:</b>	Erection of single storey rear extension and external alterations
<b>Location:</b>	58, River Holme View, Brockholes, Holmfirth, HD9 7BP
<b>OS Map Ref:</b>	SE 415200.4929410554.6033
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90047">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90047</a>
<b>Ward/Councillors:</b>	Brockholes - MP
<b>HVPC Comment:</b>	Support
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/11
<b>Application No:</b>	2022/62/90393/W
<b>Proposed Development:</b>	Demolition of existing porch, sun room, and tennis court and erection of single storey porch extension and single storey rear extension with replacement of existing windows, alterations to existing openings, rendering existing elevations and vehicular entrance widened with new boundary wall erected
<b>Location:</b>	Carr Wood House, 23, Bellgreave Avenue, New Mill, Holmfirth, HD9 7DP
<b>OS Map Ref:</b>	SE 416895.8577408981.873
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90393">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90393</a>
<b>Ward/Councillors:</b>	Fulstone – DF DH
<b>HVPC Comment:</b>	Support. Applicants/developers should commit to undertake replanting to compensate for the loss of trees.
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/13
<b>Application No:</b>	2022/65/90441/W
<b>Proposed Development:</b>	Listed Building Consent for installation of replacement windows (within a Conservation Area)
<b>Location:</b>	12, Well Hill, Honley, Holmfirth, HD9 6JF
<b>OS Map Ref:</b>	SE 413644.9984411882.721
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90441">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90441</a>
<b>Ward/Councillors:</b>	Honley Central and East – PC BL SS
<b>HVPC Comment:</b>	Support
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/14
<b>Application No:</b>	2022/62/90359/W
<b>Proposed Development:</b>	Erection of dwelling
<b>Location:</b>	Near Law Slack Farm, Penistone Road, Hepworth, Holmfirth, HD9 2TR
<b>OS Map Ref:</b>	SE 415966.4405405045.0634
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90359">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90359</a>
<b>Ward/Councillors:</b>	Hepworth - TD
<b>HVPC Comment:</b>	Oppose due to size. Over-development within the green belt.
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/15
<b>Application No:</b>	2022/62/90352/W
<b>Proposed Development:</b>	Alteration of existing window to form double doors and formation of external sitting area with associated engineering works
<b>Location:</b>	2, Broadbent Croft, Honley, Holmfirth, HD9 6PN
<b>OS Map Ref:</b>	SE 414044.6142411854.9226
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90352">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90352</a>
<b>Ward/Councillors:</b>	Honley Central and East – <b>PC BL SS</b>
<b>HVPC Comment:</b>	Support
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/16
<b>Application No:</b>	2022/44/90420/W
<b>Proposed Development:</b>	Discharge of conditions 2 (materials) and 4 (construction management) of previous reserved matters approval ref: 2020/91186 for erection of 20 dwellings pursuant to outline permission 2018/91198 for residential development
<b>Location:</b>	Land at, Westcroft, Honley, Holmfirth, HD9 3UL
<b>OS Map Ref:</b>	SE 413525.6475411900.1211
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90420">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90420</a>
<b>Ward/Councillors:</b>	Honley Central and East – <b>PC BL SS</b>
<b>HVPC Comment:</b>	No observation. Defer to Kirklees Officers.
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/17
<b>Application No:</b>	2022/44/90447/W
<b>Proposed Development:</b>	Discharge conditions 4, 6, 8, 12, 16 on previous permission 2015/93850 for demolition of intensive poultry farm buildings and redevelopment of site with 6 detached dwellings with associated landscaping including new paddock
<b>Location:</b>	New Dunsley Poultry Farm, Brow Lane, Holmfirth, HD9 2SW
<b>OS Map Ref:</b>	SE 413512.3654407174.3311
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90447">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90447</a>
<b>Ward/Councillors:</b>	Upper Holme Valley – <b>KB TB</b>
<b>HVPC Comment:</b>	Defer to Kirklees Officers. The Parish Council would expect to see more detail in a project of this size on sustainability and renewable energy generation as per the Holme Valley Neighbourhood Development Plan pp152-156 Policy 12: Promoting Sustainability
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/20
<b>Application No:</b>	2021/62/93813/W
<b>Proposed Development:</b>	Demolition of existing funeral home and erection of new dwelling (class C3) with associated landscaping and decked terrace to rear (within a Conservation Area)
<b>Location:</b>	Edgeworth, Main Gate, Hepworth, Holmfirth, HD9 1TJ
<b>OS Map Ref:</b>	SE 416412.7393406634.5481
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2021/93813">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2021/93813</a>
<b>Ward/Councillors:</b>	Hepworth - TD
<b>HVPC Comment:</b>	Support the improved design subject to Conservation Area Officer approval but remain concerned regarding the incompatibility of the rear aspect in a conservation area.
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/21
<b>Application No:</b>	2022/62/90463/W
<b>Proposed Development:</b>	Erection of half a storey lean-to extension over existing flat roof garage and single storey lean-to extension to rear with external alterations
<b>Location:</b>	East View, 264, Dunford Road, Holmfirth, HD9 2RR
<b>OS Map Ref:</b>	SE 414755.5068406888.6769
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90463">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90463</a>
<b>Ward/Councillors:</b>	Holmfirth Central – MBu RH
<b>HVPC Comment:</b>	Support
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/22
<b>Application No:</b>	2022/62/90478/W
<b>Proposed Development:</b>	Removal of existing conservatory and erection of single storey rear extension
<b>Location:</b>	21, Mount View Road, Hepworth, Holmfirth, HD9 1JA
<b>OS Map Ref:</b>	SE 416459.1911406825.5502
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90478">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90478</a>
<b>Ward/Councillors:</b>	Hepworth - TD
<b>HVPC Comment:</b>	Support
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/23
<b>Application No:</b>	2022/62/90564/W
<b>Proposed Development:</b>	Partial demolition of existing timber frame dwelling and erection of of new dwelling
<b>Location:</b>	The Dolphins, Upper Hagg Road, Thongsbridge, Holmfirth, HD9 6NH
<b>OS Map Ref:</b>	SE 414687.0656410680.9233
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90564">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90564</a>
<b>Ward/Councillors:</b>	Netherthong – JD JR
<b>HVPC Comment:</b>	Support subject to the development being confined to the original building footprint. A climate emergency mitigation statement for the development should be included.
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/24
<b>Application No:</b>	2022/62/90561/W
<b>Proposed Development:</b>	Erection of single storey rear and two storey side extensions, removal of existing outbuilding and associated works
<b>Location:</b>	Norina House, Scholes Moor Road, Scholes, Holmfirth, HD9 1SR
<b>OS Map Ref:</b>	
<b>Link:</b>	<a href="https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90561">https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90561</a>
<b>Ward/Councillors:</b>	Scholes – MBI RPD
<b>HVPC Comment:</b>	Oppose due to the development being too large and dominating neighbouring property. Concern regarding provision of parking.
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/25
<b>Application No:</b>	2022/44/90546/W
<b>Proposed Development:</b>	Discharge of conditions 7 (internal roads), 8 (waste), 10 (electric vehicle charging), 13 (landscape maintenance), 19 (temporary waste arrangements) and 20 (low carbon energy technologies) of Reserved Matters approval 2020/91186 for erection of 20 dwellings pursuant to outline permission 2018/91198 for residential development
<b>Location:</b>	Land at, Westcroft, Honley, Holmfirth, HD9 6JP
<b>OS Map Ref:</b>	SE 413525.6475411900.1211
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90546">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90546</a>
<b>Ward/Councillors:</b>	Honley Central and East – PC BL SS
<b>HVPC Comment:</b>	Defer to Kirklees Officers. The Parish Council welcomes the very full report regarding sustainable, low-carbon energy initiatives, and looks forward to seeing them implemented.
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/26
<b>Application No:</b>	2022/62/90579/W
<b>Proposed Development:</b>	Erection of rear dormer extension
<b>Location:</b>	6, Edgemoor Road, Honley, Holmfirth, HD9 6HP
<b>OS Map Ref:</b>	
<b>Link:</b>	<a href="https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90579">https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90579</a>
<b>Ward/Councillors:</b>	Honley West – SE CG
<b>HVPC Comment:</b>	Support
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/27
<b>Application No:</b>	2022/65/90653/W
<b>Proposed Development:</b>	Listed Building Consent to convert the existing window into french doors
<b>Location:</b>	1, Hill Street, Jackson Bridge, Holmfirth, HD9 1LZ
<b>OS Map Ref:</b>	SE 416349.1611407422.8871
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90653">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90653</a>
<b>Ward/Councillors:</b>	Scholes – MBI RPD
<b>HVPC Comment:</b>	No observation. Defer to Listed Buildings Officer.
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/11/28
<b>Application No:</b>	2022/62/90511/W
<b>Proposed Development:</b>	Demolition of existing garage and erection of three storey side extension
<b>Location:</b>	1, Co-op Terrace, Sheffield Road, Hepworth, Holmfirth, HD9 7TX
<b>OS Map Ref:</b>	
<b>Link:</b>	<a href="https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90511">https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90511</a>
<b>Ward/Councillors:</b>	Hepworth – TD
<b>HVPC Comment:</b>	Support
<b>Decision:</b>	

## Holme Valley Parish Council

**Planning applications lodged with the Peak District National Park Authority from 23 11 2021 to 01 03 2022 - List 2122-03PD.** The following applications will be considered by Holme Valley Parish Council at the Planning Committee meeting **07/03/2022**. Where appropriate, recommendations will be made to the Peak District National Park Authority Planning Services regarding whether or not they should be supported, but the decisions will be taken by the Peak District National Park Authority Planning Services.

Local residents can email [deputyclerk@holmevalleyparishcouncil.gov.uk](mailto:deputyclerk@holmevalleyparishcouncil.gov.uk) to submit their views on applications or attend the meeting in person. There may also be an opportunity to attend a meeting via Zoom and to comment in the Public Session at the start of the meeting. Contact the Deputy Clerk for a link.

Full details regarding deadline dates for comments and how to submit a comment can be obtained from the PDNPA website: <http://www.peakdistrict.gov.uk/planning/have-your-say/comment-on-an-application>

<b>HVPC Reference:</b>	2122/03PD/01
<b>Application No:</b>	NP/K/0222/0139
<b>Proposed Development:</b>	Internal & external alterations to dwelling including demolition of former blockwork dairy & erection of single storey extension.
<b>Location:</b>	41 The Village, Holme, Holmfirth
<b>OS Map Ref:</b>	
<b>Link:</b>	<a href="https://portal.peakdistrict.gov.uk/result/YToyOntzOjE0OiJPYmplY3RfVHlwZV9JRCI7czoxOiI3IjtzOjE2OiJPYmplY3RfUmVmZXJlbnNlljtzOjE0OiJOUc9LLzAyMjlvMDEzOSI7fQ==">https://portal.peakdistrict.gov.uk/result/YToyOntzOjE0OiJPYmplY3RfVHlwZV9JRCI7czoxOiI3IjtzOjE2OiJPYmplY3RfUmVmZXJlbnNlljtzOjE0OiJOUc9LLzAyMjlvMDEzOSI7fQ==</a>
<b>Ward/Councillors:</b>	Upper Holme Valley – KB TB
<b>HVPC Comment:</b>	No observation. Defer to Peak District National Park Authority Planning Officers. The Parish Council welcomes the carbon emissions statement.
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/03PD/02
<b>Application No:</b>	NP/K/0222/0239
<b>Proposed Development:</b>	Erection of two storey side extension and rear porch (within a conservation area)
<b>Location:</b>	2 Meal Hill Farm, Meal Hill Road, Holme
<b>OS Map Ref:</b>	
<b>Link:</b>	<a href="https://portal.peakdistrict.gov.uk/result/YToyOntzOjE0OiJPYmplY3RfVHlwZV9JRCI7czoxOiI3IjtzOjE2OiJPYmplY3RfUmVmZXJlbnNlljtzOjE0OiJOUc9LLzAyMjlvMDIzOSI7fQ==">https://portal.peakdistrict.gov.uk/result/YToyOntzOjE0OiJPYmplY3RfVHlwZV9JRCI7czoxOiI3IjtzOjE2OiJPYmplY3RfUmVmZXJlbnNlljtzOjE0OiJOUc9LLzAyMjlvMDIzOSI7fQ==</a>
<b>Ward/Councillors:</b>	Upper Holme Valley – KB TB
<b>HVPC Comment:</b>	Support
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/03PD/03
<b>Application No:</b>	NP/K/0222/0240
<b>Proposed Development:</b>	Listed Building consent - Erection of two storey side extension and rear porch (within a conservation area)
<b>Location:</b>	2 Meal Hill Farm, Meal Hill Road, Holme
<b>OS Map Ref:</b>	
<b>Link:</b>	<a href="https://portal.peakdistrict.gov.uk/result/YToyOntzOjE0OiJPYmplY3RfVHlwZV9JRCI7czoxOi3litzOjE2OiJPYmplY3RfUmVmZXJlbnNllitzOjE0OiJOUUC9LLzAyMjlvMDI0MCI7fQ==">https://portal.peakdistrict.gov.uk/result/YToyOntzOjE0OiJPYmplY3RfVHlwZV9JRCI7czoxOi3litzOjE2OiJPYmplY3RfUmVmZXJlbnNllitzOjE0OiJOUUC9LLzAyMjlvMDI0MCI7fQ==</a>
<b>Ward/Councillors:</b>	Upper Holme Valley – KB TB
<b>HVPC Comment:</b>	No observation. Defer to Peak District National Park Authority Planning Officers.
<b>Decision:</b>	

## Holme Valley Parish Council

Planning applications lodged with Kirklees from **01 03 2022** to **28 03 2022** - **List 2122-12**. The following applications will be considered by Holme Valley Parish Council ahead of the Planning Committee meeting **04/04/2022**. Where appropriate, recommendations will be made to Kirklees Planning Services regarding whether or not they should be approved, but the final decisions will be taken by Kirklees Planning Services.

Local residents can email [deputyclerk@holmevalleyparishcouncil.gov.uk](mailto:deputyclerk@holmevalleyparishcouncil.gov.uk) to submit their views on applications or attend the meeting in person. There may also be an opportunity to attend a meeting via Zoom and to comment in the Public Session at the start of the meeting. Contact the Deputy Clerk for a link.

Full details regarding deadline dates for comments and how to submit a comment can be obtained from the Kirklees' website: [www.kirklees.gov.uk/planning](http://www.kirklees.gov.uk/planning)

We have reports that the links to Planning Applications below may not work on some mobile devices. This is an operating system issue. If the links to the applications do not work, go to the [Kirklees Planning Portal](#) and search for applications there using the Application No.

<b>HVPC Reference:</b>	2122/12/01
<b>Application No:</b>	2022/62/90580/W
<b>Proposed Development:</b>	Erection of detached storage building
<b>Location:</b>	1 The Farmhouse, Home Farm, Wilshaw Road, Netherthong, Holmfirth, HD9 3US
<b>OS Map Ref:</b>	SE 412404.0023409409.2587
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90580">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90580</a>
<b>Ward/Councillors:</b>	Netherthong – JD JR
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/02
<b>Application No:</b>	2022/62/90618/W
<b>Proposed Development:</b>	Erection of single storey side extension
<b>Location:</b>	Clough Dene, 96, Penistone Road, New Mill, Holmfirth, HD9 7DY
<b>OS Map Ref:</b>	SE 416963.3312408563.5506
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90618">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90618</a>
<b>Ward/Councillors:</b>	Fulstone – DF DH
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/03
<b>Application No:</b>	2022/44/90781/W
<b>Proposed Development:</b>	Discharge condition 4 (extract ventilation system) on previous permission 2019/91935 for change of use and alterations to mixed use (A1/B1A/B1B/B8) to form restaurant/bar (A3/A4) (within Conservation Area)
<b>Location:</b>	1, Concord Street, Honley, Holmfirth, HD9 6AE
<b>OS Map Ref:</b>	SE 413878.1927411938.8081
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90781">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90781</a>
<b>Ward/Councillors:</b>	Honley Central and East – PC BL SS
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/04
<b>Application No:</b>	2022/62/90432/W
<b>Proposed Development:</b>	Extension of existing driveway/hardstanding
<b>Location:</b>	23, Vicarage Meadows, Holmfirth, HD9 1DZ
<b>OS Map Ref:</b>	SE 414882.213407551.243
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90432">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90432</a>
<b>Ward/Councillors:</b>	Holmfirth Central – MBu <b>RH</b>
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/05
<b>Application No:</b>	2022/70/90391/W
<b>Proposed Development:</b>	Variation of condition 16 (working hours) of previous permission 2016/94262 for erection of industrial development of sui-generis, B1 and B8 floor space
<b>Location:</b>	adj, Neiley Garage, New Mil Road, Honley, Holmfirth, HD9 6QE
<b>OS Map Ref:</b>	SE 414634.0975411695.2042
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90391">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90391</a>
<b>Ward/Councillors:</b>	Honley Central and East – PC BL <b>SS</b>
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/06
<b>Application No:</b>	2022/62/90823/W
<b>Proposed Development:</b>	Erection of two storey rear extension
<b>Location:</b>	25, White Wells Gardens, Scholes, Holmfirth, HD9 1TZ
<b>OS Map Ref:</b>	SE 415954.7896407403.8308
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90823">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90823</a>
<b>Ward/Councillors:</b>	Scholes – MBi <b>RPD</b>
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/07
<b>Application No:</b>	2022/62/90757/W
<b>Proposed Development:</b>	Erection of first floor extension above existing garage
<b>Location:</b>	Lane End House, 29, Oldfield Road, Honley, Holmfirth, HD9 6NL
<b>OS Map Ref:</b>	SE 414447.7332410801.7631
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90757">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90757</a>
<b>Ward/Councillors:</b>	Honley South - JS
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/08
<b>Application No:</b>	2022/62/90846/W
<b>Proposed Development:</b>	Erection of agricultural building
<b>Location:</b>	The Old Sty, Oldfield Road, Honley, Holmfirth, HD9 6RN
<b>OS Map Ref:</b>	SE 414074.07410785.32
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90846">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90846</a>
<b>Ward/Councillors:</b>	Honley South - JS
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/09
<b>Application No:</b>	2022/62/90849/W
<b>Proposed Development:</b>	Erection of two storey side extension
<b>Location:</b>	1, Banksville, Wooldale, Holmfirth, HD9 1XP
<b>OS Map Ref:</b>	SE 414892.357409168.1889
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90849">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90849</a>
<b>Ward/Councillors:</b>	Wooldale - JB PD DG
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/10
<b>Application No:</b>	2022/62/90639/W
<b>Proposed Development:</b>	Change of use from agricultural land to dog exercise facility and erection of fence
<b>Location:</b>	Daisy Lea Grange, Daisy Lee Lane, Hade Edge, Holmfirth, HD9 2TD
<b>OS Map Ref:</b>	SE 415071.5433405139.2997
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90639">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90639</a>
<b>Ward/Councillors:</b>	Scholes – MBI RPD
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/11
<b>Application No:</b>	2022/62/90800/W
<b>Proposed Development:</b>	Demolition of existing porch, erection of a replacement porch and open canopy, replacement roof structure over detached garage and exterior alterations
<b>Location:</b>	Greenfields Farm, Far Lane, Hepworth, Holmfirth, HD9 1RN
<b>OS Map Ref:</b>	SE 416356.7228405962.0457
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90800">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90800</a>
<b>Ward/Councillors:</b>	Hepworth - TD
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/12
<b>Application No:</b>	2022/62/90870/W
<b>Proposed Development:</b>	Partial demolition of dwelling, erection of two-storey rear extension, link extension, detached garage and external alterations
<b>Location:</b>	Mytholmbridge Farm, 36, Luke Lane, Thongsbridge, Holmfirth, HD9 7TB
<b>OS Map Ref:</b>	SE 415382.7953410210.4627
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90870">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90870</a>
<b>Ward/Councillors:</b>	Wooldale - JB PD DG
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/13
<b>Application No:</b>	2022/62/90491/W
<b>Proposed Development:</b>	Demolition of existing outbuilding and erection of single storey side extension with roof terrace
<b>Location:</b>	12, Bank View, Brockholes, Holmfirth, HD9 7AU
<b>OS Map Ref:</b>	SE 415497.8012410656.4679
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90491">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90491</a>
<b>Ward/Councillors:</b>	Brockholes - MP
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/14
<b>Application No:</b>	2022/62/90886/W
<b>Proposed Development:</b>	Erection of two detached dwellings
<b>Location:</b>	Land Adjacent, 34, Cliff Road, Holmfirth, HD9 1UY
<b>OS Map Ref:</b>	SE 414619.7525408337.0159
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90886">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90886</a>
<b>Ward/Councillors:</b>	Holmfirth Central – MBu RH
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/15
<b>Application No:</b>	2022/44/90919/W
<b>Proposed Development:</b>	Discharge conditions 8(ii) (retaining wall) , 12 (hard and soft landscape) , 14 (boundary treatment) on previous permission 2021/93705 for variation conditions 2 (plans), 4 (parking/access), 5 (turning facilities), 6 (visibility splays), 7 (door/window openings), 9 (access road), 12 (screen mound), 13 (planting/seeding/trees) on previous permission 2015/93871 for erection of detached dwelling with integral garage
<b>Location:</b>	31, St George's Road, Scholes, Holmfirth, HD9 1UQ
<b>OS Map Ref:</b>	SE 415871.5372407709.6422
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90919">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90919</a>
<b>Ward/Councillors:</b>	Scholes – MBI RPD
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/16
<b>Application No:</b>	2022/62/90935/W
<b>Proposed Development:</b>	Erection of rear extension, demolition of garage and erection of new detached garage and external alterations
<b>Location:</b>	16, New Road, Netherthong, Holmfirth, HD9 3XT
<b>OS Map Ref:</b>	SE 414286.7074409003.2769
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90935">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90935</a>
<b>Ward/Councillors:</b>	Netherthong – JD JR
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/17
<b>Application No:</b>	2022/62/90963/W
<b>Proposed Development:</b>	Erection of two storey side and single storey rear extensions
<b>Location:</b>	55, Roundway, Honley, Holmfirth, HD9 6DD
<b>OS Map Ref:</b>	SE 413852.5027411556.4479
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90963">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90963</a>
<b>Ward/Councillors:</b>	Honley Central and East – <b>PC BL SS</b>
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/18
<b>Application No:</b>	2022/62/90969/W
<b>Proposed Development:</b>	Erection of single storey rear extension
<b>Location:</b>	88, Lower Town End Road, Wooldale, Holmfirth, HD9 1QD
<b>OS Map Ref:</b>	SE 415201.2421409142.3818
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90969">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90969</a>
<b>Ward/Councillors:</b>	Wooldale - JB PD DG
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/19
<b>Application No:</b>	2022/62/90335/W
<b>Proposed Development:</b>	Engineering operations to regrade land and erect retaining walls/walls to form garden area for Ivy Cottage and turning area for Ivy Farm with associated decking and steps
<b>Location:</b>	1, Ivy Cottage, Woodhead Road, Holmbridge, Holmfirth, HD9 2NQ
<b>OS Map Ref:</b>	SE 411983.8267406676.9836
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90335">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90335</a>
<b>Ward/Councillors:</b>	Upper Holme Valley – KB TB
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/20
<b>Application No:</b>	2022/62/90592/W
<b>Proposed Development:</b>	Erection of single storey side extension
<b>Location:</b>	2, Royd Mount, Holmfirth, HD9 2QZ
<b>OS Map Ref:</b>	SE 414189.0834407977.412
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90592">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90592</a>
<b>Ward/Councillors:</b>	Holmfirth Central – MBu <b>RH</b>
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/21
<b>Application No:</b>	2022/60/90836/W
<b>Proposed Development:</b>	Outline application for erection of residential development
<b>Location:</b>	18, Edgemoor Road, Honley, Holmfirth, HD9 6HP
<b>OS Map Ref:</b>	SE 413280.5284411309.1092
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90836">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90836</a>
<b>Ward/Councillors:</b>	Honley West – SE CG
<b>HVPC Comment:</b>	
<b>Decision:</b>	

<b>HVPC Reference:</b>	2122/12/22
<b>Application No:</b>	2022/62/90891/W
<b>Proposed Development:</b>	Demolition of existing building and erection of ancillary building associated with existing dwelling
<b>Location:</b>	Greenfields Farm, Far Lane, Hepworth, Holmfirth, HD9 1RN
<b>OS Map Ref:</b>	SE 416356.7228405962.0457
<b>Link:</b>	<a href="http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90891">http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/90891</a>
<b>Ward/Councillors:</b>	Hepworth - <b>TD</b>
<b>HVPC Comment:</b>	
<b>Decision:</b>	

## Kirklees Planning Decisions for the period 01/03/2022 - 28/03/2022

No.	Location	Development	HVPC Comment	Kirklees Decision
90033	Newlyn, Kirkcroyds Lane, New Mill, Holmfirth, HD9 1LS	Demolition of existing timber garage and erection of double garage for housing of domestic vehicles	<b>Oppose – inappropriate development due to height</b>	<b>Granted</b>
93126	adj, 3-5, Southgate, Honley, Holmfirth, HD9 6NT	Conversion of former smithy to form dwelling, demolition of conservatory/greenhouse and associated works (within a Conservation Area)	Support. The Parish Council welcomes the creation of smaller, more affordable accommodation.	Granted
94735	Ashleigh, Hill, Holmfirth, HD9 3BN	Erection of single storey side/rear extension and associated alterations	Support	Granted
94522	Flight Hill Farm, Flight Hill, Dunford, Holmfirth, HD9 2TE	Erection of first floor extension, widening of entrance and alterations to driveway	Support	Granted
90054	Windsor Farm, Hill Top Bank, New Mill, Holmfirth, HD9 7DN	Erection of extension to roof and associated alterations	<b>Support</b>	<b>Refused</b>
90028	adj 8, Well Hill, Honley, Holmfirth, HD9 6JF	Variation condition 2 (plans) on previous permission 2021/93322 for variation of condition 2 (plans) on previous permission 2019/93994 for erection of detached dwelling (within a Conservation Area)	“Had no observations, deferred the decision to case officer”	Granted
92678	26-28, Reins, Honley, Holmfirth, HD9 6LW	Partial demolition and rebuilding of existing buildings and change of use to form one apartment	Support. The Parish Council welcomes the creation of smaller, more affordable accommodation.	Granted
90045	2, Southwood Avenue, Honley, Holmfirth, HD9 6QP	Replacement of flat roof with pitched roof	Support	Granted
90186	adj, 6, Leyfield Bank, Wooldale, Holmfirth, HD9 1XU	Outline application for erection of residential development	Withdrawn	Withdrawn
93059	Holmfirth Fresh Fish, Berry Bank Lane, Holmfirth, HD9 7LN	Demolition of existing industrial unit and erection of new industrial unit with use classes E(g)(iii), B2 and B8 use (flexible planning permission).	Support	Granted

## Kirklees Planning Decisions for the period 01/03/2022 - 28/03/2022

No.	Location	Development	HVPC Comment	Kirklees Decision
94147	29, Bradshaw Avenue, Honley, Holmfirth, HD9 6ET	Erection of single and two storey extension	"No observation"	Granted
94041	30, Scholes Moor Road, Scholes, Holmfirth, HD9 1SJ	Erection of first floor and single storey extensions to side and rear	Support	Granted
90160	The Old Tea House, Sheffield Road, Hepworth, Holmfirth, HD9 7TP	Alterations to roof, erection of porch and exterior alterations	Support	Granted
90140	37, Upper Bank End Road, Holmfirth, HD9 1EP	Erection of single storey extension to rear and side	Support	Granted
90072	8, West Moor View, Honley, Holmfirth, HD9 6HU	Demolition of existing side extension and erection of single storey side extension and alterations to front door	Oppose	Granted
90277	Gate Foot Farm, Gate Foot Lane, Shepley, Huddersfield, HD8 8AZ	Erection of two single storey side extensions	Support	Granted
93910	Shaley Farm, Shaley, Sandy Gate, Scholes, Holmfirth, HD9 1RY	Removal of condition 7 (occupancy) on previous permission 84/00612 for erection of bungalow	Withdrawn	Withdrawn
94653	23, Greenfield Road, Holmfirth, HD9 2LA	Erection of single storey side extension to extend kitchen, rear roof dormer and terrace over existing detached garage and external alterations	Oppose on the basis that the rear dormer is not in keeping with the local vernacular and heritage aspects of the building, due to its size and appearance. <i>Comment: These concerns have been noted, however, it appears that this element would comply with permitted development.</i>	Granted
91895	Two Gates House, Victoria Gates, Holmfirth, HD9 2SW	Removal of condition 5 on previous permission 74/00199 for erection of one dwelling	Defer to Kirklees Officers	Granted
91896	Two Gates House, Victoria Gates, Holmfirth, HD9 2SW	Removal condition 7 on previous permission 79/02369 for erection of detached house and garage	Defer to Kirklees Officers	Granted

## Kirklees Planning Decisions for the period 01/03/2022 - 28/03/2022

No.	Location	Development	HVPC Comment	Kirklees Decision
91897	Two Gates House, Victoria Gates, Holmfirth, HD9 2SW	Removal condition 5 on previous permission 2001/90722 for erection of garage/office extension	Defer to Kirklees Officers	Granted
93168	Oaklee, 45A, Scholes Moor Road, Scholes, Holmfirth, HD9 1SJ	Erection of agricultural shed	Support	Granted
90301	Kismet, Dover Lane, Holmfirth, HD9 2RB	Prior approval for enlargement of dwellinghouse by erection of additional storey		Granted
90579	6, Edgemoor Road, Honley, Holmfirth, HD9 6HP	Erection of rear dormer extension	Withdrawn	Withdrawn
90441	12, Well Hill, Honley, Holmfirth, HD9 6JF	Listed Building Consent for installation of replacement windows (within a Conservation Area)	Support	Granted
90063	Beech Garth, Field End Lane, Honley, Holmfirth, HD9 6NE	Erection of single storey rear extension	Support	Granted
90306	3, Bradshaw Close, Honley, Holmfirth, HD9 6EJ	Erection of extensions and internal and external alterations	Object due to 1) loss of light 2) lack of clarity regarding parking provision. The fact that there was no block plan made assessing the application difficult	Granted
93965	26, Greenhill Bank Road, New Mill, Holmfirth, HD9 1ER	Erection of two storey side extension and associated external alterations, detached garage, formation of vehicular access including passing place and terracing to garden	Support in principle but raise concerns regarding the amount of glass on the fully-glazed gable end.	Refused



Holmfirth Civic Hall  
Huddersfield Road  
Holmfirth HD9 3AS

Clerk to the Council: Mrs Jen McIntosh  
RFO and Deputy Clerk to the Council: Rich McGill

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E-mail: [clerk@holmevalleyparishcouncil.gov.uk](mailto:clerk@holmevalleyparishcouncil.gov.uk)  
[deputyclerk@holmevalleyparishcouncil.gov.uk](mailto:deputyclerk@holmevalleyparishcouncil.gov.uk)

29<sup>th</sup> March 2022

To: Nick Grimshaw  
Team Leader, Conservation and Design,  
Kirklees Council

Dear Nick

**Re. Developing a list of non-designated heritage assets in Kirklees**

I am writing to you on behalf of Holme Valley Parish Council. The Parish Council is aware that your team has been looking towards developing a list of non-designated heritage assets (NDHAs) in Kirklees. This we understand included work towards formalisation of a methodology to identify and evaluate potential NDHAs using agreed selection criteria alongside recommendations from local people.

You wrote of having commenced work on these initiatives and hoped to pilot small, local projects with the aim of developing a toolkit which could be used to “test” local buildings as potential NDHAs. Bearing that in mind, can you bring the Parish Council up to speed on where your team is with this project?

Have you made progress with developing the toolkit and clarifying the criteria by which to assess potential assets? How have you got on in agreeing a way of engaging most effectively with local people and specialist groups to enable them to assist in the identification of potential assets?

Did any of the test pilots you proposed get underway and, if so, can you let us know how things have gone?

I know you are aware that the Holme Valley Neighbourhood Development Plan contains an appendix which identifies some “candidate” non-designated heritage assets in our locality, so this is an area in which the Parish Council has some interest. I understand you had plans to “test” our list of candidate NDHAs using your toolkit and to test your toolkit using our list. Did you make any progress with that?

The Parish Council looks forward to hearing from you in due course on this very interesting project.

As a further point, the Parish Council is aware that the pandemic has compromised lots of programmes including that of appraisals of local conservation areas. Can you let us know when planned conservation area appraisals within the Holme Valley are likely to commence? Honley’s was due to start in the summer of 2021; can you tell us when it will now get underway? Are there plans for any more appraisals in the Holme Valley?

Kind regards,

Rich McGill  
Responsible Finance Officer and Deputy Clerk of Holme Valley Parish Council



**Subject:** Small centres

**From:** Zoe Stewart <Zoe.Stewart@kirklees.gov.uk>

**Date:** 29/03/2022, 14:30

**To:** "deputyclerk@holmevalleyparishcouncil.gov.uk"  
<deputyclerk@holmevalleyparishcouncil.gov.uk>

**CC:** Simon Taylor <Simon.Taylor@kirklees.gov.uk>,  
"cllrmaryblacka@holmevalleyparishcouncil.gov.uk"  
<cllrmaryblacka@holmevalleyparishcouncil.gov.uk>

Hi Rich

Following your recent email to Simon Taylor, I'm writing to introduce myself of the new Programme Manager for the Small Centres, which I'm pleased to say includes Holmfirth.

The details of the funding are on my list of things to look at now I am in post, and I will be very happy to keep you posted on things as they develop. Please bear with me, as I am finding my feet and getting to know the 4 centres I am working with, the people and the projects.

If you have any further questions, please just get in touch,

Kind regards

Zoë

Zoe Stewart (she/her)

Programme Manager – Small Centres  
Kirklees Council

01484 221000



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# Project Manager - Small Centres

We adopt a 'name blind' approach to shortlisting. Recruiting managers will not have access to personal information, including your name and contact details, until a shortlisting decision has been made - please note that this also includes any CV uploaded. Equality monitoring information is not accessible by recruiting managers at any stage.

## Organisation

Kirklees

## Directorate

Growth & Regeneration

## Service Area

Growth & Housing

## Hours

37

## Number of Jobs

1

## Location(s)

All Kirklees Location

## Position type

Permanent

## Grade

Grade 14

## Salary

£43,857 - £45,859

Are you a talented programme/project manager looking for a unique opportunity to help improve the lives of local people in Kirklees and its fantastic array of towns and villages? If so then this is the opportunity for you.

Huddersfield is already undergoing a massive transformation and Dewsbury has been selected for Town Fund Status. We have already launched two major master plans for the two towns, the [Huddersfield Blueprint](#) which is a 10 year plan to regenerate Huddersfield Town Centre to allow businesses to thrive and enhance the public spaces. In Dewsbury we have launched our Blueprint and the Dewsbury Town Investment Plan. Both have a focus on the town centre and support the 4,000 new homes that we are promoting in the area.

To complement this we have just launched our £10m small centres programme which will focus initially on four other town centres in Batley, Cleckheaton, Heckmondwike and Holmfirth. You will be joining us at an exciting time and you will have the opportunity to shape the programmes and your team from the very start. Your main duties will be to:

- Lead and set up and manage our newly created small centres team
- Work with ward members along with their communities to prepare local investment plans for their town centres
- Influence, oversee and deliver a programme of investment in our small centres
- Help to develop projects relevant to the investment plan
- Identify other funding opportunities
- Collaborate with internal and external stakeholders

Ideally, we are looking for someone who has:

- Excellent communication skills
- Excellent project management skills
- A background in town centres, regeneration and/or planning
- Proven track record of delivering on significant programmes and/or projects

At Kirklees Council, we want to support your professional development to give you the right skills, confidence and support to really achieve your potential. We offer a variety of courses and training designed for this exact purpose.

We value the importance of having work life balance, so this is why we offer provisions such as flexible-working, generous holiday entitlement, a variety of special leave policies, employee healthcare services, cycle to work scheme and a childcare voucher scheme. Within the Town Centre Programmes Service we are presently mostly working from home.

If you are interested in what we are offering, and have the skills we are looking for, have a look at the attached job profile for more information.

For an informal chat on this post please call Simon Taylor on 01484 221000.

### **Closing date**

15 October 2021, 12:55 AM

We are committed to safeguarding and promoting the welfare of vulnerable adults and children and young people and expect all staff and volunteers to share this commitment.



29<sup>th</sup> March 2022

To: Mark Scarr  
Head of Highways  
Kirklees Council

Dear Mark

**Re. Holme Valley Parish Council priorities derived from the Neighbourhood Development Plan**

I hope you are well, Mark.

The Parish Council has lately been reviewing its working priorities in the context of the recently “made” Holme Valley Neighbourhood Development Plan. Reading through that document, Councillors note that many key areas are specifically concerned with highways, byways and roads. These include, for example, issues of speeding, green lanes, electric vehicles and infrastructure, traffic congestion and reduction, HGV load limits, and so on and so on.

Given that the Neighbourhood Plan now constitutes a part of the development plan for the Holme Valley area alongside the Kirklees Local Plan, the Parish Council is looking to prioritise some key areas and objectives from the Plan.

The Parish Council would like to explore this with you and the Highways team. Specifically, the Parish Council would like to explore the viability of instituting 20mph zones in some of our village centres. The Parish Council notes that there are 20mph zones in Holme Valley North but not yet in Holme Valley South. The Parish Council does not currently aspire to seek a blanket 20mph limit for our centres. But Members would like to sit down with you to discuss how 20mph zones might be used selectively in pockets across the Holme Valley to make an effective impact in those locations.

Hence, the Parish Council would like to arrange a meeting with the Highways team to talk about the underpinning processes involved in implementing a 20mph zone.

Could you suggest some dates and times which are workable from your team’s viewpoint? As previously, the Parish Council could meet with you via our Zoom facility, - though I remember you had some issue with that previously, - or we could meet face-to-face at the Civic Hall in Holmfirth or elsewhere at your convenience.

I look forward to hearing from you.

Kind regards,

Rich McGill  
Responsible Finance Officer and Deputy Clerk of Holme Valley Parish Council

# Your voice, your Holmfirth



## Your voice, your Holmfirth 6th September to 31st October 2021

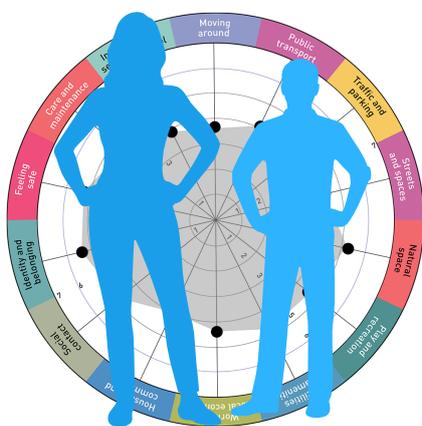
### What we did

Holme Valley South ward councillors and Kirklees Council asked local people what they think about Holmfirth town centre. We asked people who live in, work in or visit Holmfirth town centre about what works now, how things might change in the future and what matters most to them. We used a tool called the “Place Standard” which encourages conversations about your local place, by using some simple questions.

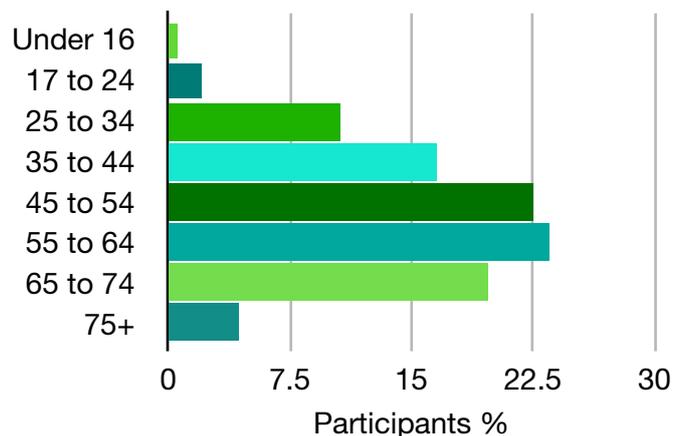
### Who participated?

We talked with people and local businesses in the town centre, at Holmfirth Library and at Holmfirth market. We also listened in person to views of people representing local groups, such as Holmfirth Business Association, River Holme Connections, Holmfirth Transition Town, Holmfirth Civic Society, Holmfirth festival organisers and the 8-12 years youth club at the Phoenix Centre. 402 people took part online.

**466** citizens took part, completing **434** Place Standard assessments.



**Female 57%** **Male 40%**  
**Other / unknown 3%**



# What participants said

## Moving around



**Key issues:** There were 125 comments made by participants that pavements are too narrow and unsafe in places, meaning it's necessary to step into the road when meeting a pram or wheelchair. For



example, main footways along Huddersfield Road and Woodhead Road opposite the library, and river path from the Co-op car park to the bus station. Scaffolding on buildings forces pedestrians to walk in the road, for example recent works on Victoria Street and parked cars on Hollowgate. Cars and delivery vans often park on pavements and yellow lines especially at the bottom of Dunford Road, Hollowgate and Victoria Street.

Some town paths are poorly maintained, for example the cobbled walk to Bunkers Hill is slippery, overgrown and the steps have loose slabs. One side of Huddersfield Road has an irregular pavement surface. From Holmfirth Pool to the centre people walk in the road due to hedges growing out of gardens. There are bins on the pavement. Lack of pleasant, safe seating and dropped kerbs. Traffic pollution is high at certain times of day.

There were 95 comments that Holmfirth centre is not cycle friendly due to a very high volume of traffic. Station Road into Holmfirth centre is particularly unsafe due to speeding vehicles. The cycle route from Huddersfield stops abruptly at Hagg Wood (Huddersfield Road). Routes could be developed on the valley bottom to link up with other places. Cycle lanes are on the roadsides where debris collects and not segregated from traffic, such as along Huddersfield Road. Some are too narrow and drainage lids can be lethal in the wet. "A bad cycle lane is worse than no cycle lane." Potholes and parked cars are obstacles. Lack of suitable locations to lock bikes up while visiting the centre.

Participants made 53 comments about good quality and attractive routes - such as the walkway from the bus station to the Co-op car park and through Holmeside Gardens. In the main routes link to where people wish to go. Well signed, off-road routes into Holmfirth are lacking. Various snickets and cut throughs work well but are not always signed. Access to Victoria Park and playground via the ramp and steps is difficult for pushchairs. Visitors are not aware of the walk to Sands Rec.

There were 19 comments about pedestrian crossings. Zebra crossings are too near each other and hard to cross – bottom of South Lane and Victoria Street to Hollowgate.

### Suggestions:

Wider pavements on Huddersfield Road (opposite the library) and on Hollowgate, more pedestrian areas and zones at high traffic times, a centralised pedestrian area (Hollowgate or Victoria Street) and open up the ginnel from Hollowgate to Victoria Street.

Create seating, play area and open space by knocking down the post office sorting building and moving the bus station and car park. Large window map highlighting local businesses and key features (Cityscape example).

Zebra crossing on Town Gate by bus station and Harvey's Bar, also at the bottom of Rotcher Road to create a safe route to Holmfirth Junior and Infant school. Mend paving slabs and cobbles on Bunkers Hill using Yorkshire stone. Improve lighting on crossings

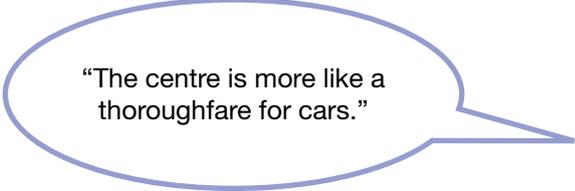
and the river walk from the bus station to Crown Bottom car park. Improve handrails on Riverside Way. Cut back overhanging vegetation.

Enforce fines for parking on pavements. Designate town centre 20 mph zone, a 10-mph limit on Hollowgate. Make some routes one-way and divert heavy traffic away from the centre.

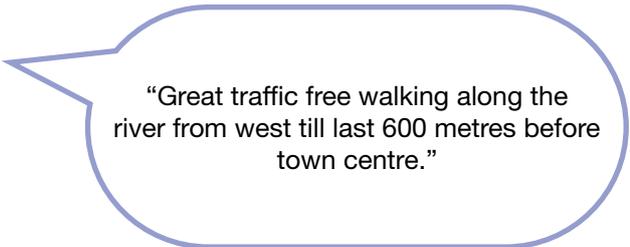
Dedicated cycle routes with good quality surfaces. Bike racks and safe storage for families and workers, priority for cyclists at traffic lights. Install areas for cyclists at the front of traffic lights at the junction of Victoria Rd and Woodhead Rd.

Use the River Holme as the conduit for off-road cycling and walking routes into town. 'Park and ride' facilities at Thongsbridge. Extend the river footpath to Prickleden Mills. Improve signage for cycling and walking routes into and out of the centre. Feasibility study of cycle route from Holmfirth to Huddersfield, for example on the river path. Encourage cycle tourism.

**327 people** commented on this theme.



"The centre is more like a thoroughfare for cars."



"Great traffic free walking along the river from west till last 600 metres before town centre."

## Public transport



**Key issues:** Participants made 109 comments about good services. From Holmfirth to Huddersfield during the day – the combined services of 308 310 314 316 and other small bus

services. The Access bus is particularly good for older people - efficient and takes people to smaller villages. The bus apps tell people when buses will arrive and how full. Digital display boards are "reassuring." Good links to trains to Manchester and London. Good facilities at local bus and train stations.



Participants made 107 comments about poor services. The bus service from the villages into Holmfirth is infrequent and unreliable ("leave early or late, rarely on time"). The small bus service is poor in evenings (308 after 6:30 pm, no 316 after 6:18 pm), and weekends to Huddersfield. Bus 314 and small bus from Holmbridge arrive within minutes of each other once an hour. Two regular buses from Holmfirth bus station to Netherthong go within minutes of each other. No Sunday service. No bus to doctors from Holme. Children staying on at Holmfirth High School for an hour after school find there is no bus to the villages. Local buses do not run late enough to be used by commuters.

There were 26 comments from participants about poor bus links to train services. No easy fast way to get to Brockholes or Denby Dale stations. Trains don't run late to Honley or Brockholes. Lack of parking at train stations. Lack of good links to South Yorkshire, Wakefield, Manchester or Leeds.

24 participants commented that bus fares are expensive. It costs £1.80 to go half a mile from Holmfirth bus station up Dunford Road; "should be 50% of the price." 316 bus takes 50+ minutes to get to Huddersfield after going "all round the houses", at a cost of more than £4.

Bus stops are not in good locations, big-double decker's regularly get stuck and block Dunford Road due to parked cars. There is insufficient room on buses for parents with prams or people who use wheelchairs. At school times it is chaotic, no seats and adults suffer abuse from the children. There are few disabled Access buses. Buses are often dirty, smelly and emit fumes. Holmfirth bus station is often dirty, has no toilets and no storage for bikes. Electronic displays at the bus station do not update in bad weather. 81 participants said they do not use public transport due to cost, poor timetables, additional time, do not live on a bus route, or use or own a car.

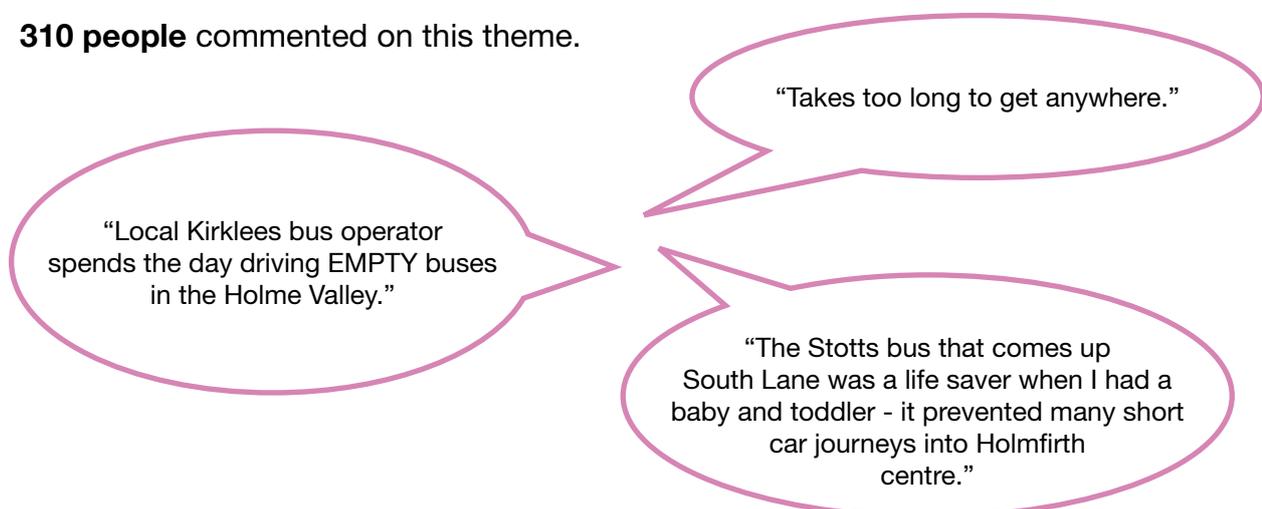
### **Suggestions:**

More direct regular bus services to Huddersfield and surrounding villages, more frequent than once an hour, services later in the evening, better public transport links across the rural area – to the Colne Valley, Denby Dale, Barnsley, Penistone and Sheffield. At peak times more buses into Huddersfield and to Brockholes and Honley Stations, connecting with train services. Use double decker buses on main roads to Holmfirth bus station and switch to smaller buses for village services.

Get more electric buses, stop buses idling in the bus station to reduce pollution. Buses that have space for bicycles, prams and wheelchairs. More seating and cycle storage in Holmfirth bus station. Electronic displays giving real time information. Better lit shelters, smarten up bus stops. Create a wayfinding system for access to public transport. Signage from Honley railway station to Holmfirth.

Integrated tickets for use on multiple services with incentives. Free travel for under 18s. Subsidised fares, not free, for pensioners. Flat rate fee. Make it more affordable for those without bus passes.

**310 people** commented on this theme.



## Traffic and parking



**Key issues:** Participants made 150 comments about heavy traffic and congestion in Holmfirth centre, in particular lorries; many HGVs go over Holme Moss “which is unsuitable.” When there is an accident on the M62 Holmfirth becomes the alternative route. They don’t fit on the roads, drive on pavements, block routes, damage street furniture and cause bottlenecks in the centre which have a knock-on effect in the valley.



Traffic does not flow well at busy times especially at the Victoria Street traffic lights; “traffic flows better when the lights are out of order.” Taxis restrict the flow of traffic on Victoria Street on Friday evenings. South Lane is busy as drivers circumnavigate the centre. Cars speed up Rotcher Road. There is no crossing for children walking to Holmfirth Junior and Infant school and the pavement is too narrow for prams or families to walk.

Standing traffic on Huddersfield Road and Station Road regularly pollutes the local atmosphere, making it “unpleasant for pedestrians.” (18 comments). Traffic noise has increased. One person said there is no regard for climate change when considering town planning, events and public transport.

There were 91 comments about parking issues. There are few parking spaces in the centre towards Holmbridge. Parking on double yellow lines on main roads and on-street restrictions are not enforced, for example on Victoria Street in the "no loading" zone or on the zigzags by the crossing. Cars and delivery vehicles park on pavements, for example outside the market on Hollowgate.

There is little parking for special events on weekends and evenings. Not enough short stay parking, on-street or car park. Blue badge spaces are rarely available in the bus station and market car parks. Residential areas are congested with visitor parking and conflict at pinch points. Parking on one side of Dunford Road is an issue; “when buses or large vehicles meet, traffic flow grinds to a halt.” Vehicles park up to the junction of New Road and Huddersfield Road.

There were 85 comments that parking is good or sufficient in Holmfirth centre. There is usually space at Crown Bottom. It is convenient but at times there is not enough capacity. There is a good walking route from the car park by the river into the centre. There are a number of small car parks in the centre. Charges are reasonably priced and affordable. After a certain time of day parking is free, good for evening events.

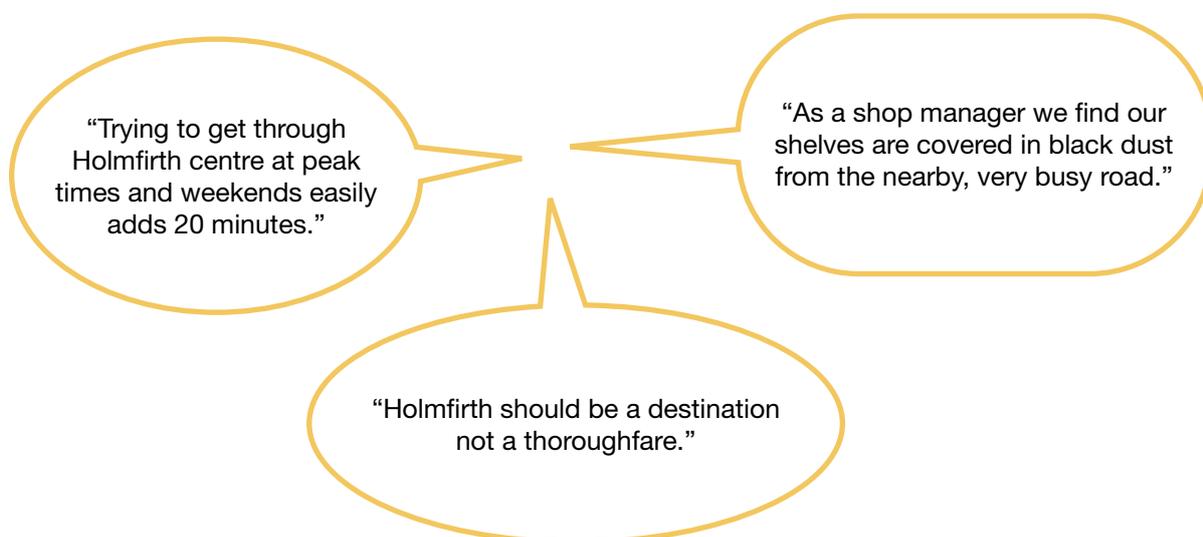
### **Suggestions:**

Ban HGVs from passing through the town centre and Dunford Road, divert to alternative routes, and put up advisory signs. Traffic free main streets at specified times. Traffic lights link to the foot crossings. Install a Smart Traffic system. Pelican or light controlled crossings, extend crossing times. Remove crossing on Town Gate and install by bus station entrance. Cinderhills, Rotcher Road and Cooper Lane to be one way traffic for cars only. Hollowgate traffic free, no through road or one-way only.

Traffic warden to prevent illegal parking on main roads, more short stay parking in the centre, for example 15 minutes. Free parking for residents, for example 2 hours, more central parking for disabled badge holders and parent and child bays. Bigger car park, for example a second story car park in Crown Bottom. More long stay parking or cheap parking for businesses and workers. Better signage to car parking. A parking app. "Park and ride" on ex-industrial sites. "Park and walk" at Sands car park, Bottoms Mill and Brockholes Station.

Dunford Road residents want residents only parking, cameras, enforce no-parking in yellow hatch box and on the Huddersfield Road junction with Victoria Street. Double yellow lines on Woodhead Road. On Victoria Street no parking or no parking between 10am to 4.30pm, or double yellow lines on left side, or parking for deliveries and disabled people only. Alternatively, deliveries to be limited to 7pm-7am.

**345 people** commented on this theme.



## Streets and spaces



**Key issues:** Participants made 138 comments that the centre of Holmfirth is “shabby and run down.” Old Holmfirth Mill shop and Market Hall have had “no money spent on it for years”, and Sainsburys building are “eyesores.” The area by the Picturedrome is run down due to shop closures and the cinema is “dreary.”



Too many unfinished projects and empty shops. Some buildings from the 1970s are not in keeping with the conservation area. Power cables on buildings are an eyesore. General signage is poor and visually muddled. Street furniture and lighting are not consistent. The river is “ugly with concrete structure and exposed, rusty pipes” and weeds. No fish, loss of insect life and birds.

There were 130 comments from participants expressing an alternative view, that Holmfirth centre is attractive. “Lots of lovely buildings used in a creative way.” Redevelopment of some buildings is in keeping with the local area and history. Local businesses have invested a lot. Lots of lovely 'old' features; stone bridge over the river, Owd Gen monument, and handsome buildings along Victoria Street are visible and attractive.

Norridge Bottom and Hollowgate have “great character.” Spaces such as the map art, square by the church, Holmeside gardens, allotment and community garden. Finger posts to aid visitors and tourist maps.

There were 56 comments about shop and building frontages. They are not consistent. Some are painted in garish colours, look tacky, cheap or tatty. All shops in the main areas should have a standard, traditional look and feel.

There were 28 comments about maintenance. Litter and pavement obstructions are not dealt with. There is an increase in litter due to more bars opening, litter, food wrappings. The commercial bins on Hollowgate (opposite the fish shop and ice cream shop) are not pleasant to walk past and look scruffy. However, volunteer community groups keep places tidy, maintain green spaces and put up flags and Christmas lights. Dog fouling and rats along the river. Trees and shrubs overgrow the paths between the bus station and Crown Bottom car park.

Some people said the bus station, post office, central car park and Sainsbury’s area, along with the adjacent stretch of river, could be greatly improved (26 comments).

### **Suggestions:**

More seating areas outside café by New Holmfirth Park, by the former Yorkshire Building Society, Hollowgate or Norridge Bottom. Recreational facilities in empty buildings.

Creative spaces in empty shops. Sandblast buildings to bring them back to their original state. Shopfront grants, standard colours and strict rules on use of A-boards. A design guide. Board up Bamforths mill yard. A long-term plan for Holmfirth.

Use the market hall space to support new enterprise, return of the farmers market, call it Market Square, use it as a dedicated festivals space. Create a central public performance space. A street market on Hollowgate. Use the Create Streets book called 'Of streets and squares'. Demolish the sorting office and link this area up with the memorial gardens, with an accessible playground and communal green space. More imaginative planting schemes on Victoria Street. Water tap in Holmfirth Library sensory garden. Enlarge the community garden for people to grow vegetables. More little ‘parklets’ for socialising and public pop up events.

Make the walking route from Co-op carpark via the river more attractive and better signposted. Clean and open up the river, make it a feature. Pet friendly and kid friendly places. More information and interpretation boards – bus station and Crown Bottom car park for events, walking trails and points of interest to promote. Repair road signs, pavements and street signs. Large pots of flowers and shrubs. Decorative lighting along the bridge.

**298 people** commented on this theme.



## Natural space



**Key issues:** Participants made 151 positive comments about the abundance of local natural space in and around Holmfirth. Spaces in the centre include Victoria Park (“great views over Holmfirth”), duck feeding area by Crown Bottom (“fun, lively and feels safe”), Sands Rec, Holmeside Gardens (beautiful all year round), HoTT (Holmfirth Transition Town) garden at Upperbridge (“a delight”), the new garden behind by the library and Kings Head Garden (“lovely new public space”). Planting tubs on the bridge. Lots of spaces and walks can be reached on public transport.



Alternatively, participants made 52 negative comments, that green spaces and access to them is limited in the centre, due to the layout of the town. There is no signage to direct people to parks. The riverbank is too difficult for the elderly and prams and pushchairs. Access to Holmeside Gardens is not easy for those in a wheelchair or with visual problems. The steps to Victoria Park make it hard to access the play area with a pram. Wheelchair routes in general are lacking.

Participants focussed 53 comments on the River Holme. It is “largely inaccessible, neglected and underdeveloped.” It could be opened up to public access, for example linking the centre with Holmebridge and with Sands Park. It is unclean with fly tipping. There has been a loss of wildlife - no insects, no fish, few birds.

There were 32 comments about care and maintenance issues. For example, inadequate bins for recycling and rubbish in parks. Rubbish often finds its way into the river. Sands recreation area is shabby and poorly equipped. Library staff receive complaints from the public about Victoria Park litter, anti-social behaviour and broken glass on the playground. There were 15 comments that natural space in Holmfirth centre is polluted by traffic. Natural space is not made a feature of in the town due to the main roads.

The role of volunteers was commented on. Residents do litter picks in parks and planted trees in Victoria Park. River Holme Connections is opening up the walks along the river from Huddersfield.

### Suggestions:

Make the river a focus in the town. Open up the river to make it more accessible. Extend the river walkway to link the centre with Sands Park and Holmebridge. More seating by the riverbank. Clean up the river – pollutants, cut down overgrown trees, clear weeds (Japanese Knotwood). Locally managed flood gates, steps and ramp. One person said rewild the river, plant trees and wild plants, clear Japanese knot wood and pollution from the dye house.

Encourage cars to park on the edge of town and more walking and cycling into the centre. Create a pedestrian open space on the current bus station car park, sculptures, artwork and walking trails. Extend Holmeside Gardens down to the riverbank and into the post office sorting space and move the sorting office. More trees and wildflower planting in the centre, more areas given over to community growing, one-stop co-ordination of assets that could be used for events.

Improve access to Victoria Park, paint the shelter at Sands Park, separate dog park, more signage to parks and green spaces, improve access to dog waste bins, empty all bins in parks more regularly.

**260 people** commented on this theme.



## Play and recreation



**Key issues:** There were 90 comments from participants indicating there are good play and recreation facilities in and around the centre. Sands Park and Recreation Ground is a good place to exercise. Lots of recreation opportunities and choice of activity for all - parks, leisure centre with swimming pool and gym, football pitches, tennis and bowling club. However, there is no real information available about these areas.



Participants made 82 comments about poor maintenance of parks and playgrounds, regular vandalism and neglect. Victoria Park and the Sands is often full of broken glass, litter and overflowing bins, graffiti and people smoking cannabis. Issues with play parks being used at night by teenagers.

The Council owned provision is poor – “decrepit” changing facilities at Sands, no land drainage to pitches leading to cancelled games due to water logging, no spectator provision and limited car parking. The KAL facility is an asset, but the gym is an inadequate size for the Holmfirth area. A few people said it’s hard to get information over the phone or online about classes at Holmfirth Pool.

There were 37 comments that the offer is limited. “The recreational offer is dated and run down.” Play areas need investment in a wider range of equipment and expanded, in particular Victoria Park and Sands Park. They are very basic and small. Limited accessible play equipment for inclusive play.

There were 22 comments about poor access to the parks. Victoria Park play area is not easy to access and not well connected to the town centre even though it is centrally located. One person said the top access is gated so they can’t get through with a double pram, and the steps up to the play area are difficult for prams and those with mobility problems.

Some commented there is not a lot for children and young people to do. Teenage girls do not use the recreational facilities. There isn't much for young girls by way of sports clubs, for example hockey.

### Suggestions:

Clearer signage from the centre of Holmfirth to the parks. Outdoor gym and running track at Sands for all ages, basketball and tennis court. Coffee van and picnic area at Sands. Wild play at Thongsbridge Tennis courts. A band stand in the park and a local band contest in a central location such as the new market space for events. More attention to removing graffiti and litter in parks. Increase local visible policing, particularly in the evenings to prevent vandalism in parks.

Safe places for young people to hang out, for example enlarge the skate park and install lights for the autumn and winter, reinstate the zip wire. More indoor options -- Phoenix Centre has large hall suitable for sports and activities such as roller ring. A bowling alley, pool, roller skating would be great attraction for all ages, as would a climbing wall. Offer teenagers a night at the Picturedrome. Free youth activities. Turn market hall into play gym, indoor football pitch. Repurpose large empty buildings as recreational spaces. A bigger swimming pool and gym. Storytelling, Q codes, water sports along the river.

266 people commented on this theme.



### Facilities and amenities



**Key issues:** Many people (116 comments) said Holmfirth has a good range of independent local retailers, places to eat and drink, good schools, good doctors, dentists, a library, sport and leisure facilities. The night-time economy is growing with a good mix of pubs and bars. Shops are not vacant for long. In recent months new businesses have opened. Small businesses played an important role during covid: "an absolute godsend for locals providing services not available otherwise."



There are wide and diverse amenities. Many groups like U3A, Owls, Phoenix, Arts Festival, folk festival, food and drink and Art Week are run by local people. The Picturedrome brings people in and many businesses rely on it, particularly bars and B&Bs.

There are a lot of learning and relaxation opportunities at the Civic Hall, and The Tech. They are easily accessible for those who can afford to pay fees - less so for those on low and no income.

There were 87 comments from participants that said the range of facilities and amenities in the centre is limited or inadequate. Too many cafes, charity shops (encouraged by reduced rates), however do appeal to the younger generation and estate agents. A few people said shops are lacking diversity due to high rates. Lack of shops to make it a shopping destination. Two banks recently closed. The central post office has restricted opening hours. There are no places to eat and drink with children's play provision. There were 48 comments about health services. GP services are good and available near the centre but not enough NHS dentists in the area. Some villagers need to get two buses to their doctors.

There were 28 comments about Holmfirth library. The service offers an easy way for people to access books – especially with online requests. It is an asset with child friendly facilities. A few said it is not as good post Covid for children, no toys, no story time, reduced opening. Visitors ask about events and places to go, but the library does not always have the information to share on request. Books are not refreshed enough and the lift is broken.

A few people said the market is underused and should be a feature; “it needs updating, not knocking down.” There were 15 comments about lack of public toilets in Holmfirth centre. Better disabled toilets and changing facilities are needed. It is an obstacle to older people going into Holmfirth. “Decrepit” changing facilities at Sands, no land drainage to pitches leading to cancelled games due to water logging, no spectator provision and limited car parking. The KAL facility is an asset but the gym is an inadequate size for the Holmfirth area.

Some services, particularly those needing advice such as families and special needs are not available. Some facilities are difficult to access for people with mobility difficulties and those with prams.

### **Suggestions:**

Prioritise local independent shops. More distinctive shops that offer a better quality of experience and product. Become a high-quality food destination or restaurant to attract visitors. Have regular active markets – farmers, craft, antiques and “make the market a focus for regeneration.” Improve access to events and activities for those who can't afford. Alfresco café culture. More collaboration between businesses.

More electric vehicle charging points, seating, public toilets, cycle racks, better signage, mobility friendly destination, access for all to buildings. Convert empty buildings into affordable homes, pop up cafes, stalls in outdoor pedestrian areas. More cultural spaces, museum for visitors, funding to improve the Civic Hall and Tech for the community. Updated library reading material and study space that young people can use, a toy library, entertainment for young families.

**235 people** commented on this theme.

“Market has been run into the ground by Kirklees and the ex-tourist information centre is an eyesore.”

“There is initiative and innovation here. Continue to build on tourism, not Last of Summer Wine. Move on!”

“Bang average if honest. We are seriously behind other towns such as Uppermill or anywhere really.”

## Work and local economy



**Key issues:** There were 87 comments which said the economy is limited. Business rates and rents are high. “The only businesses that survive are hairdressers, beauty parlours and charity shops.” Job opportunities are limited to hospitality, retail or leisure and tend to be part-time or

minimum wage (shops, restaurants, pubs) and entry level. There are limited opportunities for young people to get work experience or Saturday jobs with local businesses, who employ older people, family and friends.



Low footfall of people during daytime trading hours. Public transport is not reliable for workers coming into Holmfirth. Not enough parking for people working in the centre. A couple of people said the local economy is affected by traffic congestion at the lights of the main junction, particularly on Victoria Street and Huddersfield Road. Some businesses said they are concerned the Kirklees Council traffic plan could force town centre businesses to close. There is no compensation for businesses and lack of information is preventing businesses from planning.

A few people commented on a lack of investment in the local economy; “other than house building and supermarkets.” Land designated commercial such as Prickleden is readily changed to housing. Not enough development has been allowed for residents to work locally. Not enough small office blocks and industrial units. No workshare or touchdown space.

There were 52 comments Holmfirth has a thriving small business community. There are lots of self-employed people. Retail, office based services and suppliers like the micro brewery and the winery. The Brook Motors site has split into smaller units that are all taken. Plenty of opportunities for voluntary work too. There aren't many empty shops. In the past few years more spaces have been created for small businesses and start-ups, for example Holmfirth Techs co-working scheme. New independent businesses are opening particularly in the hospitality sector. There is a strong evening economy, with bars and entertainment "getting a coffee bar culture." People can drop off CVs and shops advertise on Holmfirth events page. Volunteering opportunities exist with local groups, in particular environmental groups.

32 people said they are retired or not working, so felt unable to comment.

## Suggestions:

Support for local independent businesses - better broadband, more office space, affordable rents. Promote small enterprises, spaces for start-ups. Invest in mill sites for commercial use. Business hub for people working from home in Edinburgh Woollen Mill building. Controls on housing development and land and property banking (especially by overseas and absent landlords).

Promote technology, tourism and the market. Open, covered weekly and monthly markets such as craft and food. Facilitate growth of the green economy and the service sector. Regular dialogue and sharing information with local businesses on plans and timing of roadworks and forecast planning in particular for the road traffic scheme in the centre, compensate local businesses.

**223 people** commented on this theme.

“You need to commute to find a job that pays more than basic wage. A necessity for raising families.”

“If you want a job as a bar tender or a shelf stacker, Holmfirth is the place to be.”

## Housing and community



**Key issues:** Participants made 150 comments about the lack of affordable homes in the Holmfirth area. Very few affordable homes in new build estates. Too many £500k+ developments, 4-5 bed homes in the last 15-20 years for commuters. Poorly designed, poor quality houses on small sites. Most developments have no facilities for children to play, routes to access the countryside, gardens are too small, no allotments and no shared areas to meet people. Some developments cause flooding.



Lack of 2 and 3 bedroom properties with outdoor space and parking. Not enough mid-range, typical family homes with gardens. No one-bedroom houses have been built on all the new build projects over the last ten years, or around Holmfirth town centre. There is a shortage of rental properties and rents are high. There is nothing under £500 per month. A lot of the housing stock is old and poorly insulated. Eco Holmes is trying to address this. The Neighbourhood Plan should help maintain good design. Little commitment to climate change - builders not including proper and good insulation, heating systems (solar panels or air source heat pumps) as standard in new builds.

There were 63 comments stating there is not enough housing for first time buyers, young people and young families, and that “they are priced out of the market.” Too many houses are bought for private rental which inflates prices for first time buyers and young people. There were 37 comments that there is a variety of property sizes and types, good quality and sufficient housing for a range of incomes (£100k to £1m). Better than many areas.

26 people commented on the impact of house building on the local infrastructure such as roads and services, no access to public transport, impact on traffic and pollution. One person commented that school numbers are falling as families with young children cannot afford to live in Holmfirth. There is no investment in infrastructure.

There were 17 comments stating there is not enough housing for people wanting to downsize or for older people. Bungalows get snapped up quickly, often by developers to knock down or extend upwards. Many people live in houses that are too big for their needs in outlying villages. There is a lack of provision for the elderly in the centre of Holmfirth close to amenities and facilities. The Council's elderly and disabled housing for rent is no longer restricted to this group.

17 people commented there are too many holiday homes, AirBnBs and second homes – and lower sense of community and safety.

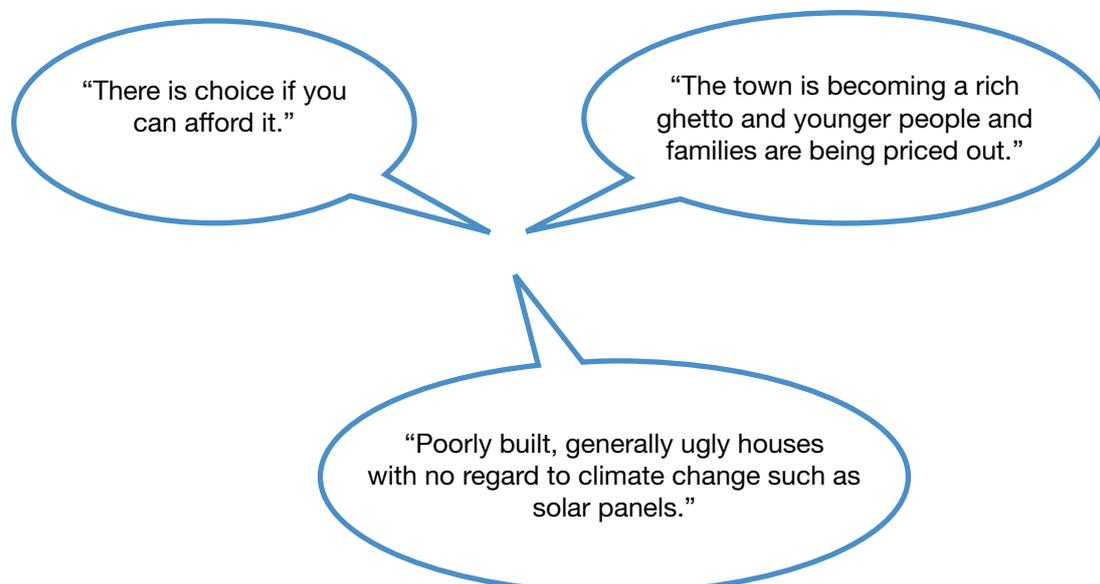
### **Suggestions:**

More affordable housing for young people and families, such as 1 or 2 bedroomed properties. More homes suited to older people, including bungalows and accessible homes needed. A retirement living development. More social housing. Homes closer to places of work. Homes for local people. Strict rules on mixing older people with younger people in social housing. More control through the planning process and section 106 process, to ensure that private developers build more smaller homes.

Eco-friendly housing. Build on brownfield sites, not green belt. Smaller scale developments of quality homes, and use local builders. Less development of commuter estates, and more social spaces on new developments, for example children's play areas. Passive house standard for new builds. Planning approvals should focus on environmental impacts.

Renovate the large number of derelict houses, by compulsory purchase if necessary. Air B&B's - people should have to apply for 'change to business use'. Regenerate and repurpose spaces - mix residential and commercial to reinvigorate the centre. Improve the conservation area housing around the town centre.

**273 people** commented on this theme



## Social contact



**Key issue:** Participants made 151 comments that there are lots of groups and places to get involved in all sorts of community activities. Sports, crafting, U3A groups, arts, church groups, rotary, probus, cycling and walking groups, plus library groups.



The cricket club is a focal point during summer months. The festivals are a great opportunity as well, bringing in external visitors. Venues include the Civic Hall, the Tech, the library, village halls and Sands. There are many coffee shops, bars, restaurants and music venue.

Holmfirth is a friendly place with good social networks and lots of volunteers for events and festivals. Events such as the arts festival, folk festival and food festival encourage good community integration by offering free events. COVID has had an impact on groups. There were 49 comments from participants that said opportunities to meet people in Holmfirth are limited. Community activities are not well advertised and not easy to find without Facebook. It is often difficult to find out online when village halls are open and how much they cost to hire.

There are few places for people to sit and relax other than Holmeside Gardens. Not enough outside covered areas and indoor spaces suitable for meeting up with families. The adult education centre was a significant loss for cross community contact. There is a lack of opportunities and facilities for teenagers to meet. There is no large space for community lunches. Buildings such as the Civic Hall and Tech are in poor condition. An ageing group of volunteers do most of the hard work to put on events or run groups. Kirklees Council has withdrawn a lot of grant support from community and arts activities. There is a lot of isolation on the estates. Kirklees Council's Community Plus and library connect people to groups and activities.

### Suggestions:

A thriving local market, music venue, teen café, facilities for young people to meet, large central pedestrian area, for example Hollowgate, and green space with seating. Central indoor space for toddlers and young children to play and parents to meet in winter. Covered meeting spaces in parks. A community hub. Develop facilities at the Civic Hall and Tech.

Create more social spaces, for example renovate the currently empty Holmfirth mills and renovate it into a larger library, café and coffee shop, study area and social space. Study space in the centre of Holmfirth for high school students. Turn a large retail unit into a commerce centre for start-ups.

Use Section 106 money from developers to support community groups, youth groups, venues and festivals. A local directory or platform of activities and spaces to promote to local people and visitors.

**215 people** commented on this theme



## Identity and belonging



**Key issues:** There were 194 comments that said Holmfirth has a strong positive identity and sense of community. Many said they are proud to come from Holmfirth or live in Holmfirth. Most villages have community groups and clubs. People are friendly and look out for each other.



The local business groups put a lot of effort in around Christmas, Easter and other celebrations to ensure Holmfirth town centre is welcoming. The local film, art, food and drink festivals all help, with the result “they make living in Holmfirth feel special.” People are happy to spend time on improving Holmfirth.

Holmfirth is popular with walkers and bikers, has a good range of independent shops and the quirky houses and rugged landscape. In the UK many people are aware of ‘last of the summer wine’ country. The Tour de France gave people a boost. People said they are proud of its unique character, personality and heritage such as coal, sheep (textiles) and quarries which could be brought to life and promoted to tourists. For example, Magnum quarry and history of Hade Edge.

There were 50 comments that Holmfirth does not have a positive identity or sense of belonging. Reasons include over development, crime, loss of connection and social isolation due to covid. Too much emphasis on Last of the Summer Wine and cheap shops. Shops are allowed to display temporary vinyl signs. Holmfirth's history is not displayed and has no cultural museums, or visitor centre.

Some people said there could be more inclusion and diversity. It is hard for people who move to Holmfirth. There are local organisations that promote events, but does not seem to be interaction between them. Many of the "older end" block positive ideas for enhancing the area. Racist language and sexism were mentioned as negatives. The centre isn’t welcoming for disabled people, and there have been no events to support the LBGTQ+ community.

### Suggestions:

A clear identity and vision for the town. Rebrand Holmfirth centred on the river, its history and the coming 'green' challenge of climate change - a cultural heritage museum and waterwheel, covering the mills and the contribution of waterpower to the valley's success.

Promote and share stories about the built heritage, history, art scene and landscape beauty. A Heritage and Visitor Centre offering opportunities for education, research and entertainment. Rebrand as a cycle town.

A set of standards and uniformity for shop fronts, fixtures and fittings on-street with colour scheme. Refurbish old shops. Encourage local shopping for example a website and delivery and collection option.

Opportunities for young people to meet and have recreation, supported by Kirklees Council. A youth forum.

“As a black woman who has moved in, I have found this a positive experience.”

“Holmfirth is a truly individual place and should be kept that way.”

“The history of Holmfirth needs to be sung from the rooftops.”

## Feeling safe



**Key issues:** There were 120 comments that people felt safe in Holmfirth centre. Holmfirth is safe in comparison to other places. It is safe walking around during the day. Good street lighting, more buildings in use throughout the day and evening, and use of social spaces on the streets makes the centre feel safer.



There were 75 comments that people do not feel safe in and around the centre of Holmfirth, in particular after dark, in an evening and at the weekend due to drunken behaviour. Victoria Park and the skate park at Sands Rec are specifically mentioned. A few people said vehicle crime and burglary has increased recently. Online there is quite a lot about car theft and burglary. Gangs of youths move from Sands to the town centre, which “can be intimidating, particularly to older residents.”

There were 16 comments about unlit areas in the centre that feel uncomfortable to walk through at night, for example the churchyard and footpath over to Crown Bottom. Sands Rec can be unsafe at night as it is a “dark hidden spot.” Not enough street lighting, new solar lights in the area are “not fit for purpose”, with some street lighting obscured by overgrown trees, such as along Woodhead Road between the town centre and Burnlee Road.

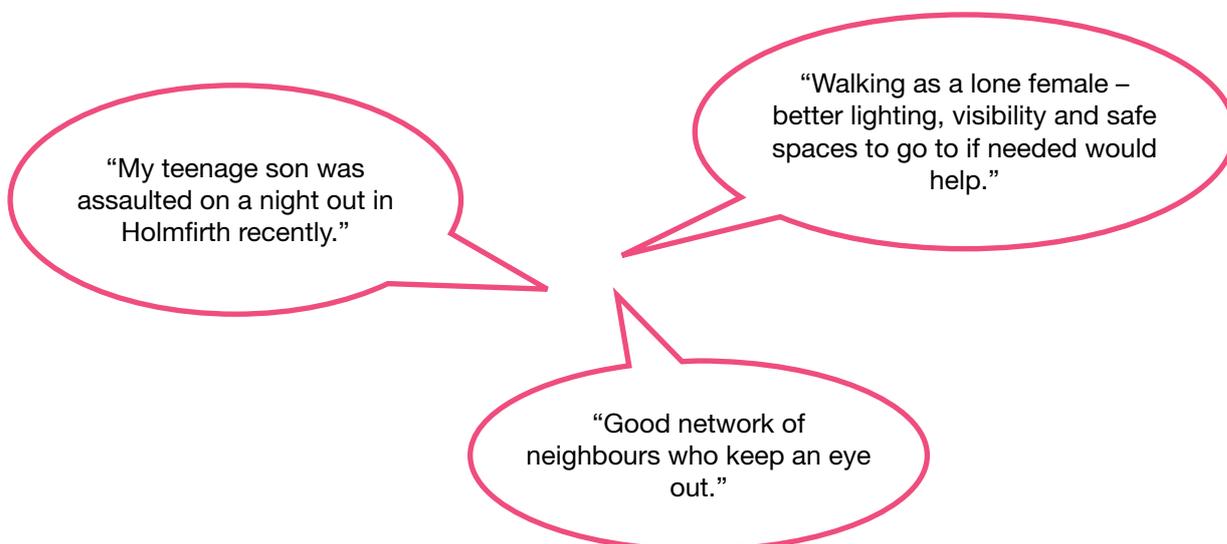
There were 34 comments about anti-social behaviour. Drunken antisocial behaviour is common on weekend evenings. CCTV in the centre has lowered the number of late-night weekend brawls. Plants ripped out of the community garden, broken bottles on pavements, cars speeding.

There were 33 comments about lack of police presence, in particular weekend evenings in the town centre. Much minor crime isn't reported because it's seen as a waste of time. Crime against business is generally ignored by the police. Police officers don't have time to deal with the smaller things that can make a big difference, like graffiti or anti-social behaviour.

### Suggestions:

Extra policing at night time and weekends outside pubs. Re-open Holmfirth Police Station. A walking Police presence in the town centre. Better lighting in snickets and passages and on the river walkway from Crown Bottom car park to bus station (on the riverside, River Holme Connections group – possibly low-level ambient lights in certain places only due to wildlife corridor). Improve CCTV. Speed cameras on Station Road. Teach young people how to keep safe. Children's parks need to be made safer (broken glass and vandalism). Create central safe space for families to socialise.

**227 people** commented on this theme.



## Care and maintenance



**Key issues:** There were 123 comments that buildings and spaces in Holmfirth centre are not well cared for, that “the centre looks tired,” and “there is an air of shabbiness and neglect.”



There were 44 comments that buildings are not well maintained. Upper storeys with leaking rooves. Vacant commercial properties look uncared for. Buildings owned by Kirklees Council are neglected. The old tourist office looks abandoned. The library is not in a good state of repair. The market hall is not looked after. Some shop fronts need repainting.

There were 102 comments that the town generally looks clean and tidy. Most buildings are well cared for. Flowerbeds in parks are well maintained. Individual premises are attractive.

There were 42 comments about the contribution of volunteers. They do litter-picks, clean road signs, paint signs, clear graffiti, maintain community garden and allotment spaces and support projects such as the community vegetable garden. Volunteers mainly come from Holmepride, River Holme Connections and HOTT (Holmfirth Transition Town).

There were 28 comments about poor maintenance of streets. Dirty road signs are “unreadable”, and there are potholes, dog mess, and poorly kept road furniture and “ramshackle” signage. Some benches are neglected and rotting. Repairs to public footpaths are slow. Vegetation overhangs pavements, pathways and roads. Some setted streets, back street handrails and river path could do with maintenance. Lots of potholes are patched up but heavy rain and frost undo the work, for example South Lane. Roadside drains are rarely cleared.

Commercial and recycling bins are over full or not emptied enough. Not enough rubbish and recycling points. The recycling bottle banks at Crown Bottom car park are often full. There were 27 comments about poor maintenance of parks and green spaces. Parks are often vandalised. The play area in Victoria Park is in a very poor state of repair. Dog mess and broken glass are an issue. Rubbish bins are overflowing at Sands skate park and play area. Half mowed grass, untidy flower beds and “just generally all round scruffy.” Workers won’t remove branches, broken bushes or grass cuttings. There is dog mess and grass cuttings on football pitches and “nothing happens if its reported.”

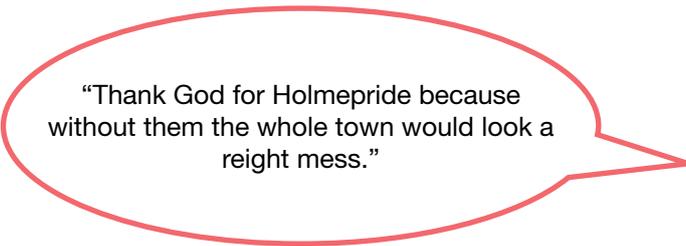
### **Suggestions:**

Rejuvenate derelict mills, creating living spaces in vacant retail units and upper floors. Sell the old tourist information office for office space or develop as a shared community space or shop, using it for pop up art. Redevelop the empty shopping centre space as a community space, put a map of the centre in the old tourist information office window.

Encourage property owners to repair and maintain buildings, paint and enhance shop fronts, support shops to enhance frontages, use heritage paint colours, heritage windows and doors. Planning enforcement of conservation area signage, demolish ugly buildings, put hoardings on renovation sites.

More litter bins in the town centre and in parks, improve recycling and refuse facilities around the centre. Maintain streets, clear weeds, manage weeds with sustainable methods, repair pavements and roads, clean and renew traffic signs (no longer legible). Replace footpath signs.

**244 people** commented on this theme.



“Thank God for Holmepride because without them the whole town would look a reight mess.”



“Lower Mill Lane is not maintained unless we ask the council to fix something, a shame because of the lovely river setting.”

## Influence and sense of control

**Key issues:** There were 131 comments from participants who said they do not know whether their views are taken into account and if they have influence. Sometimes consultation takes place after plans are made, for example recent initial proposals for redeveloping the centre of Holmfirth. The outcomes of surveys are not always reported. Not sure if comments are taken on board or if there is a master plan. Too many politically led decisions. Kirklees Council lacks creative ideas and imagination.



Kirklees doesn't have easy ways to get road or lighting issues fixed or respond to concerns about road safety. People have been asking for changes for years, such as more footpaths, better school parking, safer roads, speed humps, better signage, improvements in parks. Planners ignore local residents.

Not always easy to get involved. Some community groups are tight knit, those who shout the loudest are heard. More voices need to be heard and a wider variety of people to be involved. Lack of communication if people are not on Facebook.

There were 74 comments from participants with an alternative view, that people do feel able to take part in decisions and change things for the better. There is a lot of local consultation and people do get the opportunity to state their views if they wish.



Residents, businesses and local volunteer and action groups being asked for views about the area has improved over the past couple of years, which is positive. The Parish Council communicates more. Community participation in the control of assets, like The Tech building, is welcome. There are lots of community groups encouraging people to get involved.

### Suggestions:

More regular surveys and feedback, publicise them more, more opportunities to voice opinions online, face to face discussions and direct engagement with the community. Promote Holmfirth with neighbouring areas. More information and publicity about what is going on. More opinions from people who live in Holmfirth. Set up a Holmfirth unitary district council. Pay more attention to the parish council and their ideas and involvement.

**206 people** commented on this theme.

"It feels as if this is just 'to show' - a means of councils and associations being able to say they have consulted as required."

"As a business owner in the centre, I feel as though it's a closed shop. The local Holme Valley Review has run a few articles quoting Holmfirth business reaction to changes. I have never been asked my opinion."

"The community is a force to be reckoned with. Together they stopped a Tesco coming to town and a new road system."

## Your voice, your Holmfirth score sheet

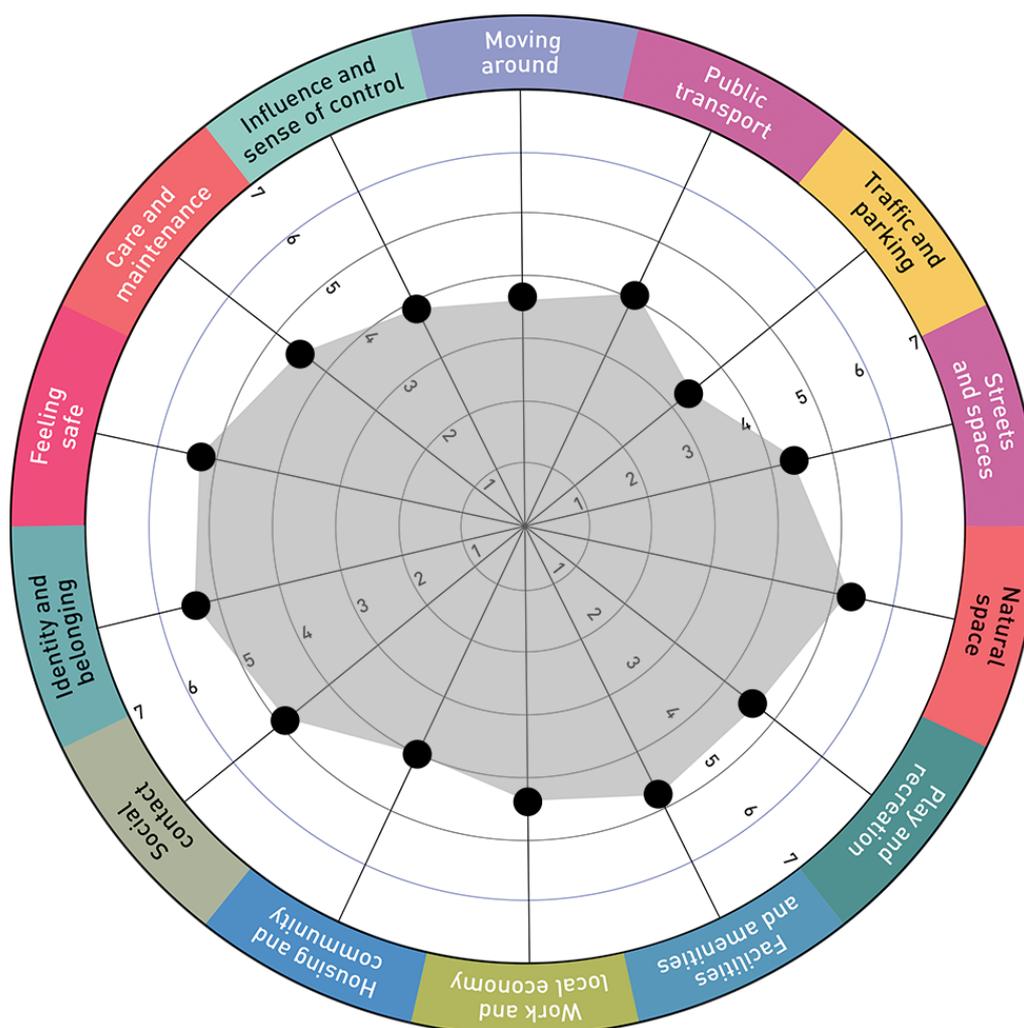
How participants scored Holmfirth Town Centre on a scale of 1 to 7, whilst talking about 14 different themes:

	Overall	Age 25 to 44	Age 45 to 64	Age 65 to 75+	Male	Female
Moving around	3.7	3.7	3.7	3.7	3.7	3.7
Public transport	4.1	4.1	4.1	4.1	4.1	4.1
Traffic and parking	3.3	3.3	3.3	3.3	3.3	3.3
Streets and spaces	4.3	4.3	4.3	4.3	4.3	4.3
Natural space	5.2	5.3	5.2	5.3	5.2	5.3
Play and recreation	4.6	4.6	4.5	4.5	4.5	4.6
Facilities and amenities	4.8	4.9	4.8	4.9	4.8	4.9
Work and local economy	4.3	4.3	4.3	4.3	4.3	4.3
Housing and community	4	4	4	4	4	4
Social contact	4.9	4.9	4.9	4.9	4.9	4.9
Identity and belonging	5.3	5.3	5.4	5.3	5.4	5.3
Feeling safe	5.2	5.2	5.2	5.2	5.2	5.2
Care and maintenance	4.5	4.5	4.5	4.5	4.5	4.5
Influence and sense of control	3.9	3.9	3.9	3.9	3.9	3.9

**466** people participated in the Holmfirth conversations, completing **434** assessments.

The overall scores are the **Mean average** of the **434** assessments.

## Overall scores for Holmfirth town centre



Identity and belonging	5.3
Natural space	5.2
Feeling safe	5.2
Social contact	4.9
Facilities and amenities	4.8
Play and recreation	4.6
Care and maintenance	4.5

Work and local economy	4.3
Streets and spaces	4.3
Public transport	4.1
Housing and community	4
Influence and sense of control	3.9
Moving around	3.7
Traffic and parking	3.3

Full data is available at:  
[www.HowGoodIsOurPlace.org.uk](http://www.HowGoodIsOurPlace.org.uk)

## Holme Valley Parish Council

**Planning applications lodged with the Peak District National Park Authority from 01 03 2022 to 28 03 2022 - List 2122-04PD.** The following applications will be considered by Holme Valley Parish Council at the Planning Committee meeting **04/04/2022**. Where appropriate, recommendations will be made to the Peak District National Park Authority Planning Services regarding whether or not they should be supported, but the decisions will be taken by the Peak District National Park Authority Planning Services.

Local residents can email [deputyclerk@holmevalleyparishcouncil.gov.uk](mailto:deputyclerk@holmevalleyparishcouncil.gov.uk) to submit their views on applications or attend the meeting in person. There may also be an opportunity to attend a meeting via Zoom and to comment in the Public Session at the start of the meeting. Contact the Deputy Clerk for a link.

Full details regarding deadline dates for comments and how to submit a comment can be obtained from the PDNPA website: <http://www.peakdistrict.gov.uk/planning/have-your-say/comment-on-an-application>

<b>HVPC Reference:</b>	2122/04PD/01
<b>Application No:</b>	NP/K/1121/1285
<b>Proposed Development:</b>	Installation of replacement septic tank (package treatment plant)
<b>Location:</b>	Land to SW of 400 Woodhead Road, Holme
<b>Link:</b>	<a href="#">Planning Application details - NP/K/1121/1285    Peak District National Park Authority</a>
<b>Ward/Councillors:</b>	Upper Holme Valley – KB TB
<b>HVPC Comment:</b>	
<b>Decision:</b>	

**Peak District National Park Authority Planning Decisions****for the period 01/03/2022-28/03/2022**

<b>No.</b>	<b>Location</b>	<b>Development</b>	<b>HVPC Comment</b>	<b>PDNPA Decision</b>
NP/K/0921/0943	Adjacent 1 Meal Hill Farm Meal Hill Road Holme	Removal of condition on holiday let to form dwelling and partial conversion of barn to integrate into dwelling	No observation. Defer to Peak District National Park Authority Officers.	Refused



## Holme Valley Parish Council

### Planning Standing Committee: response to the government's consultation on its response to the Landscapes Review, 2019 (Glover review)

#### Overall

The Parish Council welcomes the government's positive response to the main thrust and the ambitious goals of the Glover Review. However, we have considerable concerns that there is insufficient will to commit the required resources to achieve these goals and a lack of urgency.

Summary of our concerns:

- The suggested partnership arrangements between National Landscapes and National Parks – rather than the creation of a new, over-arching body – may not be strong enough to achieve the planned changes.
- The lack of earmarked additional funding to achieve the goal of landscapes for everyone and the lack of a recommended change to the schools' national curriculum.
- The need to open up more land, to avoid “honeypot” sites being overwhelmed
- We urge the government to introduce legislation to prohibit the use of motorised vehicles on unsurfaced roads, apart from those with a legitimate need for access.
- The lack of commitment to longer term funding and the reliance on commercial sponsorship are unlikely to provide the certainty required for long-term planning and the achievement of the ambitious goals identified.
- The tone of the government's response does not appear to recognise the urgency of the situation.

#### Specific proposals

##### 1. Strengthened AONBs

The Glover Review recognised the vast majority of AONBs are indistinguishable from National Parks and are just as important for people and nature but lack equivalent recognition in law or support in resources. Proposal 24 therefore called for “*AONBs strengthened with new purposes, powers and resources, renamed as National Landscapes*”.

##### ***HVPC Comment:***

***We welcome the commitment to strengthen and re-name AONBs.***

##### 2. National Landscapes Partnership

The Government agrees with the finding of the review that we need stronger governance to provide national leadership and coordination, and to ensure that our lead partners in National Parks and AONBs collaborate much more effectively to achieve our vision. While

Glover Proposal 25 suggested creating a new 'National Landscapes Service', the government does not believe that this should be a new public body, as this will simply create another organisation within an already complex governance system, at the cost of great public expense and disruption to the important work of lead partners. They believe that national governance reforms should be focussed on ensuring that existing partners work together more effectively at a national level.

The proposal therefore is to establish a new national landscapes partnership to build on the existing collaboration between National Parks England and the National Association for AONBs, complemented by roles for the National Trails and National Parks Partnerships. This partnership should:

- generate additional private income through green finance initiatives and joint funding bids
- champion protected landscapes and run national campaigns, such as promoting tourism
- develop strategic partnerships and programmes with a particular focus on commercial partners
- create opportunities to provide training and development
- share knowledge and expertise to build capacity across the protected landscapes family

***HVPC Comment:***

***We share the concern of other interested bodies that the partnership arrangements, as outlined, might not be strong enough to deliver on the government's stated ambitions and regret that Glover's proposal of a single, new over-arching body has been so readily dismissed.***

**3. The Nature Recovery Network and 30 by 30**

The Nature Recovery Network aims to join up and make space for nature across England. Local Nature Recovery Strategies (LNRSs) will provide the underpinning framework for the Nature Recovery Network and will provide the focus for a broad range of funding and delivery activities. A Nature Recovery Green Paper will set out how Government aims to achieve the goal to protect 30% of land for nature by 2030. The Sandford Principle (Environment Act 1995) states that, where there is a conflict between the statutory purposes of national parks, any relevant authority "shall attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park".

***HVPC Comment***

***We welcome the bold commitment of the Nature Recovery Network and 30 by 30.***

**Agricultural transition / Environmental land management**

Proposal 5 makes the case for the special significance of protected landscapes to be reflected in environmental land management schemes. They intend to build on lessons from the FiPL (Farming in Protected Landscapes) programme to develop the new environmental land management schemes and are considering a number of options for how the special status of protected landscapes can be reflected in environmental land

management schemes' design and delivery.

**HVPC comment**

***We welcome these proposals.***

**5. People and place**

The review highlighted the opportunities for protected landscapes to deliver for everyone so that the benefits for health and wellbeing are available to all parts of society especially considering the need to reduce health inequalities. Changes are needed to improve access and support local economies in order to achieve the vision for protected landscapes to '*support thriving local communities and economies, improve our public health and wellbeing*'.

**HVPC comment**

***We warmly welcome these proposals, especially the intent to support thriving communities.***

**6. Landscapes for everyone**

The review included proposals to increase engagement with all parts of society, particularly younger and more diverse audiences (proposals 8 and 9), through expanded volunteering (proposal 11), supported by increased rangers (proposal 13). The government will also consider using the powers under the Agriculture Act and resources under the Farming in Protected Landscapes Fund to support or reward landowners for offering enhanced access to their land in some circumstances.

**HVPC comment**

***Given the location of HVPC, close to substantial urban and ethnically diverse populations, we strongly endorse the sentiment that landscapes are for everyone. Increasing access to the countryside for all is beneficial in many ways - improving physical and mental well-being, increasing understanding of agriculture and the natural world. It was encouraging to see how access increased during the recent lockdowns. It is, though, deplorable that some 'new' visitors did not understand how to act responsibly. Moorland fires were a particular problem locally. There is a dearth of facilities, eg rangers/wardens, interpretation centres, accessible toilets, which would promote more responsible behaviour.***

***We are concerned that there does not appear to be any additional funding to make the vision of landscapes for everyone a reality. Responsible use of landscapes requires investment in facilities and in education. There is no recommendation for any change to schools' national curriculum or any money to fund a night under the stars for every child.***

**7. Open access land**

Proposal 16 recommends expanding open access rights to provide additional recreational opportunities. The aim is to review the open access maps to clarify rights and inform any further consideration of expanding open access rights. Government will also explore the barriers that may exist to the provision of permissive access by landowners and seek to

remedy these.

#### **HVPC comment**

***We welcome these proposals***

### **8. Sustainable tourism / Managing visitor pressures**

The government's [ Tourism Recovery Plan ](<https://www.gov.uk/government/publications/tourism-recovery-plan> ) recognises that the government has a role in helping the tourism industry play its part in contributing to the conservation and enhancement of cultural, natural and historic heritage, and avoiding damage to the environment. They have also committed to producing a Sustainable Tourism Plan, working with the wider Visitor Economy sector and VisitBritain/VisitEngland, and will be engaging with representatives from the protected landscapes to help inform that plan.

Since the review was published, rangers in protected landscapes have observed increased visitor numbers and an increase in anti-social and hostile behaviour. In response, Natural England has revised the [ Countryside Code ](<https://www.gov.uk/government/publications/the-countryside-code/the-countryside-code-advice-for-countryside-visitors> ), and run a communications campaign to improve people's understanding of the countryside and promote socially and environmentally responsible behaviours. However, providing visitors with clearer information has not been sufficient to fully address these ongoing issues. The government is, therefore, considering making a greater range of enforcement powers available to National Park Authorities and the Broads Authority, to help manage visitor pressures and make National Parks a more pleasant and safe place to live and visit.

#### **HVPC comment**

***It is essential to open up more of our landscape to avoid the current situation where the "honeypot" sites are overwhelmed, eg Dovestones. Unfortunately much of the land is privately owned and without some form of incentive this is unlikely to change. For example Yorkshire Water is a major landowner in this area but its priority is towards its core business and shareholder benefits rather than opening up the land to the population as a whole.***

***We welcome increased powers of enforcement.***

### **9. Green lanes**

Some country public rights of way and unsealed unclassified roads known as 'green lanes' allow for the legal recreational use of motor vehicles. Whilst many users make use of these rights in a responsible way, they have become increasingly aware of damage and disturbance caused by excessive use of off-road motor vehicles on some unsealed routes. This can result in impacts on local wildlife, the special qualities of an area e.g., tranquillity, and make the route less accessible for other users such as those on foot, bicycles, horseback, or in vehicles used by disabled people. In protected landscapes, these impacts could undermine the statutory purposes of the area.

The government is also aware that these unsealed routes often provide essential vehicular access for local residents and businesses and recognise that many people enjoy using

motor vehicles responsibly on green lanes without causing damage or disturbance. Vulnerable groups such as disabled or elderly people are also likely to be particularly reliant on vehicular access in rural areas including via community transport. The government, therefore, would like to explore the options available for protecting our green lanes, while maintaining most public and private access rights, particularly for residents or businesses. This could be achieved by giving greater discretion for National Park Authorities and local highway authorities to use existing powers to restrict use on a case-by-case basis. Alternatively, the government could consider restricting the use of certain motor vehicles on unsealed roads through legislation, but only if this could carefully balance the needs of all users including motorised vehicle users, horse riders, cyclists and walkers, whilst also protecting private access rights.

***HVPC comment***

***Unauthorised access by motor vehicles to green lanes is one of the most inappropriate forms of accessing the countryside imaginable. It is wrong on so many levels; damage to fragile and historic lanes, intimidation of other users, limiting their access, wider adverse environmental impacts and breaking the peace and tranquillity of land that many of these lanes traverse.***

***The mis-use of green lanes in the Parish Council area is a considerable and given current legislation, intractable problem.***

***We urge the government to legislate to prohibit the use of motor vehicles on unsealed roads, leaving them open only to those vehicles which have a legitimate need for access.***

**10. Planning reform / The role of AONB teams in planning**

A strong and effective planning system must sustainably balance protections with supporting local communities and economies. This balancing exercise must be carried out differently in protected landscapes, to ensure their statutory purposes and special qualities are meaningfully protected.

The review highlighted the important role of the National Park Authorities and the Broads Authority in delivering high-quality, sustainable development through effective use of their planning powers. Their local plans have an important role to play in achieving the vision, providing certainty to businesses and communities, offering opportunities to connect habitats and wildlife, and driving action on climate change.

AONB teams also make a valuable contribution to the planning process through a range of tools including evidence gathering and issuing of planning and design advice to inform plan-making and planning applications. This can contribute to the delivery of good quality development in keeping with local character and meeting the AONB teams' purpose. However, the review found that AONB teams do not always have the resources to meaningfully engage with the planning system, and their advice is sometimes given limited weight in planning decisions. Proposal 6 therefore suggested that their role in the planning system should be strengthened.

The review also identified strong support for AONB teams to be granted statutory consultee status for planning applications. Whilst government acknowledge the resource

implications this would place on AONB teams, they recognise the benefit of further strengthening their role and are seeking views on this potential change.

***HVPC comment***

***We particularly welcome the intent to strengthen the role of AONBs in planning.***

**11. Finance**

It is recognised that the existing core grant for natural landscapes is not sufficient but the government's response does not include any significant commitment to additional funding or to multi-year funding. There is an emphasis on partnerships with commercial organisations to raise income.

***HVPC comment***

***The achievement of most of the goals will require sustained effort over a number of years. The lack of longer term funding and a reliance on commercial sponsorship is not likely to provide the certainty required for long-term planning.***

**12. Urgency**

The loss of biodiversity is gathering pace. The Glover Review was published in 2019 and the consultation on the government's response will end in April 2022.

In his Foreword to the Review Julian Glover argued “. . . *the national zeal of the founding mission for landscape protection has been eroded. There is no common ambition and a culture which has neither kept pace with changes in our society nor responded with vigour to the decline in the diversity of the natural environment.*” This sense of urgency is missing from the government's response.

***HVPC comment***

***The tone of the government's response does not appear to recognise the urgency of the situation - the rapid rate at which our national landscapes are deteriorating.***



# Highways Act 1980

## 1980 CHAPTER 66

### PART IV

#### MAINTENANCE OF HIGHWAYS

##### *Enforcement of liability for maintenance*

#### **56 Proceedings for an order to repair highway.**

- (1) A person (“the complainant”) who alleges that a way or bridge—
- (a) is a highway maintainable at the public expense or a highway which a person is liable to maintain under a special enactment or by reason of tenure, enclosure or prescription, and
  - (b) is out of repair,
- may serve a notice on the highway authority or other person alleged to be liable to maintain the way or bridge (“the respondent”) requiring the respondent to state whether he admits that the way or bridge is a highway and that he is liable to maintain it.
- (2) If, within 1 month from the date of service on him of a notice under subsection (1) above, the respondent does not serve on the complainant a notice admitting both that the way or bridge in question is a highway and that the respondent is liable to maintain it, the complainant may apply to the Crown Court for an order requiring the respondent, if the court finds that the way or bridge is a highway which the respondent is liable to maintain and is out of repair, to put it in proper repair within such reasonable period as may be specified in the order.
- (3) The complainant for an order under subsection (2) above shall give notice in writing of the application to the appropriate officer of the Crown Court and the notice shall specify—
- (a) the situation of the way or bridge to which the application relates,
  - (b) the name of the respondent,
  - (c) the part of the way or bridge which is alleged to be out of repair, and

---

*Changes to legislation: Highways Act 1980, Section 56 is up to date with all changes known to be in force on or before 16 March 2022. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (d) the nature of the alleged disrepair;  
and the complainant shall serve a copy of the notice on the respondent.
- (4) If, within 1 month from the date of service on him of a notice under subsection (1) above, the respondent serves on the complainant a notice admitting both that the way or bridge in question is a highway and that the respondent is liable to maintain it, the complainant may, within 6 months from the date of service on him of that notice, apply to a magistrates' court for an order requiring the respondent, if the court finds that the highway is out of repair, to put it in proper repair within such reasonable period as may be specified in the order.
- (5) A court in determining under this section whether a highway is out of repair shall not be required to view the highway unless it thinks fit, and any such view may be made by any 2 or more of the members of the court.
- (6) If at the expiration of the period specified in an order made under subsection (2) or (4) above a magistrates' court is satisfied that the highway to which the order relates has not been put in proper repair, then, unless the court thinks fit to extend the period, it shall by order authorise the complainant (if he has not the necessary power in that behalf) to carry out such works as may be necessary to put the highway in proper repair.
- (7) Any expenses which a complainant reasonably incurs in carrying out works authorised by an order under subsection (6) above are recoverable from the respondent summarily as a civil debt.
- (8) Where any expenses recoverable under subsection (7) above are recovered from the respondent, then, if the respondent would have been entitled to recover from some other person the whole or part of the expenses of repairing the highway in question if he had repaired it himself, he is entitled to recover from that other person the whole or the like part, as the case may be, of the expenses recovered from him.
- (9) Where an application is made under this section for an order requiring the respondent to put in proper repair a footpath or bridleway which, in either case, is a highway maintainable at the public expense and some other person is liable to maintain the footpath or bridleway under a special enactment or by reason of tenure, enclosure or prescription, that other person has a right to be heard by the court which hears the application, but only on the question whether the footpath or bridleway is in proper repair.

**Changes to legislation:**

Highways Act 1980, Section 56 is up to date with all changes known to be in force on or before 16 March 2022. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 90B(1A) inserted by [2015 c. 20 Sch. 10 para. 15\(3\)](#)
- s. 90C(2)(2A) substituted for s. 90C(2) by [2015 c. 20 Sch. 10 para. 16\(3\)](#)
- s. 90FA inserted by [2015 c. 20 Sch. 10 para. 20](#)
- s. 96A inserted by [2021 c. 30 s. 115](#)
- s. 118ZA(5)(a) words inserted by [2015 c. 20 s. 25\(3\)](#)
- s. 120(3ZA) inserted by [2000 c. 37 Sch. 6 para. 13\(6\)](#)
- s. 121E(1A)(1B) inserted by [2015 c. 20 s. 23\(5\)](#)
- s. 146(6) inserted by [2015 c. 20 s. 24\(6\)\(d\)](#)
- s. 147(1A) inserted by [2015 c. 20 s. 24\(3\)](#)
- s. 147(5A) inserted by [2015 c. 20 s. 24\(5\)](#)
- s. 322(5)(ab) inserted by [2004 c. 18 s. 64\(2\)](#)
- s. 325(2B) inserted by [2015 c. 20 Sch. 10 para. 21](#)
- Sch. 6 para. 1(3ZA) inserted by [2015 c. 20 Sch. 7 para. 8\(2\)\(b\)](#)
- Sch. 6 para. 2(2ZA)-(2ZE) inserted by [2015 c. 20 Sch. 7 para. 8\(3\)](#)
- Sch. 6 para. 2(4) inserted by [2015 c. 20 Sch. 7 para. 8\(4\)](#)
- Sch. 6 para. 2(5)(6) inserted by [2015 c. 20 Sch. 7 para. 8\(5\)](#)
- Sch. 6 para. 2ZZA inserted by [2015 c. 20 Sch. 7 para. 8\(6\)](#)
- Sch. 6 para. 4A(2) inserted by [2015 c. 20 Sch. 7 para. 8\(7\)\(c\)](#)
- Sch. 6 para. 5(ba) inserted by [2015 c. 20 Sch. 7 para. 8\(8\)](#)
- Sch. 6 para. 4A(1) words renumbered as Sch. 6 para. 4A(1) by [2015 c. 20 Sch. 7 para. 8\(7\)\(a\)](#)
- Sch. 6 para. 4A(1) words substituted by [2015 c. 20 Sch. 7 para. 8\(7\)\(b\)](#)
- Sch. 6 Pt. 1 para. 2B(4) inserted by [2015 c. 20 s. 25\(6\)](#)



Holmfirth Civic Hall  
Huddersfield Road  
Holmfirth HD9 3AS

Clerk to the Council: Mrs Jen McIntosh  
RFO and Deputy Clerk to the Council: Rich McGill

Phone: 01484 687460  
E-mail: [clerk@holmevalleyparishcouncil.gov.uk](mailto:clerk@holmevalleyparishcouncil.gov.uk)  
[deputyclerk@holmevalleyparishcouncil.gov.uk](mailto:deputyclerk@holmevalleyparishcouncil.gov.uk)

29<sup>th</sup> March 2022

To: Will Acornley  
Head of Operational Services, Highways and Streetscene

Dear Will

### Re Yateholme area PSPO Number 1 of 2021

The Parish Council asked me to follow-up to you with some other possible solutions to the gates problem for the proposed Yateholme Public Space Protection Order. Some of the Parish Councillors were concerned, perhaps like you, that the gates adopted by Erewash Council that we have sent you pictures of previously, whilst effective for Erewash's needs, were perhaps not sturdy enough to withstand some of the potential bullbarred vehicles likely to be trying to access the Yateholme lanes.

Hence, the Parish Council has investigated some other solutions locally and further afield and I have been instructed to pass them onto you.

Firstly, Cllr Wilson contacted Yorkshire Water with reference to the type of barrier they have in place at some of our reservoir carparks. Another Councillor had felt that these barriers might offer a good option to the Ramsden Road gate issues. Yorkshire Water fed back that they had each set of barriers fabricated specifically for the different sites. They are all hot-dip galvanised and then painted. They used one of their approved contractors, - Roweplant, - to fabricate these but other contractors would no doubt be capable. Roweplant can be contacted on 01773 875989 or 07836286234 or by email at [roweplant@talktalk.net](mailto:roweplant@talktalk.net). Roweplant reported that the barriers at Holme Moss and Digley car parks cost around £2200 each to be installed. This is the example at Holme Moss.



Secondly, Cllr Wilson contacted the Forestry Commission as he was impressed by some of the barriers they used at their sites. They reported that they obtained these from Centrewire <https://centrewire.com/products/heavy-duty-triangular-vehicle-barrier/> but, again, no doubt, other manufacturers and distributors could supply this type of barrier. The cost of installation will be ground-dependent but will be in the region of £1-2k and require a digger capable of digging and lifting.

Thanks for taking the time to interest yourself in the issues regarding the Yateholme Roads. I am sure you can appreciate why Councillors are so keen to get things moving. You will have seen pictures of the burnt-out Land Rover on Ramsden Road a few weeks back, and there have been multiple reports of flytipping recently. Off-roading was again damaging the wider woodland environment and sleepers blocking access had been removed and destroyed. I hope you will give consideration to these new suggestions for barriers.

Kind regards,

A handwritten signature in cursive script, appearing to read 'Rich McGill', written in dark ink.

Rich McGill  
Responsible Finance Officer and Deputy Clerk of Holme Valley Parish Council



**Subject:** Ramsden Road & Yateholme Lanes PSPO and barriers

**From:** andy leader <AndyPNFS@outlook.com>

**Date:** 23/03/2022, 09:46

**To:** Will Acornley <Will.Acornley@kirklees.gov.uk>

**CC:** "andywilson999@yahoo.com" <andywilson999@yahoo.com>, Rich McGill <deputyclerk@holmevalleyparishcouncil.gov.uk>, Cllr Paul Davies <Paul.Davies@kirklees.gov.uk>

Hello Will,

Hope you are well.

I'm aware that the proposed PSPO for this area has hit some issues. One of them being the cost of barriers. There is no requirement for placing any barriers in relation to a PSPO and the issue should not stop any proposed order.

However, setting that aside for now, many local authorities use a company called centre wire who produce tried and tested barriers. Kirklees have purchased many of the company's products in the past. Here is a link <https://centrewire.com/product-category/barriers/>

It may be possible that Peak & Northern could part contribute towards the cost of barriers (subject to trustee approval) as part of an overall scheme to legally and permanently close these lanes and adjacent land to all motor vehicles (including motorbikes & quads) and generally improve access for non motorised users.

I'd welcome any thoughts you may have on this.

Kind Regards,

Andy Leader  
PNFS  
Taylor House  
23 Turncroft Lane  
Offerton  
Stockport  
SK4 1AB  
0161 4803565

Sent from [Outlook](#)

Tel: 01484 221000

Email: [harry.garland@kirklees.gov.uk](mailto:harry.garland@kirklees.gov.uk)  
[www.kirklees.gov.uk](http://www.kirklees.gov.uk)

Date: 08 March 2022

Our Reference: DEV/HG/D105-147

Dear Sir/Madam

**WILDLIFE AND COUNTRYSIDE ACT 1981 – SECTION 53  
WEST YORKSHIRE METROPOLITAN COUNTY COUNCIL  
DEFINITIVE MAP AND STATEMENT FOR THE KIRKLEES AREA  
KIRKLEES COUNCIL (HOLMFIRTH RESTRICTED BYWAY 231 – BRIDGE LANE,  
HOLMFIRTH) PUBLIC PATH MODIFICATION ORDER 2018**

We write further to our previous correspondence in respect of the above opposed Modification Order.

We hereby notify you that the Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs has confirmed the above order subject to the modification marked in red on the enclosed copy of the order.

I attach a copy of the confirmation notice for you reference.

Yours faithfully



**Harry Garland**  
**Legal Officer**  
**for Service Director – Legal, Governance and Commissioning**

Enc

**WILDLIFE AND COUNTRYSIDE ACT 1981 – SECTION 53  
WEST YORKSHIRE METROPOLITAN COUNTY COUNCIL  
DEFINITIVE MAP AND STATEMENT FOR THE KIRKLEES AREA  
KIRKLEES COUNCIL (HOLMFIRTH RESTRICTED BYWAY 231 – BRIDGE LANE,  
HOLMFIRTH) PUBLIC PATH MODIFICATION ORDER 2018**

The above Order was confirmed with modifications by an Inspector appointed by the Secretary of State for Environment Food and Rural Affairs on the 02 February 2022.

The effect of the order as confirmed is to modify the definitive map and statement for the area by adding to them a restricted byway commencing at its junction with Bridge Lane at point A at Grid reference 1441 0850 and proceeding in a northerly direction for 212 metres to point B at grid reference 1445 0871. Recommencing at point C at grid reference 1445 0872 and proceeding in a north north-easterly direction for 42 metres to point D at grid reference 1447 0875.

A copy of the order and the order plan may be seen free of charge at Holmfirth Library and Information Centre, 47 Huddersfield Road, Holmfirth HD9 3JH (tel. 01484 414868 for opening hours).

Copies of the order and map may be bought there at the price of £5.00

A copy of the confirmed Order and the Order map may also be seen free of charge on-line at:

<https://www.kirklees.gov.uk/beta/countryside-parks-and-open-spaces/changes-to-definitive-map.aspx>

This Order came into force on the date which it was confirmed (i.e. 02 February 2022) but if any person aggrieved by the Order desires to question its validity, on the grounds that it is not within the powers of Section 53 of the Wildlife and Countryside Act 1981 or that any requirements of Schedule 15 to the Act have not been complied with in relation to it, may within 42 days of the date of this Notice make an application to the High Court under paragraph 12 to Schedule 15 of the Wildlife and Countryside Act 1981.

Dated 09 March 2022

Kirklees Council  
Legal Services  
2<sup>nd</sup> Floor High Street Buildings  
High Street  
Huddersfield  
HD1 2ND

**WILDLIFE AND COUNTRYSIDE ACT 1981 – SECTION 53  
WEST YORKSHIRE METROPOLITAN COUNTY COUNCIL  
DEFINITIVE MAP AND STATEMENT FOR THE KIRKLEES AREA  
KIRKLEES COUNCIL (HOLMFIRTH RESTRICTED BYWAY 231 – BRIDGE LANE,  
HOLMFIRTH) PUBLIC PATH MODIFICATION ORDER 2018**

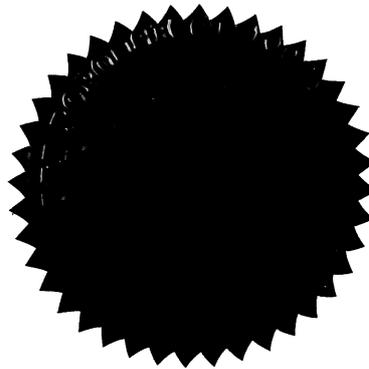
This Order is made by Kirklees Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 (“the Act”) because it appears to that Authority that the West Yorkshire Metropolitan County Council Definitive Map and Statement for the Kirklees Area require modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i) that a right of way which is not shown in the Map and Statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a restricted byway.

The Authority have consulted with every local authority whose area includes the land to which the Order relates.

The Kirklees Council hereby order that:-

1. For the purpose of this Order the relevant date is 1 May 2018.
2. The West Yorkshire Metropolitan County Council Definitive Map and Statement for the Kirklees Area shall be modified as described in Part 1 and Part 2 of the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date that it is confirmed and may be cited as the “Kirklees Council (Holmfirth Restricted Byway 231 – Bridge Lane, Holmfirth) Public Path Modification Order 2018.”

**GIVEN** under the Corporate Common )  
Seal of the Council of the Borough )  
of Kirklees this Fourteenth day of May )  
Two thousand and eighteen )



010765

~~Service Director/ Legal, Governance and Commissioning~~

Authorised Signatory

The foregoing order is hereby confirmed  
subject to the red ink modifications thereon

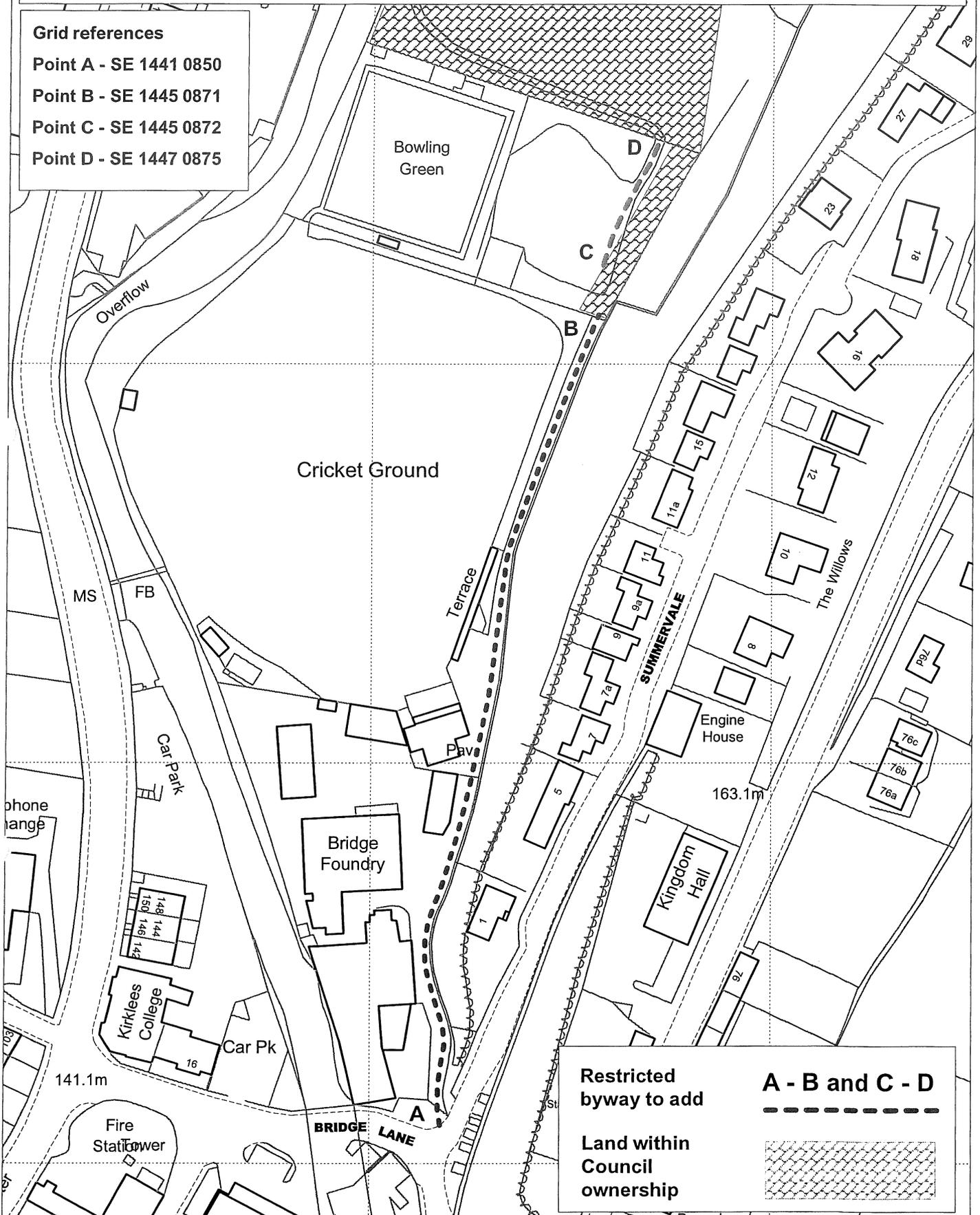
**Catherine Beeby**

An Inspector appointed by The Secretary of  
State for Environment, Food and  
Rural Affairs

2 FEB 2022

**Wildlife & Countryside Act 1981, Section 53. Modification order to add a restricted byway to the definitive map and statement - Holmfirth 231 Bridge Lane, Holmfirth**

**Grid references**  
 Point A - SE 1441 0850  
 Point B - SE 1445 0871  
 Point C - SE 1445 0872  
 Point D - SE 1447 0875

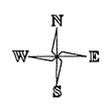


**Restricted byway to add**      **A - B and C - D**  
 -----

**Land within Council ownership**



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 Ordnance Survey 100019241



Map prepared on 8 March 2018  
 Scale 1 : 1250

## SCHEDULE

### PART 1 - MODIFICATION OF THE DEFINITIVE MAP

#### DESCRIPTION OF PATH OR WAY TO BE ADDED

A restricted byway shown on the plan annexed hereto by the broken green line commencing at its junction with Bridge Lane at point A at grid reference 1441 0850 and proceeding in a northerly direction for 212 metres to point B at grid reference 1445 0871. Recommencing at point C at grid reference 1445 0872 and proceeding in a north north-~~west~~  
*east*erly direction for 42 metres to point D at 1447 0875

### PART 2 – MODIFICATION OF THE DEFINITIVE STATEMENT

The following details to be added to the Definitive Statement

Area	Holmfirth
Path No	231
Map Reference	SE 10NW 1408

#### Description of route:

Restricted byway commencing at its junction with Bridge Lane and proceeding in a northerly direction along the track running to the east of the cricket pitch, to the boundary of the cricket club and Kirklees Council land at the southern tip of the spur of Council land. Recommencing approximately 12 metres north at the Council land boundary with the Bowling Green car park and continuing to the boundary of the Council's land at Sands Recreation Ground

Nature of surface	150 m tarmac 62 m planings/old tarmac 42 m sand stone/planings
Length	254 m
Width	3 m

**KIRKLEES COUNCIL (HOLMFIRTH RESTRICTED BYWAY 231 – BRIDGE LANE,  
HOLMFIRTH) PUBLIC PATH MODIFICATION ORDER 2018**

Dated 14 May 2018

Kirklees Council  
Legal Services  
2nd Floor  
High Street Buildings  
High Street  
Huddersfield  
HD1 2ND



Department  
for Transport



Mr Noel Scanlon  
Noel Scanlon Consultancy Ltd  
c/o 3 Dryden Way  
Lindley  
Huddersfield  
HD3 3YF

**National Transport Casework Team**  
Tyneside House  
Skinnerburn Road  
Newcastle Business Park  
Newcastle upon Tyne  
NE4 7AR

By e-mail: [noel.scanlon@nsconsult.co.uk](mailto:noel.scanlon@nsconsult.co.uk)

Email: [dave.candlish@dft.gov.uk](mailto:dave.candlish@dft.gov.uk)

Your Ref:

Our Ref: NATTRAN/Y&H/S247/4337

Date: 09 March 2022

Dear Mr Scanlon

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 247  
PROPOSED STOPPING UP AND DIVERSION OF FOOTPATH 60, HOLMFIRTH**

**SECRETARY OF STATE'S DECISION – ORDER WILL NOT BE MADE**

1. In accordance with Section 247 of the Town and Country Planning Act 1990, the Secretary of State for Transport (the Secretary of State) has decided that the application for a Diversion Order (the Order) at the above location, should not be approved.

**CONSIDERATIONS FOR DECISION**

2. As objections to the proposal remained, a virtual Public Inquiry was held for the purpose of hearing those objections. The Inquiry took place via Microsoft Teams between 24 and 27 August 2021 and on 28 January 2022 before Inspector Malcolm Rivett BA(Hons) MSc MRTPI, an independent Inspector appointed by the Secretary of State.
3. The Inspector considered the representations and objections about the Order and has now submitted his report to the Secretary of State, a copy of which is enclosed with this letter. References to the report within this letter are prefixed 'IR'.
4. The Secretary of State has given careful consideration to the Inspector's report and also to a number of other relevant issues, in reaching his final decision on this Order. Namely;
  - Whether there is a valid planning permission
  - Whether the area in question is public highway
  - Whether the stopping up and diversion is necessary to allow development to take place in accordance with the planning permission

- Whether any disadvantages arising as a result of the stopping up and diversion, outweigh the advantages of making the order

## CONCLUSION

5. The Secretary of State is satisfied that there are valid planning permissions in place which were granted by Kirklees Council under references 2014/62/92814/W and 2017/62/91374/W.
6. He is also satisfied that the area in question is public highway and this fact does not appear to be disputed by the parties. Although the exact footprint and dimensions of the current footpath have been brought into question during the course of the application and Inquiry, these factors would not materially alter the Secretary of State's decision on whether the Order should be made, only whether it should be made as currently drafted, or if modifications would have been required.
7. With regards to whether the stopping up and diversion is necessary to allow the development to take place, the Secretary of State agrees with the Inspector's comments at IR7.3 - 7.4 that the development plans clearly show how this area will be utilised, and that this could not be achieved whilst keeping the footpath open. As such, it is clear this would be necessary for the development.
8. The Secretary of State notes the Inspector's observations and his particular conclusions at IR7.43 – 7.49 that the benefits of the scheme and of stopping up and diverting the highway, as conferred by the Order, would **not** outweigh the disadvantages put forward in the objections. He considers that the inconvenience that would be caused to highway users to be of a significance where he cannot support the implementation of the Order.
9. Overall, the Secretary of State agrees with the Inspector's recommendation at IR8.1 that the Order should not be made. The application is therefore not approved.

## ADVISORY

10. In making this decision, the Secretary of State has relied on the information that the parties have provided, as contained in the application and related plans, diagrams, statements and correspondence, as being factually correct.
11. A copy of this letter has been sent to the objectors and copies will also be made available, on request, to any other persons directly concerned. Any person entitled to a copy of the Inspector's report may apply to the Secretary of State to view any document appended to this report. This must be done by writing to the above address within 6 weeks of receipt of this letter.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Candlish", with a long horizontal stroke extending to the right.

**DAVE CANDLISH**

Authorised by the Secretary of State for Transport  
to sign in that behalf

# **Report to the Secretary of State for Transport**

**by Malcolm Rivett BA (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State for Transport**

**Date: 1 March 2022**

---

**TOWN AND COUNTRY PLANNING ACT 1990**

**THE DIVERSION OF HIGHWAY (YORKSHIRE AND THE HUMBER) (No. )  
ORDER 20..**

Date of Inquiry: 24, 25, 26 and 27 August 2021 and 28 January 2022

Ref: NATTRAN/Y&H/S247/4337

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**CASE DETAILS**

- The Order is drafted under section 247 of the Town and Country Planning Act 1990.
- The draft Order proposes to stop-up and divert a length of Footpath Holmfirth 60 at Wolfstones Heights Farm. The section to be stopped up is from grid reference E:412850 N:409113 extending in a westerly direction for a distance of 151 metres to Wolfstones Road. It has a maximum width of 1.2m. The new (diverted) footpath commences from the same grid reference extending overall in a general north westerly direction for a distance of 226m. It has a varying width between 2.4m and 3m.
- Application for the Order was made by Mr Richard Howard Butterfield on 23 June 2020.
- 36 letters of objection (CD6.1 – CD6.35 and CD6.37) were submitted in response to the formal notice advertising the Order. Six of the objectors appeared at the Inquiry and three of these submitted further written statements/proofs of evidence.
- 75 letters in support of the Order (CD7.1 – CD7.75) were submitted in response to the formal notice advertising the Order. Six of the supporters appeared at the Inquiry, five of them as witnesses for the Applicant, each of whom submitted a Proof of Evidence.

**Summary of Recommendation:****I recommend that the Order is not made.****1. PREAMBLE**

- 1.1 On 24 August 2021 I opened a Local Inquiry, held 'virtually' by MS Teams, to hear representations and objections concerning the proposal by the Secretary of State to make The Diversion of Highway (Yorkshire and the Humber) (No. ) Order 20.. The Inquiry sat for five days. Six witness appeared for the Applicant and one for Kirklees Metropolitan Borough Council (KMBC). Six other individuals/organisations spoke at the Inquiry, one in support of the Order and five in objection to it.
- 1.2 At the Inquiry the Applicant confirmed that he had complied with all necessary statutory formalities in connection with the promotion of the Order.
- 1.3 I made unaccompanied visits to the affected footpath/proposed diversion, the nearby roads and the surrounding area before the Inquiry on the morning of Friday 23 July 2021 and after the Inquiry on the afternoon of Sunday 12 September 2021. During these visits I also walked footpath 60 from Wolfstones Heights Farm to Netherthong and back and to and from the Trig Point at Wolfstones Heights via the permissive footpath.

1.4 This report contains a description of the site and its surroundings and the effect of the Order, the gist of the evidence presented and my conclusions and recommendation. Lists of appearances and documents are attached. Included in the list of documents are the proofs and other statements of evidence submitted by the parties subject, however, to the proviso that these may have been added to or otherwise amended at the Inquiry.

## 2. **THE SITE, ITS SURROUNDINGS AND THE ORDER**

### ***Description of the Site and its Surroundings***

2.1 Holmfirth Footpath 60 links the village of Netherthong, near Holmfirth, with Wolfstones Heights, a local hilltop with a 'Trig Point' and extensive panoramic views across attractive countryside. Between Netherthong and Wolfstones Heights the route crosses only one road – Wolfstones Road. The footpath mostly passes through fields but at its westernmost end it utilises a 100m or so length of tarmacked lane/drive, which provides access to Wolfstones Heights Farm. The Order plan shows the footpath broadly in the centre of this lane/drive, although the written evidence of the Applicant states that it is on the northernmost side of the lane/drive. I deal with this discrepancy towards the end of this report.

2.2 At its western end the footpath terminates at Wolfstones Road, a rural lane without footways and walkers can then proceed either northwards or southwards along Wolfstones Road or can cross the road and use a permissive path to reach the Wolfstones Heights Trig Point.

### ***Effect of the Order***

2.3 The Order would stop-up the section of footpath between points A and B on the Order Plan (CD3.1.2), the part of the path which passes close by, and provides access to, Wolfstones Heights Farm. Footpath 60 would be diverted to a new alignment (C on the Order Plan), running initially parallel with the original footpath and then heading in a north-westerly direction to terminate on Wolfstones Road around 118m north of the junction of the existing footpath with this road.

### ***Purpose of the Order***

2.4 The Applicant describes the Order as being necessary to enable full implementation of planning permissions 2014/92814 and 2017/91374 which are for a range of construction and improvement works to and at Wolfstones Heights Farm.

### ***Objections to the Order***

2.5 36 written objections to the Order have been received and six objectors appeared at the Inquiry. The main reasons for the objections are that the diversion would inconvenience and present an increased road safety risk to many users of the footpath and that this outweighs any advantages which would be conferred by the Order.

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### 3. PROCEDURAL MATTERS

- 3.1 Whilst the main issues on which I have reached my recommendation in this case are relatively straight forward ones, the Inquiry proved to be a highly fractious event. There have been numerous, mostly procedural, disagreements between the parties (in particular the Applicant and KMBC) reported to me and on which I have been asked to rule in the lead up to the Inquiry, during it and in the period between the adjournment of the Inquiry and its resumption. In this regard I wish to particularly note the professional and patient way in which Yvonne Parker, the Programme Officer, assisted me in dealing with these disagreements.
- 3.2 Most of the disagreements relate to the nature and extent of evidence which should be taken into account in determining whether or not the Order should be made. However, the majority of these arguments have not been of significance to my recommendation. In essence, aside from evidence relating directly to the separate Definitive Map Modification Order which I consider should not be taken into account for the reasons detailed in the following paragraphs, my recommendation on the Order would be the same if I were to take account of all the disputed evidence, none of the disputed evidence or any combination of evidence between these two extremes.
- 3.3 Consequently, in reporting the parties' cases, which in the case of the Applicant and KMBC are long (bearing in mind the relatively straight-forward issues the Order raises) and in detailing my conclusions on them, I have focussed on the gist of the parties' main arguments, rather than detailing and addressing the numerous detailed points of who said what and when. However, I have appended to this report (Appendices 3-5) the Applicant's and KMBC's written closing submissions and the written statements of the Applicant and KMBC on the accuracy of each other's closing submissions, in order that the Secretary of State can read these in full should he consider that to be necessary in reaching a decision on the Order. This and all other written evidence put before the Inquiry (some of which is specifically referenced in this report) is available at:

<https://programmeofficers.co.uk/Holmfirth/CD25Feb22.pdf>

*The Definitive Map Modification Order*

- 3.4 Subject to confirmation, KMBC has made a Definitive Map Modification Order (DMMO) which would record on the Definitive Map a greater width for footpath 60 than that currently recorded and referred to in the Stopping-Up/Diversion Order which is the subject of this report. Anticipating objections to the DMMO, the Council wrote to the Department for Transport [Doc CD.11] requesting that the Inquiry for the Stopping-Up/Diversion Order be postponed and held concurrently with any Inquiry to be held in connection with the DMMO. The Department for Transport did not accede to this request but indicated that the matter would be considered by me at the Pre-Inquiry Meeting.
- 3.5 At the Pre-Inquiry Meeting I heard arguments for and against

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postponement of the Stopping-up/Diversion Order Inquiry. I then determined that the Inquiry should proceed as planned, concluding that it would not be appropriate to postpone it for an unknown period of time to be held concurrently with another Inquiry which may or may not ever happen. Nonetheless, KMBC and the Peak and Northern Footpath Society referred to the DMMO in some detail in their written evidence for the Inquiry.

- 3.6 Understandably the Applicant wished to cross-examine the witnesses for KMBC and Peak and Northern Footpath Society on this evidence at the Inquiry. However, for him to have done so would have been inappropriate; the DMMO is not, as I see it, directly relevant to the determination of the Stopping-up/Diversion Order and might inappropriately prejudice parties' positions at any future Inquiry concerning the DMMO. Consequently, I advised the Inquiry (verbally and subsequently in Inquiry Note 2 (CD13.4)) that I would not be taking account of any evidence relating to the DMMO submitted or raised at the Inquiry in connection with the Stopping-up/Diversion Order.

*Examination in Chief of KMBC's Witness*

- 3.7 KMBC's witness was heard on 27 August 2021. Following his 'evidence in chief', but prior to cross-examination of him by the Applicant, I asked him a preliminary question concerning the content of the evidence he had just given, in comparison with that set out in the Council's written Statement of Case. After a few moments of the witness appearing to struggle to answer the question, an unknown person was seen on the witness's MS Teams screen handing him a piece of paper or a document. I immediately raised concern about this and it was stated that another KMBC officer was simply providing the witness with a paper copy of the Council's Statement of Case, which I had referred to in my question.
- 3.8 Being able to trust all parties to Public Inquiries to behave honourably is of fundamental importance to confidence in the recommendations and decisions subsequently made. That parties' behaviour both is, and is seen to be, beyond reproach is of particular importance in virtual Inquiries where the participants are not all in the same room. I have no reason to doubt KMBC's assertion that the action was entirely innocent and that the witness was not being given inappropriate assistance in answering my question. However, very unfortunately, it had the potential to be seen as being otherwise and the Applicant therefore argues that this witness's evidence in chief should not be taken into account.
- 3.9 I had intended to distinctly identify in this report the evidence given during KMBC's witness's evidence in chief, in order that the Secretary of State could decide whether or not he wished to take account of it. However, in reality, it is almost impossible to separate out points made in the witness's evidence in chief from those set out in the Council's written Statement of Case or which emerged in its cross-examination of the Applicant's witnesses. Nonetheless, given my conclusions detailed below in relation to arguments about the legality of the Council's evidence overall, my recommendation on the order would be the same whatever

evidence of KMBC I do or do not have regard to.

*Closing Submissions*

- 3.10 Due in part to the shorter than normal sitting days necessary because of the virtual format of the event, the Inquiry was not completed in the originally allotted four days. I therefore adjourned the Inquiry on 27 August 2021 with a future date to be set to hear closing submissions.
- 3.11 Anticipating that there would be numerous disagreements between the Applicant and KMBC over the extent to which the closing submissions accurately reflected what was said and happened at the Inquiry, I asked (Inquiry Note 1 (CD13.2)) these two parties to exchange their written closing submissions with the aim of agreeing their accuracy. However, despite allowing three months for this process, the two were unable to reach agreement. Therefore, in addition to the closing submissions the Applicant and KMBC have submitted some 28 pages of detailed written comments on the accuracy/appropriateness of points made in each other's closing submissions (CD13.25)

*Legality of the Council's Evidence Overall*

- 3.12 The Applicant argues that the evidence put before the Inquiry by KMBC extends beyond the authorised brief of the relevant Council Committee (letter to the Department of Transport in January 2021 (CD15.8.4) and letter to me in August 2021 (CD19.2)). The Council has strongly rebutted this argument as detailed in paragraphs 1.3 and 1.4 of its Statement of Case (CD14.1).
- 3.13 This is a legal matter and is not one on which I feel able to advise. The Secretary of State may therefore consider it appropriate to seek specialist legal advice. Ultimately, however, none of the Council's evidence has been determinative in my recommendation. Indeed, had the Council not participated in the Inquiry at all, nor even objected to the Order, the evidence of all other parties unchanged, my recommendation would be no different.

**4. THE CASE FOR THE APPLICANT**

The material points are:

*Tests to be applied*

- 4.1 It is agreed between the Applicant and KMBC that the tests to be applied under s247 were considered in Vasiliou and (in relation to the equivalent test under s257) in Network Rail judgements. There is a two stage test in considering whether to make a final order – the 'necessity' test and the 'merits' test. It is common ground amongst everyone except the Holmfirth Harriers Athletic Club (and their witness Mr Sizer conceded that he did not know the legal position on the point) that the 'necessity' test is met.
- 4.2 However, the power for the Secretary of State to decline to make the

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order is not absolute; it is discretionary and there is an exercise he is obliged to carry out in exercising his discretion. There are essentially two parts to the 'merits' test.

- 4.3 Firstly, in exercise of that discretion the Secretary of State is obliged to take into account any significant disadvantages or losses flowing directly from the stopping-up order which have been raised, either for the public generally or for those individuals whose actionable rights of access would be extinguished by the order. Secondly, in such a case the Secretary of State must also take into account any countervailing advantages to the public or those individuals, along with the planning benefits of, and the degree of importance attaching to, the development. He must then decide whether any such disadvantages or losses are of such significance or seriousness that he should refuse to make the order.
- 4.4 We therefore need to consider the words "significant" and "seriousness" or the state of being "serious". "Significant" means very important or being sufficiently great to be worthy of attention in a particular situation. "Serious" means characterised by careful consideration of the gravity of a situation; not trivial; not remote; not far-fetched; applicable to the objective gravity of a situation.
- 4.5 The evidence has shown that there are no significant disadvantages and losses. There are in fact significant advantages, so even in the hypothetical case where significant disadvantage and losses would be founded, it is plainly not the case what they would be of such significance or seriousness that it should not be recommended to the Secretary of State that he makes the Order. In short there is no good reason not to make the Order; whilst objections have not been ignored or dismissed they are based around myths. Moreover, the weight to be given to the Parish Council's objection must be limited by their refusal to take part in the Inquiry and put themselves up for cross-examination. Furthermore, in the absence of documents to demonstrate that the evidence of Mr Payne and Mi Sizer represents the formal view of Holmfirth Walkers Are Welcome and Holmfirth Harriers respectively, their evidence should be treated as that of individuals.

*Myth 1 – why the diversion route was constructed*

- 4.6 It is profoundly wrong to assume that that the diversion route was constructed, in advance of the stopping-up Order being made, out of arrogance, entitlement or brazenness. It is in place because planning permissions were granted, contractors were available and the landowner decided to put this in completely at risk. The landowner did not need to let people use the diversion path in advance of the Order being made but nonetheless did so.

*Myth 2 – the landowner had closed the current legal route*

- 4.7 It is profoundly wrong to say that the landowner closed the legal route when the diversion was put in. The Applicant has always been highly cognisant of the need to keep the footpath open.

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*Myth 3 – there is overwhelming objection to the proposal*

- 4.8 Contrary to the assertion that there is overwhelming objection to the proposal the diversion route is very popular and, indeed, people are concerned at its possible loss. It would be a brilliant addition and enhancement to the public rights of way network in the area. The level of support for the application is more than double the level of objection to it

*Myth 4 – Wolfstones Road is dangerous*

- 4.9 No objectors have provided any discernible evidence of Wolfstones Road being dangerous; indeed the Council's position is so confusing that the Applicant remains at a loss to understand its position on safety. However, we find it beyond comprehension that the Council, with the resources available to it and a previously-involved Highway Safety Engineer, would not put this officer up for examination or at least provide data to reinforce its position.
- 4.10 The Applicant's Highways Witness, Mr Appleton, was clear that there is absolutely no reason to decline to make this Order on the basis of safety concerns and the Council elicited no contrary response despite its lengthy cross-examination of him.
- 4.11 The evidence demonstrates that traffic speeds are low and that the average surveyed traffic flows is around 180 vehicles per day – 23 vehicles per hour which Mr Appleton described as a "very low volume" Even the highest recorded traffic volume of 230 per day (29 vehicles per hour) is still very low.
- 4.12 The fact that this is the only basis for KMBC for objecting to the Order adds considerable weight. And the fact that other statutory objectors, being the Parish Council and the Peak and Northern Footpaths Society, reference safety without evidence (and in the case of the Parish Council does not even offer itself for examination) only goes to reinforce this already clearly established position.
- 4.13 The Applicant submits that it would be impossible to justify not making the Order on the basis of highway safety; to do so would be irrational.

*Myth 5 – all or a majority of users are accessing the Trig Point or walking south*

- 4.14 There is no evidence for the assertion that the diversion route is defective because everybody, or at least a vast majority, using the diversion route has to turn left on reaching Wolfstones Road to head south towards the Trig Point or Upperthong. As the Applicant's Highways witness pointed out, even including the date of what he considered an anomaly of a 38-strong memorial walking group, 42% of all users would use the current route to access the Trig Point land. Otherwise, Mr Appleton's analysis shows only a third of users actually use the current route to access the Trig Point. [Inspector's Note: in closing submissions the Applicant's advocate verbally confirmed that the "42%" and "a third" figures are the proportion of people using the permissive path to the Trig

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Point who walked to/from there via the section of footpath proposed to be stopped up. This is not the same as the proportion of users of the footpath to be stopped-up who were heading to/from the Trig Point.]

4.15 We also heard that out of choice, Mrs Waldrom uses the diversion route even if heading to the Trig Point land. The surveys clearly establish that movements to and from the Trig Point are nowhere near to the extent envisaged in any objections.

4.16 Mr Appleton clearly identified that only one out of eight surveys carried out by Paragon Highways showed a large walking group and that such a large group was likely a one-off in itself. However, Mr Appleton added at the Inquiry that even if a group of such a size is allowed for in the data, this does not mean any material change to the average pedestrian flows in any direction over the whole of a day and did not alter his conclusions on the proposals. No objector has any date or even information contrary to the Applicant's surveys of pedestrian movements.

4.17 The conclusion is simple: the users of Footpath 60 are not all accessing or egressing the Trig Point; far from it.

*Myth 6 – the Trig Point land is held in perpetuity for the benefit of the public*

4.18 Any view that although access to the Trig Point land is only permissive it is almost as good as a public right of way is profoundly wrong. The Holme Valley Land Charity has taken measures in recent years to ensure that the land is safeguarded from being a public right of way and Mr Cropper (for the Applicant) indicated that there is no question that the charity, like all good trustees, must look after and manage the land as an asset. The permanence of the Trig Point land is undoubtedly called into question; it is a matter of legal fact that this is not publicly owned and it is also not land that has to or necessarily will be open to public access in the future. The importance of the Trig Point land is in this sense considerably diluted.

*Myth 7 – the main problem is that the diversion route breaks the direct access to the Trig Point land*

4.19 In cross-examination KMBC and the Peak and Northern Footpath Society were clear that that current line of Footpath 60, along the section of it proposed to be stopped-up to Wolfstones Road opposite the permissive path to the Trig Point, could be broken. They were not wedded to a position. Mr Leader (witness for the Peak and Northern Footpath Society) acknowledged that "a" diversion of the footpath (as opposed to the diversion proposed) would even be supported. Indeed in cross examination both Mr Leader and Mr Champion for the Council identified the proposal as having a neutral effect on the public rights of way network. [Inspector's Note – I recall Mr Leader indicating that there might (as opposed to would) be a proposal for diversion of this footpath which would be acceptable to the Society. Moreover, whether or not Mr Leader used the word "neutral" in cross-examination, he made clear

overall his view that the Order would have an adverse effect on public rights of way in the area.]

- 4.20 However, Mr Earnshaw (for the Applicant) clearly explained that the reason for the chosen termination point of the diversion footpath on Wolfstones Road (point C on the Order Plan) is due to land ownership and engineering related issues. The reality is that point C could only have been designed to be at the place where it was, and now is. Accordingly, the line of direct access to the Trig Point can be "broken" and the alleged direct character and ancient route clearly diluted as a result, very significantly we would submit.

*Myth 8 – the current Footpath 60 is part of an historic and "ancient" public route*

- 4.21 There is no evidence at all for the assertion that that Footpath 60 is part of an historic and "ancient" public route; there is only supposition which the Applicant submits is unfounded following cross-examination of Mr Leader for the Peak and Northern Footpath Society. Mr Leader's acknowledgement in cross-examination that the footpath has only been a public route since the 1950s and that the Trig Point land was, at this point, a disused/end of working life quarry, says it all. [Inspector's Note – I recall Mr Leader accepting that the footpath had probably only been a formal public right of way, shown on the definitive map, since the 1950s (which was shortly after the requirement for local authorities to produce definitive maps of public rights of way was introduced) but that this does not mean it had not been a public route for much longer.]

- 4.22 The alleged historic and even "ancient" basis for the route has been overstated and is quite simply not borne out of any credible evidence.

*Myth 9 – that the diversion, or in fact the whole scheme, has been designed and constructed without forethought*

- 4.23 Contrary to this assertion the Applicant has evidenced that the design of the scheme was heavily influenced by KMBC's lead Rights of Way and Planning officers. Mr Cheetham of the Rights of Way section had heavily influenced the start and end points of the diversion. Although Mr Earnshaw (for the Applicant) had to acknowledge that there was no choice in the location of the end point C, the location of point A was heavily influenced by dialogue with Mr Cheetham and his colleague Mr Franklin. Mr Earnshaw described a previous iteration that would have seen that point located further westwards before Mr Cheetham's helpful input to move it eastwards.

*Myth 10 – the diversion, and thereby the diversion route, is "unnecessary"*

- 4.24 As the Applicant detailed in his application for the Order, it has through the Inquiry been established beyond any doubt that the 'necessity' test is met and there appears to be consensus on this.

*Myth 11 – there are no advantage or “public/societal” benefits to the proposal*

- 4.25 In addition to enabling the Applicant to fully implement his planning permissions there are considerable advantages to users from or going to the north (including to Honley and Wilshaw) in using the diversion which results in a shorter journey time and less time on the road. The diversion route has been described as less steep and kinder underfoot than the original path, particularly during inclement weather. There are also descriptions of the diversion being generally more pleasant and a far superior amenity which must form a clear advantage.
- 4.26 The Applicant’s witnesses also state that the diversion has a safer egress point on to Wolfstones Road (Point C) than does the original path (Point B) in terms of visibility in both directions. Whilst users heading to the Trig Point or southwards will spend slightly more time on Wolfstones Road (specifically the verge) the same would apply to anyone heading northwards if the Order were not made.
- 4.27 Mr Cropper (for the Applicant) and others also raised “Great British awkwardness” (ie feeling that users on the original path may be imposing on people’s privacy) which is avoided with the diversion footpath; a form of “cultural advantage” which cannot be ignored.
- 4.28 There are clear advantages to this proposal: private, public, societal and otherwise.

*Conclusions*

- 4.29 There is consensus that the ‘necessity’ test is met. The question therefore is whether there are any significant disadvantages or losses flowing directly from the Order. The answer is “no”. Given the evidence in cross examination of the Peak and Northern Footpath Society and Council in particular, it cannot in the Applicant’s submission be reasonably concluded that significant disadvantages would exist as a result of this proposal. However, in the unlikely event that the Inspector were to identify significant disadvantages then the Inspector would also identify countervailing advantages. These have been drawn out in evidence by the Applicant’s witnesses and other supporters of the Order.
- 4.30 The benefits of and degree of importance attaching to the development is obviously more subjective. Nevertheless, even in the case where the Inspector would find that there are significant disadvantages or losses and there are no countervailing advantages (which is impossible in the Applicant’s submission) and that in considering the benefits and degree of importance attaching to the development (which includes the diversion route itself) then the Inspector must go on to assess whether such disadvantage or losses would be of such significance or seriousness as to justify recommending that the Order is not made. Clearly on the evidence the answer is “No”.
- 4.31 By way of additional encouragement a Unilateral Undertaking will be

submitted providing a mechanism for the Council to receive monies to make improvements to the verge of Wolfstones Road between Points C and B. This leans into the narrative that, although not necessary, it would "do no harm". The Inspector's report and Secretary of State's final decision will hopefully provide their opinion and/or modest guidance in this respect.

- 4.32 DEFRA Circular 01/09 (in respect of the similar s257) indicates that a decision maker would need to have a good reason not to make the final order where planning permissions have been granted. On the evidence and applying the correct legal tests, the Applicant submits beyond any doubt that in view of the planning permissions there is no good reason not to make the final Order. We respectfully invite the Secretary of State to do so without further delay.

## 5. **THE CASES FOR THE SUPPORTERS OF THE ORDER**

The material points are:

### **Helen Waldrom, Local Resident**

- 5.1 I walk the footpath regularly, at least once a week, and always use the diversion rather than the original footpath. I was anxious using the original footpath when meeting vehicles and it is also steep and slippery in icy conditions. There is a clearer view of the traffic when emerging on to Wolfstones Road from the diverted footpath than from the original.
- 5.2 The diversion is much more scenic than the original and more relaxing to use – the panoramic views, the benches and the duckpond make it a much more pleasant walking experience than the original footpath with high walls and no view. I've heard objectors to the Order admit that the diversion is a nice route but that it means they don't get to see what they are doing at the big house.

### **Letters of Support**

- 5.3 75 letters of support for the Order were submitted in response to the consultation on it (six of which are from people who appeared at the Inquiry, five of them as witnesses for the Applicant). Many of the letters make similar comments, the material points of which are:
- The stopping-up/diversion is justified on the basis of giving the Applicant privacy and security. An intruder has, in the past, entered the adjoining property from the footpath.
  - The diversion means that footpath users don't feel uncomfortable passing very close to private property.
  - The proposal would be an extremely satisfactory resolution to an unsatisfactory existing situation.
  - The "exit" of the diverted footpath on to Wolfstones Road has better visibility and is safer than that of the existing footpath.

- The diversion is only a short distance longer than the original footpath and is more convenient if heading to/from Netherthong.
- The diversion provides a wider and better walking surface than the original footpath which can be dangerous when wet or icy. The steepness of the original route can be tiring.
- The diversion is more tranquil and offers more attractive views than the original footpath, of both the new duckpond and surrounding countryside, and offers seating for a rest. The original footpath is squashed between buildings, which can act as a wind tunnel.
- The diversion is safer than original footpath which has to be shared with vehicles.
- The diversion keeps people away from private property which is particularly important during the Covid-19 pandemic.
- The diversion is already well used and is preferable to the original footpath. It would be a retrograde step if people were forced to use the original path again.
- All the objections to the Order seem to be from people who are not local. There also appears to be political motive against the Order.
- Kirklees Council granted planning permission for the stopping-up and diversion of the footpath and associated development and its officers recommended making a s257 Order to facilitate the development.

## 6. THE CASES FOR THE OBJECTORS TO THE ORDER

The material points are:

### **Kirklees Metropolitan Borough Council (KMBC)**

#### *Tests to be Applied*

- 6.1 It is for the Applicant to demonstrate that the legal tests for the making of a s247 order are satisfied and the Council submits that they are not met. Moreover, as detailed in its opening statement (and in CD14.1) the Council refutes the Applicant's contention that in terms of the scope of its objection its officers have in some way acted beyond authority.
- 6.2 The test to be applied under s247 was considered in *Vasiliou v Secretary of State for Transport* [1991] and has recently been confirmed by the Court of Appeal [Holgate J; Network Rail judgement] in relation to the equivalent test under s257. In brief, there is a 'necessity' test under which a planning permission must exist for development for which it is necessary to stop-up or divert the public right of way and a 'merits' test. Even if the 'necessity' test is passed the Secretary of State has discretion as to whether or not to make the Order.

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- 6.3 In the exercise of that discretion the Secretary of State is obliged to take into account any significant disadvantages or losses flowing directly from the stopping-up order which have been raised, either for the public generally or for those individuals whose actionable rights of access would be extinguished by the order. In such a case the Secretary of State must also take into account any countervailing advantages to the public or those individuals, along with the planning benefits of, and the degree of importance attaching to, the development. He must then decide whether any such disadvantage or losses are of such significance or seriousness that he should refuse to make the order.
- 6.4 The Applicant's case (albeit not mentioned until the Closing Submissions) is that "significant disadvantages" (as referenced by Holgate J in the Network Rail judgement) has a definition of the synonym "very important". However, judgements are not to be read and every word parsed as if one was reading statute. And in any event there are a number of synonyms for "significant" including "not insignificant" and "worthy of attention" (the latter mentioned in the Applicant's Closing Submissions).
- 6.5 The judgment of Holgate J does not require some tilted balance where the disadvantages of the order outweigh the advantages by an enhanced margin. This is a case in which neither the disadvantages nor the advantages are dramatic. However, the disadvantages are significant and though not "matters of life and death" they do outweigh the claimed advantages.
- The Order Plan*
- 6.6 The Inspector highlighted at the Inquiry that the Order Plan (CD 3.1.2), as originally drawn for the Applicant by Mr Earnshaw, places the line of Footpath 60 to be stopped-up in the middle of the lane/drive that runs through Wolfstones Heights Farm buildings. However, the Applicant has made clear in other submissions that he considers the line of the footpath to be on the northern side of the lane/drive, flush to the building line of Wolfstones Heights.
- 6.7 The Council understands that Mr Earnshaw submitted a written representation and a plan to the Department of Transport and the Inquiry Programme Officer on 28 December 2021. [Inspector's Note – the plan (contained in CD13.5) is an amendment of the Order Plan showing the line of the footpath on the northern side of the lane/drive, consistent with the Applicant's written and verbal submissions on its location]. KMBC's advocate was not able to take instructions on the written representation prior to the deadline for the submission of the closing submissions. However, at this stage the recently submitted plan cannot remedy the problem facing the Applicant in respect of the Order Plan – in essence that the Order Plan which has been the subject of advertisement and consultation and by which the Secretary of State would make the applied-for Order, does not reflect the Applicant's case.

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*Planning Benefits*

- 6.8 The Inspector explored in detail with Mr Earnshaw the parts of the relevant permissions which conflict with the footpath. Frankly, the benefits are paltry.
- 6.9 According to Mr Earnshaw the diversion of the footpath will allow for the excavation of the garage, the creation of two parking spaces, the erection of a retaining wall and the building of a second staircase to the Applicant's terrace above the garage, a terrace which already has an access. Mr Earnshaw noted that the footpath diversion would eliminate the risk to its pedestrian users of interactions with domestic traffic, including horse and race car trailers. However, the manoeuvring of traffic within a domestic curtilage cannot be equated to interaction with free flowing traffic on the public highway. Mr Appleton also noted that the diversion would eliminate vehicle/pedestrian conflict in the Applicant's 'complex', but when asked what data for such conflict he relied on he laughed at the idea of gathering such data. If the point does not merit gathering data then the point does not merit much consideration.
- 6.10 The development is of a purely private benefit, relating to one dwelling and does not provide a wider public or societal benefit. The Applicant has made much of the benefit of the diversion footpath in terms of its benches, quaint fencing, surface and created view. However, the Council has repeatedly noted that these features are not subject of the Order and are no way guaranteed by it. Furthermore, whilst some witnesses have spoken of the diversion as pleasant, Mr Leader (Peak and Northern Footpaths Society) commented that it is somewhat of a confection; an out of place walking experience in this locality.
- 6.11 Whilst the Council accepts that the risks arising from the stopping-up/diversion would be low, it is not considered that the disbenefits to footpath users would be slight. Moreover, even if the Secretary of State were to consider that the disbenefits are slight they must be weighed against the very limited development impaired by the footpath.

*Applicant's Highways Evidence.*

- 6.12 The Council does not contend that substantial highway risk arises from the proposed diversion of the footpath and it accepts the accident data compiled by the Applicant. The Council simply contends that the increased interaction of footpath users with traffic on Wolfstones Road by the addition of 118m of roadside walking on two out of the three routes is a disbenefit and a sources of risk to user safety. Mr Greenwood [an objector] was clear that he would want to avoid walking on Wolfstones Road with children and valued the footpath's current line for only requiring a short crossing of the road to reach the Trig Point. On the current footpath line the user has a potential conflict of say 4-6m in crossing Wolfstones Road to reach the Trig Point. With the diversion that potential for conflict is 124m; a distance 20 times greater. Despite Mr Scanlon's attempts to have Mr Appleton (the Applicant's highways witness) characterise the overall safety effects of the Order as

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“advantageous”, Mr Appleton settled on a “neutral” impact in response to the Inspector’s question about the overall safety impact.

- 6.13 The Applicant’s approach to the data submitted is less than comprehensive. As the Inspector noted in questioning Mr Appleton, the survey carried out in September indicated a greater level of use of the footpath than captured in the winter surveys. With the coming of the pandemic in 2020 Mr Appleton considered that surveys would be affected. How the pandemic would skew results is unclear; if use patterns have changed then they have changed. Mr Appleton maintained that the season of surveys would not affect the vehicle speed data gathered. However, as noted in cross-examination, the speed data was gathered on at least one day with the risk of ice (31/11/17) and one day with snow (17/3/19). Furthermore, by the time of the last survey (October 2020) the road had been resurfaced and there was a concomitant increase in speeds observed over the earlier surveys. It had also eluded Mr Appleton until raised by the Council in cross examination that there is only one streetlight on this section of road and that is where the current footpath meets Wolfstones Road.
- 6.14 Mr Appleton believes that the main advantage of the diverted route is that visibility for pedestrians where the diversion meets Wolfstones Road is significantly improved over the point where the original footpath meets the road. However, there are no plans, drawings or illustrations to demonstrate the point; It was simply asserted on the back of a ‘Google’ (verb). The Council believes that the visibility point is not, in itself, a significant one, but does point to the Applicant’s unconvincing approach. If it is the “main advantage” then the Applicant should prove it not simply assert it out of thin air. Moreover, there is a lack of evidence on driver visibility and there are no swept path analyses for vehicle to demonstrate that vehicles would not need to overrun the verge on which some diverted footpath users would need to walk.

#### *Walking Groups*

- 6.15 There is clear evidence of a culture of walking groups in the area as referred to by a number of witnesses including Mr Payne for Holmfirth Walkers Are Welcome and Mrs Wimpenny for the Applicant. Nonetheless, the Applicant’s highways team chose to ignore such a group in their surveys of usage of the footpath, on the basis of it being a memorial walk and thus a one-off event. Mr Appleton confirmed that his contention that only a third of surveyed walkers went to the Trig Point was based on the exclusion of this group [Inspector’s Note – the “third” of walkers refers to the proportion all those surveyed on footpaths and roads in the area who went to/from the Trig Point, not just of those using the section of footpath proposed to be stopped-up.]
- 6.16 The surveys of usage are also limited in the times of day they were carried out – between 08:00 and 16:00 - missing the weekday PM peak period. The surveys would therefore not have caught the commuter resident in the area out to walk their dog early or late in the day. Multiple witnesses spoke of their use of the footpath early in the morning and/or

in the evening, times which would not have been captured by the Applicant's surveys. Indeed the Applicant's own daughter stated in cross-examination that she runs in the area between 04:30 and 06:00 and after 18:00 and walks the path with her children at the weekend at 17:00 or after. She noted that at the weekends she would see all sorts of users of the highway network in the area of the footpath: walkers, cyclists, horse riders and a "scattering of cars". In cross examination Mr Paxman (also representing the Applicant) spoke of walking with his dog between 06:00 and 07:00 on weekdays and before 09:00 at weekends.

- 6.17 Mr Sizer (for the Holmfirth Harriers Athletic Club) described the organised group runs which take place, starting between 18:15 and 19:00 and lasting from 45 minutes to 2 hours. He indicated that the footpath to be stopped-up is regularly used by these groups and that the junction of the existing footpath and Wolfstones Road is a re-grouping point for runners. Mr Sizer considered that greater safety concerns arise with group running because they take up more space and are therefore more likely to interact with traffic.

#### *The Trig Point*

- 6.18 The route from Wolfstones Road to the Trig Point is a permissive path in the ownership of the Holme Valley Land Charity which is under the control of Holme Valley Parish Council. Mr Cropper (representing the Applicant) detailed his past involvement with both bodies and the charity's work to rationalise its land portfolio; some pieces of land had been sold off but the Trig Point land had been kept and improved. Although no longer on the Parish Council or charity's board of trustee he concluded that whilst possible, it is very unlikely that that this land will be closed off from public use. [Inspector's Note – I recall Mr Cropper saying words to the effect of "there is no indication that the land will be closed off from public use".]

#### *Unilateral Undertaking*

- 6.19 The Council does not consider that the proposed unilateral undertaking would make the application acceptable (ie a highway that is safe as currently and free from drainage issues); nor has it been provided with sufficient detail to have any confidence in the proposed verge improvement. The Council has made clear that since it will not be a party to the undertaking it will not draft the document in consort with the Applicant. However, it was made clear that the Council will consider the document so that it can confirm its position; but it will not be drawn into an agreement by stealth whereby it drafts the details of the Applicant's proposal.

#### *Conclusion*

- 6.20 The Applicant has not satisfied the tests under s247 – the 'necessity' test is met; the 'merits' test is not. The Council requests that the Secretary of State does not make the Order.

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### **Holmfirth Walkers are Welcome**

- 6.21 Holmfirth Walkers are Welcome's mission is to promote recreational walking in the Holme Valley for residents and tourists; there are around 100 regular members and we organise and lead group walks many of which use Footpath 60. One of our most popular walking leaflets includes this path.
- 6.22 The historic path follows the ridge of Thong Moor in an almost straight line from Netherthong to the summit of Wolfstones, a very popular local beauty spot. Modern routes tend to use the valleys but the more ancient paths used the drier ridges with clear visibility. This is one such path and any diversion from its historic route would violate its historical integrity.
- 6.23 Most users carry straight on across Wolfstones Road to the summit of Wolfstones. The diversion would take users a considerable distance out of their way and force them to walk along the potentially hazardous, busy road. If approved the diversion would benefit one person but considerably disadvantage hundreds of users and expose them to unnecessary risk.

### **Mrs Smith**

- 6.24 I have lived in the area for over 40 years and until the current pandemic have been a regular user of the footpath as a walker and of Wolfstones Road as a driver. Walkers heading to the Wolfstones Summit (the Trig Point) have good visibility of traffic on Wolfstones Road and only have to cross it; using the diversion they would be forced to walk along the road which does not have footways. The footpath is popular with families, and children would be at particular risk on this stretch of road. The road is busy and well-used by commuters heading to/from Huddersfield.
- 6.25 Moreover, the diversion is totally unnecessary; the house wall alongside the path has no windows or other openings so the occupants privacy is not an issue. Users of the original footpath occasionally meet vehicles on it, but visibility is perfect and walkers can easily stand aside for a few moments without inconvenience.

### **Mr Greenwood**

- 6.26 The diversion of the footpath appears to serve no purpose for the general public but does appear to add additional risks to most of the route affected, by requiring users to walk along Wolfstones Road for a considerable distance where it does not have a footway, is already narrow and approaches a blind bend/summit. This would be particularly dangerous for families with children.
- 6.27 The existing footpath provides one of the few routes in the area which does not involve walking along a road. When my children were younger we used it frequently for that reason. The diversion route is a lovely path in its own right (although its attractive views are much the same as can be seen elsewhere along footpath 60); it simply starts and ends in the wrong place. However, if both routes were to be retained this would be a

benefit to the public.

### **Holmfirth Harriers Athletic Club**

- 6.28 Our members have used this footpath hundreds of times over the last 50+ years, both as individuals and as part of organised group summer training runs. These usually operate in the evenings (6pm – 7pm start) twice a week from the end of March to mid-September.
- 6.29 The proposal diverts the footpath away from its original alignment, destroying the line of the route which has been in existence for hundreds of years, and will force many users to walk or run along Wolfstones Road. They would be walking/running with their back to the traffic to a blind corner in an unrestricted speed limit zone. This is clearly not acceptable. The current proposal does not even include an improvement to the verge on this section of road. There would be significant disbenefit to members of the public, yet there is only private benefit to be gained through enabling the planning permission works to be fully implemented.
- 6.30 Furthermore, the development has been substantially completed in any case and consequently the Order should be rejected.

### **Peak and Northern Footpaths Society**

- 6.31 The Peak and Northern Footpaths Society is a registered charity working for walkers, with the object of creating, preserving and improving open spaces, public access rights and public rights of ways. The Society considers that the disadvantage which would be caused to members of the public justifies not making the Order. However, the Society does not automatically object to footpath diversions; indeed it is supporting several diversions in the local area which it believes would be of benefit to the public interest.
- 6.32 What is now Holmfirth Footpath 60 has a long history of use by residents of local settlements including Netherthong, Wilshaw and Holmfirth. It is likely to have been used for many centuries as a clear, direct way to common lands avoiding densely wooded areas in the valley. The section of footpath which is the subject of the Order is shown on the Netherthong Enclosure Map of 1826 (photo 1 of CD16.1) confirming the importance of the route at the time. [Inspector's Note: in cross-examination the Society's witness conceded that the reference on this map to "Woodhead" was more likely to be to the landowner than an indication that the path led to Woodhead Road as suggested in his Statement of Case.]
- 6.33 The footpath is shown on successive Ordnance Survey Maps from 1854 onwards and now on the Kirklees Definitive Map. The section to the stopped-up is a landscape and historical feature worth keeping in its own right. It is part of the cultural and social history of the Holme Valley which adds a rich layer to walking in the area; this physical history would be lost should the diversion go ahead. At the Inquiry Mr Leader (for the Society) indicated his view that the current footpath oozes Yorkshire

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character with its passage close to traditional buildings and that some features of the diversion route (eg the fencing) are incongruous at 300m elevation in Yorkshire.

- 6.34 Footpath 60 connects directly with land owned by the Holme Valley Land Charity at Wolfstones Height, designated for the benefit of the community and informal recreation, and which includes the Trig Point. The footpath is the only public footpath which connects directly with this land from Netherthong, Holmfirth and the wider valley. It is possible to walk from Holmfirth to the Trig Point entirely on car-free public paths and it is used by locals and visitors as part of several circular walks. 'The Thongs and Wolfstones Heights' safe 2-3 hour circular walk for inexperienced walkers has been downloaded more than 400 times from the Viewranger website.
- 6.35 The proposed diversion would completely break this off-road, safe and direct access in the most inconvenient manner and would ruin the aesthetics of the walk. It would also more than double the walking distance of the around 150m stretch of path to be stopped up, more than 100m of which would involve walking along Wolfstones Road.
- 6.36 It would be dangerous to walk on the west side of Wolfstones Road because there is no verge and visibility is poor due to the bend. Walkers would therefore be forced to walk on the east side of the road with oncoming traffic behind them. Whilst there is a narrow grass verge along this section of road it is at the same level as the road and vehicles can drive over and park on it. In comparison with the safe, traffic-free and convenient route Footpath 60 has provides to/from Wolfstones Heights for centuries, the diversion represents a significant public loss as it is longer, indirect and includes road walking where none currently exists.
- 6.37 The Applicant's survey of usage of the footpath has a number of flaws:
- It ignores those who would have used the original footpath if the diversion had not already been in place;
  - No surveys were carried out in the period April to mid-September, which is the peak rambling/tourist season;
  - No surveys were carried out after 4pm, thus missing any use of the footpath in the lighter evenings.
- 6.38 Furthermore, the Order would be in conflict with the Kirklees Rights of Way Improvement Plan, the Kirklees Walking and Cycling Strategic Framework 2018-2030 and the Holme Valley Parish Council Climate Emergency Action Plan, all of which aim to improve and encourage walking in the area.

### **Letters of Objection**

- 6.39 36 letters of objection to the Order were submitted to the consultation (six of which are from people/organisations who appeared at the Inquiry). The material points are:

- The footpath is one of the most well-used in the area, by individuals, family groups and organised groups of walkers and runners.
- The proposal disregards the custom and practice of generations of users of the footpath. The footpath is an ancient inter-settlement route and, as such, is part of local history. The diversion would make the route less interesting and result in the loss of part of its character. Part of the pleasure of using country footpaths is passing by buildings and through hamlets, which are an important part of the rural landscape and it is common for footpaths to pass close by them.
- The existing alignment of the footpath has been used for centuries and provides direct access to the local landmark of the Wolfstones trig point. The footpath, part of which is an ancient coffin road, is part of an almost straight line route along the ridge from Netherthong to Wolfstones Heights. The diversion would destroy the continuity and spoil the approach to the Heights.
- The diversion would be a detour and an inconvenience; it adds around 200m to the distance required to reach the trig point and involves going downhill and back up again.
- The diversion would be more, not less, dangerous than the existing footpath requiring more time spent on Wolfstones Road, where there isn't a proper footway, to reach the Trig Point at Wolfstones Heights.
- The existing junction of the footpath with Wolfstones Road is at the brow of the hill where visibility is at its best. The road has a 60mph speed limit and this is the safest place to cross the road.
- There is much more danger to pedestrians using Wolfstones Road than having to share the existing footpath alignment with an occasional, slow moving vehicle going to/from the adjacent properties.
- The Applicant knew the footpath existed when he moved to the property. There is no need to stop-up the path. The impact on his privacy is minimal.
- The Applicant's survey probably under reports use of the footpath – none of the survey days were Summer weekends. Nonetheless, the survey demonstrates that a majority of users of the path are heading to the trig point.
- The existing footpath does not encroach on the privacy of the Applicant's house any more than the average highway footway anywhere in the neighbourhood or country.
- The diversion is a lovely path in its own right, but it starts/ends in the wrong place.

- The Order is at variance with the Kirklees Local Plan and draft Home Valley Neighbourhood Plan, both of which seek to promote safer walking and the creation of a pleasant, unspoilt landscape and environment for walking.
- Allowing the stopping-up/diversion of this footpath would set a dangerous precedent to stop-up and divert footpaths across the area.

## 7. CONCLUSIONS

Bearing in mind the submissions and representations I have reported, I have reached the following conclusions, reference being given in brackets [] to earlier paragraphs where appropriate.

- 7.1 Having regard to the legislation and case law it is common ground that there are two main issues in the determination of a stopping-up/diversion order under s247 of the Town and Country Planning Act: firstly, whether or not the stopping-up is required to enable development to be carried out in accordance with a planning permission (the 'Necessity' test); and secondly, whether any significant disadvantage arising from the stopping-up/diversion are of such significance or seriousness that the order should not be made, having regard to the advantages which would be conferred by the Order and the development it would enable (the 'Merits' Test) [4.1 and 6.2].

### The 'Necessity' Test

- 7.2 Planning permission reference 2014/62/92814/W permits at Wolfstones Heights Farm "Formation of new access and stopping-up existing access, diversion of public right of way and related external works." In 2018 (Reference 2018/93302) a non-material amendment to this permission was approved by Kirklees Council. The amendments comprise a new retaining wall and the formation of a raised bed and a flight of external steps as indicated on drawing no. 13072D-200-PO2 (CD1.4.1.5). Permission Reference 2017/62/91374/W also permits at Wolfstones Heights Farm "Demolition of existing garage and stable, erection of garages, garden room and fuel store and associated landscape works (listed building)". In 2018 (Reference 2018/93277) a non-material amendment to this permission was approved by the Council comprising alterations to ground levels and landscaping and the addition of external steps as indicated on drawing no. 13072D-301-PO4 (CD1.4.1.11).
- 7.3 Significant elements of these permissions have already been implemented including the provision of new vehicular access and the diverted footpath which has been in place and available for public use on a permissive basis since 2017. However, the following physical elements of the permissions (as shown on drawing no. 13072D-200-PO2) are yet to be implemented as detailed in CD15.1.2):
- Alterations to levels and the parking area adjacent to the lower garage area

- New retaining walls
- Creation of a further parking area
- Stone steps leading to the lower garage roof terrace
- Additional landscaping
- Removal of existing access drive to create extended lawn and garden area.

7.4 Whether or not these physical elements would all require planning permission in their own right, they are part of the planning permissions detailed above and could not be implemented whilst keeping the footpath open to public use. Consequently, I am satisfied the stopping-up is necessary to enable development to be carried out in accordance with a planning permission.

7.5 The description of development for permission 2014/62/92814/W includes reference to "stopping-up of existing access and diversion of public right of way". Whilst it is not normally appropriate to revisit the merits of a planning permission in considering a s247 order, it is necessary in this case to consider the merits of the stopping-up and diversion element of the permission, to the extent that and given that this is the fundamental effect of the proposed s247 Order now under consideration.

### **The 'Merits' Test**

#### ***Full Implementation of the Planning Permissions***

7.6 Making the Order would enable full implementation of the planning permissions detailed above and, in particular, provision of the elements listed in paragraph 7.3. The benefits of this would be primarily to the occupants of Wolfstones Heights Farm in the form of a slightly larger garden, some additional parking space and a second, external, access to the lower garage roof terrace. To my mind these benefits would be limited, given that it would only marginally increase the size of the already large garden, that there is already of plenty of space for parking/storing vehicles around the property and that there is already access to the roof terrace. The Applicant also argues that some of the physical works and landscaping would potentially improve the appearance of Wolfstones Heights Farm (CD15.1.2) This would be a public benefit, albeit that in my view it would be a very limited one; the building is already very attractive.

7.7 A number of supporters of the Order argue that stopping-up of the footpath would provide greater privacy and security for the occupants of Wolfstones Heights Farm and at the same time remove the awkwardness some walkers feel in passing close by a residential property [5.3]. However, there is only one, small first floor window directly facing the path and the height of the wall largely prevents users of the footpath from seeing into the garden fronting Wolfstones Road. Whilst not directly

facing the path the east facing elevation windows of Wolfstones Height Farm can be seen from the footpath across a parking/garden area. However, given the distance and angle of view, the impact on the occupants' privacy is, in my view, minimal. The roof terrace of the lower garage is the most prominent feature of the property from the footpath and anyone sitting or standing on this would be clearly seen. However, it can also be seen above the hedge from the diversion path, so full privacy on the roof terrace would not be achieved by the stopping-up in any case. Consequently, the overall effect on the occupants' privacy, and any sense of awkwardness felt by footpath users, would be very small.

- 7.8 It is the case that the west facing elevations of the property are easily accessible from the footpath, although gates would be likely to have a similar effect on security [5.3] as stopping-up and diverting the footpath.

### ***Use of the Footpath***

- 7.9 A number of objectors to the Order anecdotally claim that the footpath to be stopped-up is well-used and that the majority of people are heading to the Wolfstones Heights Trig Point [6.39]. However, the only survey of use of the footpath is that undertaken by Paragon Highways and submitted by the Applicant (CD1.4.4 and CD1.5). CD1.5 describes the footpath as "reasonably well used" (paragraph 6.4). The surveys were carried out over eight days between November 2017 and October 2020 and record an average of 24 users per day, varying between 7 and 65 on individual days [see summary in Table 4 of Mr Appleton's proof of evidence (CD15.2.2)].
- 7.10 These figures include a walking group of 38 people recorded on Saturday 21 September 2019, which the Applicant has excluded from his own analysis of the data. However, as there is evidence that walking groups operate in the area and use Footpath 60 [6.21 and 6.28] and given that such a group was present on one out of only eight days surveyed, I consider that it is appropriate and necessary to include the group in any robust analysis of the data. Whilst the witnesses for Holmfirth Walkers Are Welcome and Holmfirth Harriers may not have provided documents to demonstrate that the organisations formally approved the written and verbal evidence given, there is no reason to dispute their statements that groups of walkers and runners use the footpaths in the area.
- 7.11 Moreover, as the surveys were only carried out between 08:00 and 16:00 each day, it is very likely that the total usage per day of the footpath is higher than the survey indicates. Indeed, several witnesses (including ones appearing for the Applicant) indicated that they frequently used the footpath either before 08:00 (particularly for dog walking) or after 16:00 [6.15].
- 7.12 There is no significant challenge to the Applicant's statement that the footpath is a recreational route rather than one used for commuting. Consequently, I concur with the view that usage of it is likely to be highest during the summer months and at weekends/holiday periods [6.37 and 6.39]. However, although the surveys were carried out on

eight days over a period of nearly three years, none were undertaken between April and mid-September. Nonetheless, the days of highest recorded usage are Saturday 21 September 2019 (65 users) and Sunday 25 October 2020 (43 users), the latter nearly twice the next highest recorded usage day being Sunday 17 March 2019 (24 users). In contrast the highest recorded usage on a weekday is 13 on Thursday 30 November 2017 (summation of figures in Table 4, CD15.2.2).

- 7.13 On this basis, and accounting for those using the path before 08:00 or after 16:00, usage on late Spring/Summer weekends is likely to be significantly higher than the average daily figures indicated by the survey. Indeed, in a period of about an hour on my Sunday afternoon (12 September 2021) site visit, I saw 11 people using the path.
- 7.14 The Applicant's analysis of the surveys refers to the proportion (33% or 42% depending on whether the walking group is included) of all people using the permissive path to reach or leave the Trig point who walked there/back via the original footpath [4.14]. However, this is a fairly meaningless figure given that, irrespective of the proposed stopping-up/diversion, there are three easterly approaches to the Trig Point – via the original footpath, via Wolfstones Road coming from the north and via Wolfstones Road coming from the south. Moreover there are other (unsurveyed) routes to the Trig Point from the west using permissive footpaths.
- 7.15 The much more relevant analysis concerns the destination of all users of the existing footpath, because this indicates the proportion of its users who would potentially be inconvenienced by the stopping-up and diversion. The surveys (see summary in Table 4 CD15.2.2) identify the direction users came from/went to before/after joining/leaving the existing footpath at Wolfstones Road. Again, including the walking group of 38 people, this records that:
- 4% (7 people) came from/went to the north (Moor Lane) via Wolfstones Road;
  - 41% (80 people) came from/went to the south (Upperthong) via Wolfstones Road;
  - 55% (109 people) came from/went to the Trig Point land.

Moreover, on the busiest day (Saturday 21 September 2019), the nearest equivalent to a summer weekend day surveyed, 72% of users of the footpath came from/went to the Wolfstones Trig Point.

- 7.16 Although the footpath diversion route had been open for public use on a permissive basis since 2017, usage of it was only recorded on the final two, October 2020, survey days. This is unfortunate. Across these two days an average of 25.5 people were recorded using the diversion footpath against an average of 25.0 people recorded using the original footpath 60 (Table 4, CD15.2.2). Although not recorded in the survey it is logical and likely that, whilst some people might be using the diversion

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footpath for journeys to/from the Trig Point or the south, the majority of those using it would be heading to/from the north via Wolfstones Road.

- 7.17 In summary the survey demonstrates that across the Autumn/Winter/early Spring months surveyed, the footpath is reasonably well used and there is the likelihood that usage is significantly higher during the late Spring/Summer months, also bearing in mind likely usage before 08:00 and after 16:00. Across the surveyed months a majority (55%) of users of the original footpath were heading to/from Wolfstones Trig Point, although the 72% figure for Saturday 21 September 2019 (the busiest day surveyed) suggests that the proportion of all users heading to/from the Trig Point is likely to be higher than the 55% average on Summer weekends. With the choice of both the original and diversion footpaths the limited evidence of only two of the eight days of surveys indicates that almost identical numbers of people chose to use each footpath. Moreover, nearly all (96%) of those using the original path were heading to/from either the Trig Point or south along Wolfstones Road, whilst it is likely that most of those using the diversion path were heading to/from the north via Wolfstones Road.

### ***Convenience***

- 7.18 The diversion increases the length of walk between points A and B on the Order plan from around 150m to around 340m. Whilst the additional 190m is not in its own right a very long distance it would add more than 10% to the around 1.5km current distance along Footpath 60 from Netherthong to Wolfstones Road. For those heading to/from the Trig Point or to/from the south via Wolfstones Road, the diversion takes people in the wrong direction and also requires them to go downhill and then back up again. I envisage that the increased distance, the loss and then gain of height and the general sense of heading in the wrong direction ("two sides round the triangle") would, together, be considered by many of these users to be a significant inconvenience in their trip [6.29 and 6.39].
- 7.19 On the other hand, for those heading to/from the north via Wolfstones Road, the diversion route is slightly shorter than the original footpath, does not involve the gaining and loss of height and would be likely to be considered by most to be a little more convenient than the original footpath. The limited evidence of the two days on which use of both the original footpath and the diversion was surveyed suggests that broadly equal numbers of people head to/from the north via Wolfstones Road as head to the south or to the Trig Point.

### ***Safety***

- 7.20 For those heading to/from the south via Wolfstones Road the diversion would increase by about 118m the distance required to be walked along the road, whilst for those heading to/from the north it would reduce the road walking distance by the same amount. In terms of wishing to minimise on-road walking there would therefore be both winners and losers. However, given that those heading to/from the north or south will

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already be walking along Wolfstones Road at some point in their trip, the net adverse impact, in terms of the amount of road walking, is likely to be at most minimal.

- 7.21 However, notably, for those heading to/from the Trig Point (an average of 55% of those using the section of footpath to be stopped-up and as high as 72% of users on the surveyed September Saturday) the diversion would introduce on-road walking on Wolfstones Road for the first time, albeit that they do currently have to cross this road. In common with many of the rural roads in the area, the section of Wolfstones Road between its junction with the diversion footpath and its junction with the original footpath does not have a footway on either side. However, it does have a relatively narrow grass verge on its east side.
- 7.22 The Paragon Highways survey records an average of 182 vehicles using the relevant section of Wolfstones Road between 08:00 and 16:00 on the surveyed days and the daily average speed of this traffic is between 16.3mph and 21.8mph on the 60mph speed limit road (summary in Table 2 of CD15.2.2). Notwithstanding the limitations of the survey (no traffic volumes or speeds surveyed after 16:00 each day or between April and mid-September) I consider the volume and speed of traffic on the road to be low. Moreover, this is confirmed by my own observations of the traffic on my July and September site visits. Furthermore, the accident data shows that there have been no personal injury accidents on this section of road in the last 21 years (paragraph 2.3.2, CD15.2.2).
- 7.23 Overall, having regard to the volume of traffic, its average speed and the accident history on this section of road, I conclude that the highway safety risk for those forced to walk along Wolfstones Road because of the diversion, whether on the grass verge or the carriageway itself, would be very small.
- 7.24 However, it appears to me that a significant part of the attraction of Footpath 60 is that (aside from having to cross Wolfstones Road) the trip from Netherthong to the Trig Point can be made without walking along a public road. However small the threat from vehicles might be in reality, I envisage that a significant number of people heading to the Trig Point would be likely to consider the diverted route to be decidedly less attractive than the original path because of the requirement to walk (most likely with their backs to the traffic) along a section of 60mph speed limit Wolfstones Road and cross two private access points. I reach this conclusion (i) whether or not the existing grass verge were to be hard-surfaced (ii) notwithstanding the possibility of encountering a vehicle on the original path/lane accessing Wolfstones House Farm and (iii) recognising that these people may well walk along roads without footways elsewhere. This is particularly likely to be the case for people with children; indeed a local resident reported making the trip to the Trig Point along Footpath 60 when his children were young specifically because it did not involve on-road walking [6.27]. Moreover, it seems to me that the walk of around 1.5km from Netherthong to the Trig Point is likely to be one particularly suitable for families with children.

7.25 Whilst drawings have not been provided to demonstrate the point, the Applicant states that there is greater visibility along Wolfstones Road where the diversion meets the road than where the original path does so [4.26]. However, I consider this to be of very minimal benefit given the low volume and speed of the traffic on Wolfstones Road. Moreover, better visibility of approaching traffic is of most benefit to pedestrians seeking to cross a road and in my judgement, because of the bend in the road at this point, pedestrians would be advised (and in reality be likely) to not cross the road at this location. Instead those heading to the Trig Point would be likely to stay on the east side of Wolfstones Road (with their backs to the approaching traffic) and cross the road at the junction of the original path with the road directly opposite the start of the Trig Point permissive path.

### ***Attractiveness of the Path***

7.26 I agree with the view of many that the diversion route, with its relatively gently sloping, curving alignment, landscaping, benches and extensive views over and beyond a duck pond is, in itself, attractive. However, I consider that it has a country park character and feel and, thus, also agree with the view that it is not typical of a rural Yorkshire footpath at this altitude [6.33]. Consequently, I recognise that this might mean that some users would not find it attractive. Moreover, the expansive views over the valley from the diversion are in any case not significantly different from the views from parts of Footpath 60 which would not be diverted.

7.27 It has been argued that the alignment and width which is fixed by the Order; the benches could be removed as could the landscaping, or the latter could easily be left to grow to a height at which it would obscure the views over and beyond the duck pond [6.10]. Whilst this is the case it is not a factor which I consider should weigh materially against the Order, bearing in mind that the attractive character of the footpath proposed to be stopped-up (as detailed below) could equally be lost through unsympathetic works or alterations. Consequently, I have assessed the attractiveness of the original and diversion footpath as they both stand now.

7.28 The slope of the original footpath is steeper than that of the diversion; walkers/runners will have an individual preference for either short steep or long gentle slopes, although overall more height has to be gained using the diversion when heading to/from the south or the Trig Point because it diverts down the hill and back up again. Furthermore, the section of footpath to be stopped-up is no steeper than other parts of Footpath 60 on the route from Netherthong. It is stated that the slope can be slippery in wet or icy conditions [5.3], although it seems to me that anyone who has walked uphill across varying terrain for 1.5km from Netherthong is likely to be suitably clothed/equipped to safely deal with a short section of tarmacked, albeit steep, path.

7.29 More generally, whilst of very different character to the diversion, I disagree with the view that the original footpath is unattractive and has a

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- dingey tunnel-like feel [5.3]. The boundary stone walls have an appeal and the glimpses of the side elevations of the historic Wolfstones Heights and Wolfstones Heights Farm buildings add interest. That objectors to the Order have not submitted photographs of this section of path does not mean that it is not attractive.
- 7.30 The history of the footpath as a public right of way has not been definitely determined, and, indeed, there is not any evidence from an historical expert on the matter. Nor have copies of all the historical maps referred to by the Peak and Northern Footpath Society, or substantiating evidence of some other historical contentions it has made, been put before the Inquiry [4.21 and 4.22]. However, the section of path which would be stopped-up is clearly shown on the 1826 enclosure map (photo 1, CD16.1), albeit that the annotation "Woodhead" is probably a reference to a landowner rather than a directional sign. It is not unsurprising that the path was first formally identified as a public right of way in the 1950s [4.21] because that shortly follows the introduction of the requirement for local authorities to define public rights of way.
- 7.31 Whilst it cannot be stated for certain, it seems to me highly likely that people have been using the path, on this particular alignment, to move about the valley for around 200 years or more, irrespective of when formal legal rights of way along it were established. And, whilst some walkers find pleasure in sitting on a bench looking at a duck pond, others equally gain pleasure from knowing (or at least reasonably assuming) that they are using a historic route, passing close to attractive historic buildings. Overall, I conclude that the original and diversion footpaths are of a similar level of attractiveness, albeit for very different reasons.
- 7.32 At 2.4m – 3m wide, the diversion is wider than the 1.2m width of footpath to be stopped-up. However it is contended by some that the section of footpath to be stopped-up is actually 4m wide and a Definitive Map Modification Order has been made by the Council to reflect this [3.4]. If the DMMO is confirmed the diversion would not have a width advantage over the original footpath. If the DMMO is not confirmed and the original path is confirmed as being 1.2m I consider that this does not materially alter the comparative levels of attractiveness of the two paths. Indeed at the Netherthong end of footpath 60, the path is physically very narrow, constrained between garden fences with overhanging vegetation. Yet, to my mind this is still an attractive section of the path overall.
- 7.33 Many of the supporters of the Order are particularly concerned about the loss or closure of the diversion path if the Order were not to be made [5.3]. Some objectors also suggest that retaining both paths would be the ideal solution. However, it is important to note that not making the Order would not, in itself, lead to the loss or closure of the diversion footpath. The diversion has been in place and available for public use on a permissive basis, in addition to the original footpath, since 2017. If the Order were not made, the original footpath could not be stopped-up, but there is no legal reason why the diversion could not also be retained for public use on a permissive basis. That said, I note that the Applicant indicates that he cannot be expected to maintain both paths and that it is
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his intention that the diversion would be closed to public use if the Order were not to be made (something I have assumed in reaching my conclusions).

### ***Access to the Trig Point***

- 7.34 It is the case that a permissive footpath, rather than a public right of way, leads from the western end of Footpath 60 to the Wolfstones Trig Point and consequently it is possible that public access to the Trig Point could be prohibited at some point in the future [4.18]. However, the path is owned by the Holme Valley Land Charity and there are currently no specific proposals to prevent public access. Should public access to the Trig Point be prohibited at some point in the future and usage of footpath 60 significantly alter as a result of this, there could at that point be a case to reconsider the merits of the stopping-up/diversion. Again, that a photograph from the Trig Point has not been submitted as part of the evidence to the Inquiry is of no matter; I visited the Trig Point on both of my site visits and it is a very attractive beauty spot with extensive panoramic views and I can appreciate why people would wish to visit it. Moreover, that the path to the Trig Point may be of relatively recent origin does not undermine the probable more historic nature of the footpath proposed to be stopped-up or the fact that the Trig Point is now an attractive place to visit in the locality.

### ***Other Matters***

- 7.35 It is the case that KMBC granted planning permission for development clearly involving the stopping-up and diversion of the footpath, that its officers subsequently advised on the design of the scheme and that the officer recommendation was to make a previous order to stop-up/divert the footpath under s257 [4.23]. However, the Council has indicated (CD14.2.1) that the extent of the disadvantages of the proposal only became clear in the objections submitted in respect of the stopping-up/diversion which had not been made in response to consultation on the planning application. Applications for planning permission and for highway stopping-ups/diversions are separate statutory processes and the 'approval' of the latter cannot be a foregone conclusion outcome of approval of the former.
- 7.36 It is also the case that the number of letters submitted in support of the Order are more than double those made in objection to it [4.8]. However, whilst I have had regard to the level of support for the scheme, ultimately my recommendation is based on the merit of the arguments made, not the number of letters making them.
- 7.37 It is the case that the witnesses of both the Peak and Northern Footpath Society and KMBC accepted that, whilst objecting to the scheme and Order proposed, they were not as a matter of fundamental principle opposed to a diversion of footpath 60 [4.19]. However, that some other diversion might in theory be acceptable, does not justify making this Order even if land ownership means that the scheme actually proposed is the only feasible one [4.20].

- 7.38 That it was not out of arrogance or brazenness that the Applicant constructed the diversion path in advance of stopping-up Order being made [4.6] and that he has not closed the legal route in advance of the Order [4.7] weigh neither for nor against making the Order.

### ***Unilateral Undertaking***

- 7.39 The Applicant has submitted a copy of an executed Unilateral Undertaking (CD13.22) under which, if the Order were to be made, the Applicant would pay £12,000 to KMBC as a contribution towards works to hard-surface the grass verge of Wolfstones Road between its junctions with the footpath to be stopped-up and the diversion route. For a number of reasons KMBC has indicated that it would not accept and apply the money for the stated purpose (paragraph 1.9 of page 15/19 of CD13.23).
- 7.40 However, I have concluded above that some walkers would be less likely to use footpath 60 if it were diverted whether or not the verge along Wolfstones Road were to be hard-surfaced. Consequently, the undertaking does not alter my recommendation on the Order. Moreover, given that, in my judgement, these works would not materially improve the diversion route, there is also not a case to identify that the works are necessary in the event that the Secretary of State does not accept my recommendation and resolves to make the Order.

### ***The Order Plan***

- 7.41 Whilst I have not considered arguments concerning the width of the footpath to the stopped-up, which is a matter for the DMMO, the precise location of it is relevant to this s247 stopping-up order. The plan submitted with the stopping-up/diversion application and the formal Order plan shows the 1.2m width of footpath to be stopped-up broadly in the centre of the wider lane/drive (CD3.1.2). This is inconsistent with the Applicant's written and verbal evidence that the path is on the northernmost side of the lane/drive (paragraph 22 of CD15.1.2). The Applicant has argued that the discrepancy is simply one of scale (CD13.5), but, nonetheless, submitted during the adjournment in the Inquiry a revised plan (Diversion Plan 13072-200-P11-28Dec21, part of CD13.5v3) which more clearly shows the footpath to be stopped-up on the northern side of the lane/drive. In the interests of accuracy in the event that the Order is made it would be necessary to make it subject to this revised plan.
- 7.42 Whilst public consultation took place on the basis of an incorrect plan, the discrepancy in the alignment is of approximately only 1m or so. Therefore, I think it is highly unlikely that anyone would have misunderstood which section of footpath the Order relates to, or would not have submitted a representation on the Order on the basis of the advertised plan but would wish to do so on the basis of the amended plan. On this basis no prejudice would be likely to result from this course of action.

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## Overall Balance

- 7.43 I have concluded that there are planning permissions in place, full implementation of which would require the stopping-up of part of Footpath 60. However, consideration must also be given to whether any disadvantages arising from the stopping-up/diversion would justify not making the Order having regard to the overall benefits which would be conferred by it.
- 7.44 The Applicant's survey describes the footpath as "relatively well used" and for the reasons detailed above it is likely that its use in the late Spring/Summer months (not covered by the survey) is significantly higher than during the rest of the year. For those heading to the Trig Point or to the south along Wolfstones Road, the diversion is likely to be considered to be a significant inconvenience, particularly for those just making the 1.5km or so walk between Netherthong and the Trig Point. I envisage that the attractiveness of the diversion path (views of the pond and benches etc) would be unlikely to outweigh this inconvenience for most people, whilst users who value the history of the original alignment of the path and its proximity to vernacular architecture would also have their walking experience significantly reduced in quality.
- 7.45 Whilst the possibility of an accident cannot be completely discounted, I consider that in reality the highway safety risk for walkers using the section of Wolfstones Road necessitated by the diversion would be very small. Nonetheless, I envisage that the possibility of an accident whilst walking along Wolfstones Road, whether or not a footway is provided on the existing grass verge, would be likely to dissuade some people who currently use the path to head to/from the Trig Point (a majority of the surveyed users on the original footpath) from making this trip if the Order were to be made. This is most likely amongst people walking with children currently attracted to the route because its lack of on-road walking.
- 7.46 For those heading to the north along Wolfstones Road, the diversion route is marginally more convenient than the original path and some, but not all, of these walkers will appreciate the diversion's benches and views more than they do the history of the original path. For these people the loss of the diversion path would be a disbenefit, although it is important to note that not making the Order would not directly result in the loss of this path. That would only result from a decision of the Applicant to withdraw public use of the path which has been in place on a permissive basis since 2017.
- 7.47 Whilst there would be winners and losers, I conclude that the stopping-up and diversion would result overall in more disadvantage than advantage to the convenience and enjoyment of users of footpath 60, reducing the likelihood of people using it for their recreation. Moreover, I consider that the resulting harm caused would be significant, to the extent that it is sufficiently great to be worthy of attention in this particular situation.

7.48 Whilst many elements of the relevant planning permissions have already been implemented, making the Order would enable the permissions to be fully implemented. However, aside from the very minor further enhancement of the appearance of Wolfstones House Farm, the benefits which would arise from this are private ones for the occupants of Wolfstones House Farm. Overall the benefits of the development are, in my view, limited in nature, scale and importance. Furthermore, I conclude that the significant disadvantage arising from the stopping-up/diversion, detailed above, would clearly outweigh the benefits which would result from it. On this basis the disadvantage is of such significance (ie not remote or far-fetched and applicable to the gravity of this situation) as to justify not making the Order.

7.49 For this reason I recommend that the Order is not made.

## 8. **RECOMMENDATION**

8.1 I recommend that the Order is not made.

8.2 However, should the Secretary of State decide to make the Order then I recommend that (i) he makes clear in his decision the lack of the necessity for the verge works on Wolfstones Road (as provided for in the Unilateral Undertaking submitted by the applicant) and (ii) the Order is made on the basis of plan no Diversion Plan 13072-200-P11-28Dec21 (CD13.5v3) showing the footpath to be stopped up on the northernmost side of the lane/drive.

*Malcolm Rivett*

INSPECTOR

**APPENDIX 1 – APPEARANCES*****Representing the Applicant:***

Noel Scanlon, Solicitor, instructed by Richard Howard Butterfield, who called:

- Russell Dickson Earnshaw, Chartered Architect
- Eric Appleton, Chartered Civil Engineer
- John Gregory Cropper, Local Builder
- Joanna Cronie, Local Resident and Applicant's Daughter
- Richard Jeremy Paxman, Local Resident
- Susan Thomson Wimpenny, Local Resident

**Supporters of the Order:**

Helen Waldrom, Local Resident

**Objectors to the Order:*****Representing Kirklees Council***

Anthony Gill of Counsel, instructed by Sandra Haigh, who called:

- Phil Champion, Definitive Map Officer

**Other Objectors to the Order:**

David Payne, Holmfirth Walkers Are Welcome

Eva Smith, Local Resident

Roger Greenwood, Local Resident

Malcolm Sizer, Holmfirth Harriers Athletic Club

Andy Leader, Peak and Northern Footpaths Society

**APPENDIX 2 – LIST OF INQUIRY DOCUMENTS**

<https://programmeofficers.co.uk/Holmfirth/CD25Feb22.pdf>

**APPENDIX 3 – CLOSING STATEMENT AND ADDENDUM ON BEHALF OF THE APPLICANT**

<https://programmeofficers.co.uk/Holmfirth/CoreDocs/CD13.6.pdf>

<https://programmeofficers.co.uk/Holmfirth/CoreDocs/CD13.19.2.pdf>

**APPENDIX 4 – CLOSING SUBMISSIONS OF KIRKLEES MBC**

<https://programmeofficers.co.uk/Holmfirth/CoreDocs/CD13.7.pdf>

**APPENDIX 5 – FINAL COMMENTS ON RESPECTIVE CLOSING SUBMISSIONS**

<https://programmeofficers.co.uk/Holmfirth/CoreDocs/CD13.25.pdf>

**DEPARTMENT FOR TRANSPORT**

**TOWN AND COUNTRY PLANNING ACT 1990**

The Secretary of State gives notice that the Order proposed under section 247 of the above Act to authorise the stopping up and diversion of a length of Footpath Holmfirth 60, at the Wolfstones Heights Farm site, at Holmfirth in Kirklees (our reference NATTRAN/Y&H/S247/4337), will not be made.

A handwritten signature in black ink, appearing to read 'D Candlish', with a long horizontal stroke extending to the right.

D Candlish, Head of National Transport Casework Team