

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2024/62/91934/E
Site Address:	11, Wood Street, Skelmanthorpe, Huddersfield, HD8 9BN
Description:	Demolition of existing dwelling and erection of four dwellings
Recommending Officer:	Nicole Helliwell

DECISION – Conditional Full Permission

I hereby authorise the approval/refusal* (delete as appropriate) of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Sarah Longbottom

AUTHORISED OFFICER

Date: 09 January 2026

Officer Report

Reference No. 2024/62/91934/E

Site Address: 11, Wood Street, Skelmanthorpe, Huddersfield, HD8 9BN

Proposal: Demolition of existing dwelling and erection of four dwellings.

Site Description

The application site relates to 11 Wood Street, a detached bungalow located in Skelmanthorpe, Huddersfield. The dwelling is faced in stone and incorporates a dual-pitched roof finished in slate. The site is set on a gradient which falls from west to east. The site is unallocated on the Kirklees Local Plan and is situated within a predominantly residential area. The surrounding dwellings are varied in terms of size, architectural styles, and materials. The site is not located near any listed buildings or Public Rights of Way (PROW). However, the site is located adjacent to the Skelmanthorpe Conservation Area.

Description of Proposal

The applicant is seeking planning permission for the erection of four detached dwellings. The existing detached bungalow will be demolished as part of the application. The proposed dwellings would be faced in coursed natural stone and would incorporate dual-pitched roofs finished in blue slate. House type A would be three-storeys in height and would have an overall width of approx. 11.2m, an overall depth of approx. 8.9m and an overall height of approx. 9.8m. House type B would be two-storeys in height and would have an overall width of approx. 12.4m, an overall depth of approx. 12.45m and an overall height of approx. 8.1m. Furthermore, parking areas are proposed to the front and private outdoor amenity spaces are proposed to the rear of each property.

History of Negotiations/Amendments Received

Amendments were sought during the course of the application. Concerns were raised regarding the separation distance between plot 2 and 9a Wood Street. Revised drawings were received, which were considered acceptable with regard to residential amenity. Additional information was also received during the course of the application to address comments from KC Environmental Heath, KC Ecology, KC Trees and KC Highways Development Management.

Relevant Planning History

- **2023/91649:** Demolition and rebuild boundary wall. [Planning application details | Kirklees Council](#) - Refused

Representations

The application was publicised by site notice, press advertisement and neighbour notification letters which expired on 7th September 2024. As a

result of the above publicity, 24 representations have been received. The comments made have been summarised below:

- There has been no thorough investigation of the contaminated land that the houses would be built on.
- The latest GeoTech Report highlights that the site is, infilled and the materials therein are not strong enough to support the proposed development without a piling operation using reinforced concrete columns or similar. Given the close proximity of existing dwellings on Holly Tree Grange and Wood Street such an activity is unacceptable and likely to result in damage to both newer and older buildings in the area.
- The construction and increased traffic associated with this development would create significant noise levels.
- Increased noise from construction, vehicles, and new residents could negatively affect our quality of life and the health of our child.
- We fear the intense amount of disruption to this quiet neighbourhood, by the noise and air pollution of construction work over a prolonged period.
- The dust from the site will affect my health.
- The noise, disturbance and dust from any build would be unbearable.
- Firstly, local residents have not been informed and a planning notice has not been posted?
- Many residents likely to be affected have not been made aware of the above proposals.
- There appears to be a lack of transparency given there appears to have been many 'behind the scenes' negotiations and developments upon which residents have not had an opportunity to comment.
- Covering the site with houses will remove a significant amount of natural drainage which has potential to affect all the properties downhill of the site - there has already been significant flooding at the station road end of wood street.
- Flooding is quite significant during times of heavy rain, this will only get worse
- The area experiences significant rainwater runoff, particularly along Wood Street. This existing issue poses a risk of flooding and could be worsened by additional development.
- It is crucial to address how this development will manage stormwater to prevent further drainage, works has already been carried out to remove trees and bushes and as such this has caused the junction of wood street and station road to flood.
- Over the past fifteen years there have been a number of incidents relating to drainage in Wood Street and the main drain in the street close to Station Road has flooded and been blocked on a number of occasions. The Council needs to take this into account, that an ageing drainage system is

being required to cope with more and more properties being built and using it.

- The existing drainage system requires upgrading even without the addition of a further four large properties.
- The sewers burst not long ago, with my neighbours having raw sewerage in their gardens. This is evidence that the sewers are not up to it.
- I object to any dwellings being erected on Wood Street until the sewers have been fully upgraded.
- Wood Street becomes a river when it rains, this development does not take into consideration the increase in water on Wood Street.
- The Brambles already has a pump, has that pump enough capacity to deal with the extra water the proposed houses probably will cause. It already floods at the bottom onto Station Road when the rain is heavy.
- The Environment Agency maps indicate a Flood Route which runs along the northern edge of properties on Wood Street, across this site and down to what is now Holly Tree Grange. We believe The LLFA will need to be satisfied that adequate drainage provision is made to prevent any flooding, particularly in view of the loss of trees which will have taken up many gallons of water
- Four springs are known around Wood Street. Wood Street itself floods near its junction with Station Road after heavy rain.
- I find it difficult to believe that the absorption of water will not be negatively affected to the point where flooding in the rear of the properties of Holly Tree Grange becomes a concern.
- We understand that a surface water drain may run along the bottom of the existing wall. In the past, there was an open 'trench' type drain when Wood Street (like many others in Skelmanthorpe) was an unmade lane which could have been subsequently piped. This matter needs investigating further.
- The bank appears to be disproportionately high compared to the height of the wall. We have locations in the district where water pours over the top of walls during and after heavy rainfall.
- There is also the effect on the local wildlife if any of the site is cleared further.
- The reduction of the boundary wall would have an effect on nature using those trees (bird life, invertebrates and bats).
- There is a diverse amount of wildlife and birds reliant on this habitat, the site has already been stripped of many mature trees and hedgerow which will already have caused significant disruption.
- The site is a haven for wildlife and ripping the site up to replace with 4 new houses will destroy this.

- We have bats visit our garden every dusk and it needs to be investigated where the bats are roosting as they are a protected species, this could be the roof space of the existing dwelling.
- There is significant wildlife that traverses the area, from a variety of birds to foxes and deer. The additional tarmac would impact the natural environment, an alternative more nature friendly solution needs to be found for the driveways.
- The planning application site has already been decimated in terms of vegetation removed, with a detrimental effect on local wildlife.
- The natural inhabitants of this environment rely heavily on the area around 11 Wood Street. Despite the alleged bat survey which has been carried out, numerous bats are seen regularly and therefore I would refute the claim of there being no presence of bats.
- What about the Bats, I hope the due diligence has been carried out to ensure this protected species are not being put at risk. Number 11 was a well maintained home before it was allowed to deteriorate.
- The mature trees on this site provide habitats for regularly observed owls, squirrels, bats and birds. Bird nests are currently present in TPO T5 (and possibly the Holly tree) and within the group of TPOs at the northern boundary of the site.
- I would like to know if this application is in line with the government legislation in relation to the destruction of natural environment prior to the application being submitted. How can a true calculation be made to show the carbon loss from this habitat destruction if the site has already been cleared.
- Building 3 storey high homes will be an eye sore.
- The other side of wood street is a conservation area, altering the other side would make a mockery of this.
- Developing the site in line with the application will destroy the current streets view and tree lining.
- Apart from the conservation side of the road I thought it was classed as a 'heritage street,' again a mockery will be made of this.
- The height of the properties is unacceptable. The current property cannot be replaced with anything of any greater height. As this has a material impact on access to light and of course the aesthetic environment which is on the edge of a conservation area.
- The street and neighbouring street has houses that are 200+ years old, the designs of the properties are too modern, indeed even the relatively new development in Holly Tree Grange is more sympathetic to the aesthetic and history of the area.
- The final point is that the proposed dwellings will cause a severely detrimental effect on the aesthetics of the area and the proposed plans do not appear to be in keeping with other properties within the local area.

- The proposed builds are not in keeping with the direct local area and has no consideration it borders conservation zone.
- I object to how the houses look, they would look out of place and will affect the character of the area detrimentally.
- This site is well located and can accommodate a denser residential development than existing, but it must protect and enhance the local character of the area and deliver quality development.
- The Type A dwellings are ugly 3 storey buildings and will have a negative, overbearing, domineering impact, not only on the site, but the whole immediate area around Wood Street, Station Road and even Elm Street, particularly given they are at the highest (western end of the site).
- Parking space dominates the frontages of the proposed housing, against Principle 12 of the Kirklees Housebuilders Design Guide SPD, June 2021.
- It will not enhance the built and historic environment.
- We believe the site to be overdeveloped.
- I have been looking at the plans for 11 wood street development and it appears that the measurements for my drive opposite are not correct. Specifically, the width and length compared to the plans make it look like it is not directly opposite, which it is. Could you please look into this as soon as possible to avoid any misunderstandings. I believe these plans are being used by others in their assessments and plans so if they are wrong, which I believe they are then they need checking ASAP.
- The applicant has failed to submit a west/east cross section across the site and into Holly Tree Grange to properly illustrate the topography involved.
- I am unable to fully understand the proposals and their impacts due to insufficient details being provided. The following details need to be provided:
 1. An elevation drawing showing the full extent of the wall modifications works and how these modifications will tie in as the wall continues in front of 9A Wood Street.
 1. A cross sections drawing showing the highway level, existing and proposed wall top and the required regrading works to the retained soil. The cross sections should accurately show the existing tree locations.
 2. A cross sections drawing showing the proposed topography between 9A and 11 wood street. Providing details of how the proposed regrading works will tie in.
- We feel that we need to object to this development in its current arrangement due to the direct impact on daylight and sunlight to our property as well as its impact on our privacy as a result of being directly overlooked by the new dwellings.
- The proposed development site is located on a slope, which is elevated above our house and garden areas.

- The existing property is a bungalow that will be replaced by 2no. 2 storey dwellings (plots 3 and 4), the new buildings will be much taller than the existing building and therefore shade our property.
- The top floor windows to both properties will directly overlook our garden impacting on our privacy.
- We would like to request that the planning approval considers changing the block layout arrangement to move the plots and road layout, so that Plots 3 and 4 are further set back (to the south of the development site) so our property is not overlooked and our privacy and light impacted.
- Plots 1 and 2 comprise of 3 storey dwellings that would be located to the south west and positioned considerably up slope of our property.
- Construction of Dormer bungalow style properties would have less of an impact on our property and be in keeping with the roof height of the existing property (that is to be demolished).
- The rooflines of these properties will be significantly elevated above the crest line of the existing slope and therefore shade our property and obscure direct sunlight.
- The bedroom windows from Plot 1 will directly face downwards into our garden and into our bedroom window. It would be our opinion that two storey dwellings would be much more appropriate and result in much less of an impact.
- The proposed tree planting to the rear gardens, of Plots 3 and 4, will do little to improve privacy but will directly impact on light to our property.
- Our garden is located approx. 4m below the ground elevation of the proposed trees. Therefore, any substantial trees located so close to the boundary, will tower over and shade our existing garden and property, and once established, their canopy will be difficult to maintain and therefore hang over our existing patio area. This will have a significant impact on light and our quality of life.
- The plan for the replacement of the existing house is far too close to the border and will block light and reduce privacy significantly, approximately 5 foot below the site.
- A new dwelling should be in the same position as the existing dwelling and no higher.
- The height of the properties is unacceptable, It will likely result in neighbouring properties being overlooked. This will impact the residents' enjoyment of their properties.
- The plot on Wood Street is already significantly elevated which, when coupled with the gable end of a proposed tall property so close to the boundary of the site, will drastically inhibit natural light.
- Prior to this I could not see any other houses from my windows, now I can see houses and they can see my house.

- The layout will block a significant amount of light, which would affect that side of my house detrimentally.
- The height of the houses is far too high, they will tower above the site below, be such an eyesore and would completely ruin the aspect of the street.
- The loss of light would probably have a detrimental effect on the visibility for drivers and pedestrians.
- The Type B house nearest to the eastern boundary is close to the old quarry edge.
- No. Holly Tree Grange has an extension at the back (not shown on the site plan) which needs further investigation as required separation distances may not be achieved.
- The living areas and bedrooms are also likely to look directly into the gardens, house and balcony of the neighbouring property.
- The separation distances between the neighbouring properties needs further investigation
- Planning to rebuild the wall has already been refused
- This reduction in height is not necessary.
- It seems like they are intent to damage the tree to get more houses on the plot.
- The proposal to lower the boundary wall will make the protected trees unsafe and will damage the roots.
- To lower the height would suggest moving a considerable amount of soil.
- The plan to reduce the wall size is a ploy to destroy where the TPO sits.
- This wall is not the danger it is falsely claimed.
- The recutting of the driveway may impinge on the required root protection zones of the TPOs, especially the Sycamore closest to the driveway.
- The risk to the established TPO'd trees on Wood Street is significant, because of the proposed layout.
- Before any development takes place, the existing bulge in the retaining wall close to the entrance needs to be repaired in a way which will not harm the roots of the TPO.
- The "tunnel" of trees along the street are an important element of the historic amenity and fear that it could be irretrievably damaged.
- Healthy mature trees have been removed, enormous amount of shrubbery all without any consideration for the habitat destruction and the effect on local wildlife and birds.
- A huge amount of trees have already been taken out and it would be nice to retain some screening from the development.
- The wall should be rebuilt as was, keeping the character of the road.
- The site borders a conservation zone and has exactly the same dry-stone wall, this should be preserved in the same way.

- Local history should be preserved. The conservation zone should be extended to include this wall.
- To reduce the height of the wall running alongside Wood Street would markedly reduce the visual aspect of the street and the adjacent environmental area.
- This is clearly just trying to find another way to kill the trees that are decades (if not centuries) old
- It would appear to us that this proposal is a 'back door' attempt to achieve the real aim (i.e. the removal of the existing TPOS) of the earlier, quite rightly, refused planning application. (Ref. 2023/62/91649/E).
- Following the previous refusal, the landowner has felled all non TPOS trees on the site and large sections of existing hedgerow.
- The wall has been inspected by the Kirklees highways, the owners have been notified to fix the wall. Why is this not been fixed and at risk of falling into the road?
- The destruction of mature, healthy woodland trees on the site's western boundary is of grave concern to us.
- We are pleased to see additional tree planting is proposed on site, although sadly they are unlikely to be the woodland tree types now lost.
- We would like to see the new trees planned within the residential properties to be part of any approval conditions and property deeds.
- The only bit of this wall that requires rebuilding is a section below T4 Sycamore. The rest of the wall does not pose a danger to the public.
- We have serious concerns about the structural stability of such a small wall to support the created bank.
- The impact of these works on the existing retaining wall and hedges surrounding the eastern side of the property at 9a Wood Street has not been considered.
- We are also concerned about the impact of Plot 1 on the group of TPOs which exist just to the north of the site boundary.
- The visibility splay submitted by the applicant demonstrates that the tree cannot remain and the height of the wall should be reduced further to achieve the visibility splay requirements.
- If T4 is removed there will be a significant gap in the canopy which will take decades to restore by replacement young trees.
- There is no reason to reduce the wall height. The visibility splays from the entrance are sufficient for the speed and volume of traffic on this narrow lane (and confirmed by the Transport Statement).
- T4 should be retained plus 3x more sycamores to compensate for the destruction to woodland trees already wrecked on this site and loss of habitat.

- We are sure you will take a very dim view of anyone trying to damage this wall in order to further a spurious argument to try and secure the removal of this particular TPO.
- The retaining wall between not just 4 Holly Tree Grange and the plot at 11 Wood Street but all properties on Holly Tree Grange is likely to sustain substantial damage when proposed groundworks are taking place potentially causing significant damage to the external areas of said properties on Holly Tree Grange.
- The wall is currently over twice this height and serves to support the cut through of Wood Street through a naturally occurring mound and bedrock. Reducing its height is likely to destabilise the existing two TPOs which are a feature of Wood Street and bring great amenity value.
- It is also ingenuous for the Arboricultural Consultants to state The Tree Officer implied it would be acceptable to remove the Sycamore nearest the entrance because of its age. Trees Planning were clear: the latter proposal contravened LP33 and they mounted an objection.
- Drawing SE/010 should raise immediate concerns with the removal of 900mm of soil within the RPA of T5, which should never happen either manually or mechanically.
- Repair work now similar to that now required has been very successfully carried out in the past and stands firm at least 10 years later.
- There are no roots visible in the collapsed area of wall – the roots of T4 appear to have wound around bedrock according to the Tree Officer.
- We understand Highways have previously requested the landowner to repair this wall. This has not been done to date and Wood Street still has a fenced off section, narrowing the road even further months later.
- The creation of a recessed bank from the top of the proposed lowered wall will cause damage to the root protection area of the large Sycamore T5 as acknowledged in the Arboreal Consultant's Report. This could easily lead to the de-stabilisation of this large tree and future applications for its removal.
- We have absolutely no confidence in the mitigation measures proposed and their ultimate supervision.
- I object to the destruction of any more of the natural environment, habitat and landscape.
- The stand of trees now has a break into which is being slotted two ugly, high 3 storey houses 2 on the current proposals.
- The retaining wall on the RHS of Wood Street is perfectly sympathetic to the local character and history of Wood Street.
- The wall has been repaired successfully on the occasions mentioned – the last repair in 2016 has not moved.
- Given that the LPA is now accepting sandbags as retaining wall material for supporting dwellings, we find the view of this wall as hypocritical.

- We understand that a competent waller could repair this wall in a few days' work as happened in 2016 without requiring the removal of T4.
- The Council should be seeking the opinion of an experienced waller, completely independently of the applicant or their agents before making any decision on this application which also present many other issues.
- Such a reduction is against regulations given the height and weight of banking it will have to support.
- It has been the publicly declared intention of the land owners to get rid of all the trees on this site. They have almost succeeded barring the 2 x TPOs and a small Holly tree near the entrance.
- Interfering in some context with the retaining wall has been used by their agents as a ruse to remove and/or seriously weaken T5 and T4.
- We believe that what is currently shown as 'replacement tree' planting should be required, in addition to the retention of T4, by way of mitigation for the number of mature woodland trees already destroyed.
- There is currently a surplus of four-bedroom houses in the vicinity, and many of these properties are not selling. Approving more of these homes could exacerbate this issue, leading to vacant properties and a decline in property values.
- The proposal would result in financial detriment to the values of their properties.
- I object to the type of houses being built, in the village this type of house is not selling and are being reduced. This surely means this type of house is not needed in the village.
- I would also like to know if this meets the needs of the local development plan and if it has been assessed?
- Many houses are up for sale, lots reduced or not selling, including the new builds. This evident that the market in Skelmanthorpe is saturated. What happens when the housing market crash?
- I would also like to comment about the infrastructure, the doctors, the schools, the roads, the parks, the everything local. How will these essential services meet the increase in demand?
- It fails to deliver the Social Objective in that it does not provide the type of housing desperately needed in the area. It is not an effective use of land in this respect
- We believe in its present form; this application fails to meet two of the three criteria for a sustainable development.
- The Economic Objective will only be achieved if the developer will contract with firms local to Skelmanthorpe/Denby Dale. At present, this information is not provided.
- The type of housing proposed does not meet the local housing need which is for more affordable housing and housing for older people particularly.

- With its position close to the shops and bus stops and relatively easy walking, this site is ideal for much needed housing for older people, allowing them to downsize and free up family sized homes in the area.
- There is an oversupply of expensive, large 4 bedroom+ housing in Skelmanthorpe. The provision of new housing in the village 3 appears to be increasingly 'out of kilter' with the real needs of the local population and affordability parameters.
- New developments are not selling. There is a need for the LPA to take a more strategic view of housing applications in not only Skelmanthorpe, but the Denby Dale Ward as a whole in this respect.
- It is not an effective use of land if a development application does not fulfil the real and identified housing need in our area.
- Concerns relating to traffic
- Without a Traffic management plan no one can make an informed decision on how the traffic and roads would be managed with this increase.
- The increase in vehicles associated with the proposal would obstruct road users and pose safety risks.
- The current infrastructure may not adequately support the additional traffic
- Is the existing drive wide enough to cope with large construction vehicles?
- Wood Street is very narrow
- The junction with Station Road has become increasingly dangerous to exit due to vehicles speeding along Station Road.
- The end on to Station Road is dangerous, the blind bend, how fast cars come round is already a great risk.
- The increase in traffic will have a serious impact on the safety of residents and users.
- Concerns that construction traffic will block the road and cause hazards
- Commercial vehicles will damage the road which will require significant repair.
- The Highways Statement is inadequate.
- The proposed development will have a detrimental effect on the use of my drive and its access.
- Insufficient parking provision for both occupants and visitors
- This proposal introduces a real risk to increased parking on Wood Street, detrimental to the safe operation of the highway.
- Concerns for traffic movement should contractors' vehicles be accessing the site during construction
- Difficult for refuse lorries to proceed up and down the street due to parking
- We would ask the Council to stipulate that contractors' vehicles should not park on Wood Street between the junction with Wood Street and No. 11 Wood Street.
- It is also doubtful if the large rig necessary for such an operation could gain access to the site via Wood Street

- Concerns for the removal telephone pole and lamp post at the entrance of the site should the access be widened
- Four houses could bring 8 cars and however many delivery vans, takeaways, visitors, workers, family.
- ATTP suggest that vehicle speeds are unlikely to exceed 15 mph, no speed survey information is provided to support this claim.
- Without evidence, the stopping sight distance below the speed limit should not be accepted, especially where there is an intensification in use.
- ATTP confirm that if vehicle speeds are in excess of 15 mph, then the necessary stopping sight distance cannot be provided as a result the risk of a collision is increased.
- Visibility splay requirements in Manual for Streets state that the vertical visibility envelope commences at 600mm, to take account of children and low cycles. This cannot be provided with the landscape proposals being maintained.
- The applicant is applying Manual for Streets guidance when it suits.
- The level difference between the modified turning head, that now extends into the hedge, closer to the gardens related to the neighbouring residential property is significant, as such, errant vehicle protection would be required.
- The width of new road is reported as 5.0m, this does not provide 6.0m behind each driveway.
- Without a swept path analysis confirming that 2 vehicles can park on each drive, and each vehicle can enter and exit simultaneously, the parking bays cannot be considered to be parking bays.
- How will this proposal work given the only entrance is opposite my drive, how is this assessed and who assesses it?
- How often will the road be cleaned to make sure I have no dirt from the development coming on my drive and in my house.
- Wood Street is unsuitable for large vehicles and has a sharp 90 degree bend at its western end which restricts the type of vehicles that can pass.
- Wood Street has no footpaths, but forms part of a 'round walk' of Skelmanthorpe and is used by many pedestrians and dog walkers.
- The Tracking Diagram and site plan fail to show the driveways to the neighbouring properties and the position of the drystone walls.
- Some residents need to park on the road which may have to be moved so RCVs (which have to reverse up Wood Street) can pass without risk of damage.
- What is proposed is a gated development. The gates will cause obstruction to traffic flow and entry and egress from the driveways opposite.

- The Highways Statement fails to consider access to the site by construction plant and materials deliveries and the health and safety risks posed to residents, road users and pedestrians.
- A detailed Construction and Transport Management Plan should be submitted prior to determination.
- The Type A houses provide only two parking spaces as they have a garage that is too narrow (internally appears to be 8ft 3" only) for modern sized vehicles and therefore, cannot be viewed as a genuine car parking space – they are merely family storage spaces.
- The Type B houses whilst appearing to have a slightly larger garage space have a very restricted parking apron in the front of the properties and turning areas onto the driveway.
- The proposed layout does not provide sufficient visibility to enable a vehicle travelling on Wood Street to stop should a vehicle leave the development access as proposed.
- The Highway Statement states that the "level of visibility is achievable at the site access," this statement is incorrect
- The visibility splay diagram shows that the tree trunk immediately adjacent to the access will block visibility in the critical direction.
- The visibility splay requirements related to the legal speed limit on Wood Street cannot be achieved in reality or on paper.
- In the non-critical direction, the splay is taken across land outside of the blue and red line provided by the applicant. The applicant has no control over this land, at present this area of private garden is contained by a fence in excess of 2m in height, blocking any visibility splay to Wood Street.
- The vehicle speeds in the critical direction benefit from no egress points and a downhill gradient with good forward visibility prior to this existing access, so are likely to be greater than the non-critical direction.
- ATTP guesses vehicle speeds, no survey data is provided to quantify why 15 mph was selected.
- MfS sets out visibility splay requirements for 15 mph as 17m, the access provides 5m visibility with the proposed alteration to the wall and widened access. 15 mph is too fast for the presented visibility.
- The probability of a vehicle leaving this access at present is 4 times lower than the proposed situation.
- The probability of a vehicle emerging from this access is 400% greater than existing and as such, highway safety is likely to be compromised.
- The access is widened to aid pedestrian visibility, this is a positive.
- The swept path analysis confirms that a vehicle cannot enter and exit the development simultaneously.
- There would be insufficient space for a vehicle to wait to exit whilst a vehicle enters the site.

- The turning head for delivery vehicles is at the entrance to the site, maximising the distance a vehicle has to reverse to service the site, this should be minimised.
- Delivery vehicles may enter the development and reverse into Wood Street when they cannot turn, or they may park on Wood Street, affecting the visibility splay.
- The level difference between the proposed turning head and the gardens related to the neighbouring residential property is significant.
- The road width behind the driveways is narrower than 6m, therefore parking space widths must be increased.
- The existing hedge between the house and existing dwellings to the east has been reduced in width, no additional measures are proposed to reduce headlights from causing nuisance.
- There is space within the site to accommodate a bin store, which would remove the need to store 3 no. further bins on Wood Street on the day of collection, which would likely interfere with visibility splays

Parish/Town Council Comments

Kirkburton Parish Council - No comments received

Local Ward Members

Not Applicable.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the 'Assessment' section of the report, where appropriate):

KC Highways Development Management – No objection subject to recommended conditions

KC Highway Structures – No objection subject to recommended condition

KC Trees - No objection subject to recommended conditions

KC Ecology – No objection subject to recommended conditions

KC Environmental Health - No objection subject to recommended condition

KC Conservation & Design – No objection

Policy

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

The site is UNALLOCATED on the Kirklees Local Plan Proposals Map. However, the site is located adjacent to the Skelmanthorpe Conservation Area. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 3** - Location of New Development
- **LP 7** - Efficient and Effective Use of Land
- **LP 11** - Housing Mix and Affordable Housing
- **LP 20** - Sustainable Travel
- **LP 21** - Highways and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 28** - Drainage
- **LP 30** - Biodiversity & Geodiversity
- **LP 33** - Trees
- **LP 35** - Historic Environment
- **LP 51** - Protection and Improvement of Local Air Quality
- **LP 52** - Protection and Improvement of Environmental Quality
- **LP 53** - Contaminated and Unstable Land

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- **Chapter 2** - Achieving Sustainable Development
- **Chapter 4** - Decision-Making
- **Chapter 5** - Delivering a Sufficient Supply of Homes
- **Chapter 9** - Promoting Sustainable Transport
- **Chapter 11** - Making Effective Use of Land
- **Chapter 12** - Achieving Well-Designed Places
- **Chapter 14** - Meeting the Challenge of Climate Change, Flooding and Coastal Change
- **Chapter 15** - Conserving and Enhancing the Natural Environment
- **Chapter 16** - Conserving and Enhancing the Historic Environment

Other Guidance Documents:

- Kirklees Highways Design Guide (2019)

- Housebuilders Design Guide (2021)
- Nationally Described Space Standards
- National Design Guide
- Biodiversity Net Gain Technical Advice Note (2021)
- Planning Applications Climate Change Guidance (2021)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)

Assessment

1. Principle of Development

The site is without notation on the Kirklees Local Plan. Policy LP1 of the Kirklees Local Plan states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in Chapter 2 of the National Planning Policy Framework. Policy LP2 sets out that, in order to protect and enhance the character of places, all development proposals should seek to build on the opportunities and help address the challenges identified in the Local Plan.

Paragraph 11 of the National Planning Policy Framework (NPPF) advises that plans and decisions should apply a presumption in favour of sustainable development. It adds, within the same paragraph, that where the policies in the Development Plan, deemed most relevant to the consideration of the proposal in question are out-of-date, the default position is that planning permission should be granted unless:-

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
- i) any adverse impacts of so doing would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

In the case of applications for residential development such as this, the NPPF adds that policies will normally be considered 'out of date' if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing land.

The Local Plan identifies a minimum housing requirement of 31,140 homes between 2013 and 2031 to meet identified needs. This equates to 1,730 homes per annum. National planning policy requires local planning authorities to demonstrate five years supply of deliverable housing sites against their housing requirement.

The 2025 update of the five-year housing land supply position for Kirklees shows 4.18 years supply of housing land, and the 2023 Housing Delivery Test

(HDT) measurement which was published on 12/12/2024 demonstrated that housing delivery for Kirklees for the past three years (April 2020-March 2023) has fallen below the 75% pass threshold.

As the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement, it is necessary to consider planning applications for housing development in the context of NPPF Paragraph 11 which triggers a presumption in favour of sustainable development. This means that for decision making “Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (NPPF Footnote 8), granting permission unless: (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (NPPF Footnote 7) ; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

The Council’s inability to demonstrate a five-year supply of housing land, or pass the Housing Delivery Test, weighs in favour of housing development but this has to be balanced against any adverse impacts of granting the proposal. The judgement in this case is set out in the officers assessment.

The proposal seeks planning permission for the erection of four detached dwellings within Skelmanthorpe, Huddersfield and would assist in meeting the housing needs of the Council. This would be ‘in line’ with the aims of Chapter 5 of the NPPF, which states that small developments such as this can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly.

In terms of design, Policy LP24 of the Kirklees Local Plan is relevant, in conjunction with Chapter 12 of the National Planning Policy Framework. Policy LP24, together with the Housebuilders Design Guide SPD, suggests that proposals should promote good design by ensuring inter alia that the form, scale, layout, and details of all development respects and enhances the character of the townscape, heritage assets and landscape. Furthermore, it requires that proposals protect the amenity of future and neighbouring occupiers and promote highway safety and sustainability.

In this case, the principle of development is considered acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety. These issues along with other policy considerations will be addressed below.

1. Impact on Visual Amenity and Historic Environment

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed and beautiful places) whereby Paragraph 131 provides a principal consideration concerning design which states: *“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*

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

Paragraph 133 of the NPPF sets out that design guides and codes carry weight in decision making. Of note, Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Also relevant to this is the Kirklees Housebuilders Design Guide SPD 2021, which aims to ensure future housing development is of high-quality design.

Principle 2 of the Kirklees Housebuilders Design Guide SPD states that: *“New residential development proposals will be expected to respect and enhance the local character of the area by:*

- *Taking cues from the character of the built and natural environment within the locality.*
- *Creating a positive and coherent identity, complementing the surrounding built form in terms of its height, shape, form and architectural details.*
- *Illustrating how landscape opportunities have been used and promote a responsive, appropriate approach to the local context.”*

Further to this, Principle 13 of the Housebuilders Design Guide states that applicants should consider the use of locally prevalent materials and finishing of buildings to reflect the character of the area, whilst Principle 14 notes that the design of openings is expected to relate well to the street frontage and neighbouring properties. Principle 15 states that the design of the roofline should relate well to site context.

Paragraph 135 c) of the NPPF sets out that development should be sympathetic to local character and history, including the surrounding built environment and landscape setting. Policy LP35 of the Kirklees Local Plan requires development proposals affecting a designated heritage asset to preserve or enhance the significance of the asset, retaining those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensuring that proposals maintain and reinforce local distinctiveness.

Paragraph 210 of the NPPF is also of relevance and states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- a) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- b) the desirability of new development making a positive contribution to local character and distinctiveness.

The proposed dwellings would be two to three storeys in height and would be of a contemporary design. The properties would be constructed in course natural stone for the external walls and would incorporate dual-pitched roofs finished in blue slate which would be reflective of the materials used within the Skelmanthorpe Conservation Area. The dwellings would also include agate grey UPVC windows and the arrangement of fenestration and openings would be typical of this style. The proposed dwellings would also be set back a substantial distance from the highway which would limit views from public vantage points. Therefore, it is considered that the dwellings would not appear discordant and would harmonise well into the surrounding townscape.

Whilst the dwellings would not adjoin to an existing building line on site, it is noted that there is not a strong building line along this part of Wood Street. The proposed dwellings would occupy a similar building position to the existing dwelling. In terms of footprint and massing, the properties would not be out of keeping with the neighbouring dwellings given that the surrounding area lacks coherent character and there is already a degree of variation with regard to scale and design. Therefore, the proposed dwellings would sit comfortably within the existing street scene and against the neighbouring properties.

The application site is also of a sufficient size to support four dwellings as proposed with parking areas to the front and private outdoor amenity spaces to the rear. Furthermore, the development would not appear overly cramped, or cause any undue harm to the character and appearance of the area. Whilst the scale of the dwellings are acceptable, it is considered appropriate to

include a condition (should planning permission be granted) removing permitted development rights for any additions to ensure the site does not become overdeveloped

The submitted plans and application form provide limited information regarding the proposed boundary treatments. Therefore, in the interest of visual amenity and to ensure that a satisfactory appearance of development is achieved upon completion, a condition will be imposed requiring details of the position, height, and materials of all boundary treatments to be submitted to and approved in writing by the Local Planning Authority.

It is therefore considered that, subject to conditions, the proposal would not cause detrimental harm with regard to visual amenity and would accord with the aims of Policy LP24 of the Kirklees Local Plan, Principles 2, 5, 12, 13, 14, and 15 of the Housebuilders Design Guide SPD, and the aims of Chapter 12 of the National Planning Policy Framework. Furthermore, the proposal would not cause any detrimental harm to the significance of the Skelmanthorpe Conservation Area and would comply with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the NPPF.

2. Impact on Residential Amenity of Neighbouring Residents

Sections B and C of Policy LP24 state that alterations to existing buildings should: “...*maintain appropriate distances between buildings*’ and ‘...*minimise impact on residential amenity of future and neighbouring occupiers.*”

Further to this, Paragraph 135(f) of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Principle 6 of the Kirklees Housebuilders Design Guide SPD states that: “*Residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking.*”

The Housebuilders Design Guide SPD also provides advised separation distances for residential properties:

- 21 metres between facing windows of habitable rooms at the backs of dwellings;
- 12 metres between windows of habitable rooms that face onto windows of a non-habitable room;
- 10.5 metres between a habitable room window and the boundary of adjacent undeveloped land; and

- For a new dwelling located in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metres distance from the side wall of the new dwelling to a shared boundary.

There are no residential properties located to the north of the application site that would be affected by the proposed development.

Impact on Field House

Field House is a residential property located south of the application site. It is noted that a separation distance of approximately 38m would be retained between the proposed dwellings and the front elevation of the neighbouring property. Given that the separation distance retained would be substantial, it is considered that there would be no significant detrimental impact on the neighbouring amenity as a result of the proposed development.

Impact on 3, 4 and 5 Holly Tree Grange

3, 4 and 5 Holly Tree Grange are a group of residential properties located to the east and occupy a position on lower ground relative to the application site. The submitted site plan demonstrates that the plot 4 would occupy a position approximately 17.8m from no.5, approx. 13.2m from no.4 and approx. 11.7m from no.3. Whilst there is a change in levels, house type B is designed with a set down element, not having a direct relationship and separated from boundary by 3.7m. Therefore, the proposed development would not cause any adverse overlooking, overbearing or overshadowing harm to the residential amenity of the neighbouring occupants, over and above the existing arrangements on site.

Impact on 9a Wood Street

9a Wood Street is a two-storey detached property located south-west of the application site. The submitted site plan demonstrates that plot 2 would occupy a position approximately 12m from the rear elevation of no.9a. It is noted that Plot 2 is house type A which does not contain any fenestration within the south facing elevation. As such, this separation distance is considered acceptable. Although there would be a height difference between the dwellings, given that the properties would not have a direct relationship, it is considered that there would be no significant detrimental impact on the neighbouring amenity as a result of the proposed development.

Impact on 11a Wood Street

11a Wood Street is a residential property located west of the application site. It is noted that a separation distance of approx. 23.8m would be retained between plot 2 and no.11a. Given that the separation distance retained would be sufficient, it is considered that there would be no harm with regard to residential amenity.

It is considered that once occupied the dwellings are unlikely to generate significant levels of noise. However, the site is surrounded by residential properties and the occupiers of these could potentially be disturbed by noise generated during the construction process. Therefore, should the application be approved, a footnote will be imposed limiting such works to between the hours of 7.30am and 6.30pm Monday to Friday, 8am and 1pm on Saturdays with no working permitted on Sundays or Public Holidays.

Having considered the above factors, the development proposed would have an acceptable impact upon the residential amenity of the neighbouring occupants and would comply with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, KDP 6 & 16 of the Housebuilders Design Guide SPD and Paragraph 135(f) of the National Planning Policy Framework.

3. Impact on Residential Amenity of Future Occupiers

Consideration must also be given to the amenity of future residents of the proposed dwelling. Taking into account Principle 16 of the Kirklees Housebuilders Design Guide SPD which sets out that:

'All new homes should aim to be accessible and adaptable homes to meet the changing needs of occupants over time in accordance with Building Regulations' and that 'All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity and living environments for future occupiers in accordance with Policy LP24'.

National described space standards require the following gross internal floor area for a two storey dwelling:

- 4 Bedroom, 5-person dwelling set over 2 storeys - 97 square metres
- 4 Bedroom, 6-person dwelling set over 2 storeys - 106 square metres
- 4 Bedroom, 7-person dwelling set over 2 storeys - 115 square metres
- 4 Bedroom, 8-person dwelling set over 2 storeys - 124 square metres

National described space standards require the following gross internal floor area for a three storey dwelling:

- 4 Bedroom, 5-person dwelling set over 3 storeys - 103 square metres
- 4 Bedroom, 6-person dwelling set over 3 storeys - 112 square metres
- 4 Bedroom, 7-person dwelling set over 3 storeys - 121 square metres
- 4 Bedroom, 8-person dwelling set over 3 storeys - 130 square metres

House type A is shown to have an internal floor space of 197m² and house type B is shown to have an internal floor space of 224m², which would

adequately meet basic lifestyle needs and provide a high standard of amenity for future occupiers. It is also noted that each of the habitable rooms would benefit from a sufficient amount of natural light. Furthermore, off road parking would be located to the front and private outdoor amenity spaces are proposed to the rear of each dwelling. For these reasons, it is considered that the proposal would provide an acceptable standard of living for future occupants and would accord with LP24(b) of the Kirklees Local Plan, Principles 6 and 16 of the Council's Housebuilders Design Guide SPD, and Paragraph 135(f) of the National Planning Policy Framework.

4. Impact on Highway Safety

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The application is for the demolition of an existing dwelling and the erection of four detached dwellings at 11 Wood Street in Skelmanthorpe, Huddersfield. As such, KC Highways Development Management have been formally consulted as part of the application.

The Highways Development Management (HDM) response dated 15th April 2025 was as follows:

- The location of the proposed Emergency Vehicle turning area is too close to the site access and the turning movements are unclear and likely to be unrealistic. The Fire Service recommends a minimum turning circle between kerbs of 16.8m for a pump appliance and 19.2m between walls. The length of driveway beyond the turning area would also be more than 20m. Fire Service guidance is attached.
- The revised sight line proposals show the wall to the site frontage reduced to a height of 900mm and the removal of Tree T4. Is this agreed? The sight line to the east is only 17m. The report refers to minimal vehicle trips and the nature of the road, but no speed survey information is provided to demonstrate that the 17 m stopping sight distance is appropriate.
- No details of a bin collection point at the Wood Street site access are provided.

The applicants have since provided further information to address the previous comments. The submitted site plan shows the proposed emergency vehicle turning area with a width of 16.8m as recommended by Fire Service Guidance and a bin collection point close to the site access. The Site Access

Visibility Assessment Plan shows 2.0 x 17m sight lines to the east and 2.0 x 43m to the west. The speed surveys show the 85 percentile speeds along Wood Street as 15.5 mph west bound and 17.6 mph east bound. As such, the proposed sight lines are therefore considered acceptable. Furthermore, the retaining wall details are indicative and do not show the proposed sight lines to the rear of the wall at the cross section provided. However, given the above, KC Highways Development Management now consider these proposals acceptable subject to the recommended conditions.

In view of the above, it is considered that the proposal would not cause detrimental harm to the safe and efficient operation of the highway network, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan, Principles 12 and 19 in the Council's Housebuilders Design Guide SPD, guidance within the Council's Highways Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

5. Other Matters

Climate Change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target. However, it includes a series of policies, which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

In this case, due to the nature of the proposal is not considered reasonable to require the applicant to put forward any specific resilience measures with any future application.

Construction Noise

Construction noise can give rise to loss of amenity to neighbouring noise sensitive receptors, therefore, it is considered necessary for a footnote to be imposed restricting the times when noisy construction activities will be permitted.

Noise

The proposed development is sited close to a scout hut. As no information was received in relation to any events held at this venue, KC Environmental Health did initially have concerns that the future occupiers of the development

may be negatively impacted by noise from the existing commercial premises. Officers have reviewed the agent's email dated 6th August in relation to noise matters. KC Environmental Health accept the information provided and remove previous recommendations for a noise report. Conditions are still considered necessary to restrict the construction hours to safeguard the amenities of the occupiers of nearby properties.

Contaminated Land

Records indicate that the site is on potentially contaminated land (site ref: 128/17) due to its former use/s which include historic landfill. Following KC Environmental Health's comments dated 9th of September 2025, a letter by RGS, titled 'Further gas monitoring at 11 Wood Street, Skelmanthorpe' (dated 29th of September) has been submitted. The letter provides additional information regarding completed gas monitoring. Three gas monitoring standpipes were visited between 13th June and 23rd September 2025, eight visits were undertaken, recording falling barometric pressure on a number of occasions and below 1000mb recorded on at least one occasion. The consultant has calculated the gas screening value (GSV), concluding the site may be characterised as Characteristic Situation Level 1. The letter refers back to the Phase 2 report and concludes that no site remediation is required. Having reviewed the information provided, KC Environmental Health accept the opinion and professional judgement of the report author. However, a condition is required in relation to unexpected contamination for the site.

Protected Trees

The application is for the demolition of the existing dwelling and construction of 4 residential dwellings. The application also includes the demolition and reconstruction of the existing dry-stone retaining wall that runs along Wood Street. This was previously applied for in 2023 under application reference no. 2023/91649 and refused by the previous tree officer on grounds that the submitted evidence did not justify the removal of the protected trees.

The site is currently a residential plot accessed by Wood Street. This is a generously sized plot with a large existing dwelling and mature boundary trees. There is a tree group on the Northern boundary of the site which is protected under provisional TPO reference: 02/25/g1/prov. Two large sycamore trees on the frontage which are prominently visible from Wood Street are protected under TPO reference: 03/22.

An Arboricultural Impact Assessment by Tree Care Consultancy (reference no. AIA.2001-2) was submitted in support of the application. It is noted that the trees located on the Western boundary were removed and were as such not included in the submitted tree survey. Details of utilities route were not

assessed as part of the AIA. Please note that all utilities must be routed outside of the RPAs of retained trees.

KC Trees object to the categorisations given to T4 and T5 within the submitted report, as both can be considered Category A trees under BS5837:2012, as they are both trees of high quality with an estimated remaining life expectancy of at least 40 years. It is not accurate to describe T4 as category U based on the need to remove the tree on account of damage to the wall; without human intervention it would live for 40+ years (and much longer), even if the wall fell over. It is not appropriate or in line with BS5837:2012 to downgrade trees in this way. Likewise, it is not in line with BS5837:2012 to downgrade T5 to Category B on account of the damage to the wall. Paragraph 4.8.1 of BS5837:2012 would only apply in cases of tree disease or structural defects in the trees themselves; not to an indirect tree hazard such as a wall being damaged by the roots of a tree.

Having reviewed the OEC Visual Inspection Report (dated May 2023, reference no. 132/010/STR_v1.0), which was previously submitted in the aforementioned application (ref.2023/91649), it is clear that the wall is in a poor condition and despite numerous attempts to repair the structure, the wall continues to deteriorate with time. It is required to rebuild the wall to prevent the existing wall from potentially collapsing in the future. The report states that the removal of T4 is necessary to be able to rebuild the wall according to a modern design, which would avoid similar structural issues from developing in the future. KC Trees accept the evidence provided within this report and subsequent email from M Askew (CEng MICE) (date August 2023). Officers agree that, in the absence of alternative construction methodologies that could accommodate the retention of T4, the tree should be removed to facilitate the works to replace the wall in the interests of public safety.

Ecology

A bat survey report (reference no. MBE/BAT/2024/038/01, dated 7th May 2024) has been submitted which can be accepted as a Preliminary Bat Roost Assessment. KC Ecology have reviewed the document and have confirmed that they is reasonable and acceptable. There was a recommendation for an emergence survey for Building 1. The bat survey report (reference no. MBE/BAT/2025/039/01, dated 22nd May 2025) has now been provided and confirms that there is a common pipistrelle summer day roost. As a result, a Natural EPS licence is required.

Biodiversity Net Gain

Chapter 15 of the NPPF relates to conserving and enhancing the Natural Environment. Paragraph 192 of the NPPF outlines that decisions should promote the protection and recovery of priority species and identify and

pursue opportunities for securing net gains for biodiversity. Paragraph 193 goes on to note that if significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Policy LP30 of the Kirklees Local Plan echoes the NPPF in respect of biodiversity and outlines that development proposals should minimise impacts on biodiversity and provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist.

There have been updates to Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021, which result in biodiversity net gain being a statutory requirement. Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021.

The submitted Biodiversity Net Gain Assessment demonstrates that there would be a net loss of biodiversity value for habitats comprising 0.55 habitat units. The applicant's agent has confirmed that the 10% net gain will be achieved by purchasing third-party biodiversity credits. An informative has been added to the decision notice to reflect this.

There are no other matters considered relevant to the determination of this application.

Representations

Twenty four representation were received during the course of the application. The comments made have been summarised, arranged into themes and addressed below:

Contaminated Land and Land Stability

- There has been no thorough investigation of the contaminated land that the houses would be built on.
- The latest GeoTech Report highlights that the site is, infilled and the materials therein are not strong enough to support the proposed development without a piling operation using reinforced concrete columns or similar. Given the close proximity of existing dwellings on Holly Tree Grange and Wood Street such an activity is unacceptable and likely to result in damage to both newer and older buildings in the area.

Officer Response: *KC Environmental Health have reviewed the proposed scheme and the supporting land contamination reports and have raised no concerns to the development subject to a condition relating to unexpected contamination. Furthermore, Paragraph 197 of the NPPF states that responsibility for securing a safe development rests with the developer in relation to land stability.*

Noise & Air Pollution

- The construction and increased traffic associated with this development would create significant noise levels.
- Increased noise from construction, vehicles, and new residents could negatively affect our quality of life and the health of our child.
- We fear the intense amount of disruption to this quiet neighbourhood, by the noise and air pollution of construction work over a prolonged period.
- The dust from the site will affect my health.
- The noise, disturbance and dust from any build would be unbearable.

Officer Response: *Impacts from construction are temporary and would not constitute a material planning consideration. KC Environmental Health have reviewed the scheme and have not raised any concerns regarding noise or air pollution.*

Publicity

- Firstly, local residents have not been informed and a planning notice has not been posted?
- Many residents likely to be affected have not been made aware of the above proposals.
- There appears to be a lack of transparency given there appears to have been many 'behind the scenes' negotiations and developments upon which residents have not had an opportunity to comment.

Officer Response: *The application was publicised by site notice, press advertisement and neighbour notification letters which expired on 7th September 2024. Revised drawings were received during the course of the application, however, Officers did not consider it necessary to readvertise the application given that only minor amendments were made.*

Drainage and Flooding

- Covering the site with houses will remove a significant amount of natural drainage which has the potential to affect all the properties downhill of the site - there has already been significant flooding at the station road end of wood street.
- Flooding is quite significant during times of heavy rain, this will only get worse
- The area experiences significant rainwater runoff, particularly along Wood Street. This existing issue poses a risk of flooding and could be worsened by additional development.
- It is crucial to address how this development will manage stormwater to prevent further drainage, works have already been carried out to remove trees and bushes and as such this has caused the junction of wood street and station road to flood.
- Over the past fifteen years there have been a number of incidents relating to drainage in Wood Street and the main drain in the street close to Station Road has flooded and been blocked on a number of occasions. The Council needs to take this into account, that an ageing drainage system is

being required to cope with more and more properties being built and using it.

- The existing drainage system requires upgrading even without the addition of a further four large properties.
- The sewers burst not long ago, with my neighbours having raw sewerage in their gardens. This is evidence that the sewers are not up to it.
- I object to any dwellings being erected on Wood Street until the sewers have been fully upgraded.
- Wood Street becomes a river when it rains, this development does not take into consideration the increase in water on Wood Street.
- The Brambles already has a pump, has that pump enough capacity to deal with the extra water the proposed houses probably will cause. It already floods at the bottom onto Station Road when the rain is heavy.
- The Environment Agency maps indicate a Flood Route which runs along the northern edge of properties on Wood Street, across this site and down to what is now Holly Tree Grange. We believe The LLFA will need to be satisfied that adequate drainage provision is made to prevent any flooding, particularly in view of the loss of trees which will have taken up many gallons of water
- Four springs are known around Wood Street. Wood Street itself floods near its junction with Station Road after heavy rain.
- I find it difficult to believe that the absorption of water will not be negatively affected to the point where flooding in the rear of the properties of Holly Tree Grange becomes a concern.
- We understand that a surface water drain may run along the bottom of the existing wall. In the past, there was an open 'trench' type drain when Wood Street (like many others in Skelmanthorpe) was an unmade lane which could have been subsequently piped. This matter needs investigating further.
- The bank appears to be disproportionately high compared to the height of the wall. We have locations in the district where water pours over the top of walls during and after heavy rainfall.

Officer Response: *The application site does not fall within a flood zone and therefore, the proposed works are not considered to present harm to any neighbouring occupants with regard to flooding. Furthermore, the proposed development is not considered to materially impact on drainage.*

Wildlife and Biodiversity

- There is also the effect on the local wildlife if any of the site is cleared further.
- The reduction of the boundary wall would have an effect on nature using those trees (bird life, invertebrates and bats).
- There is a diverse amount of wildlife and birds reliant on this habitat, the site has already been stripped of many mature trees and hedgerow which will already have caused significant disruption.
- The site is a haven for wildlife and ripping the site up to replace with 4 new houses will destroy this.

- We have bats visit our garden every dusk and it needs to be investigated where the bats are roosting as they are a protected species, this could be the roof space of the existing dwelling.
- There is significant wildlife that traverses the area, from a variety of birds to foxes and deer. The additional tarmac would impact the natural environment, an alternative more nature friendly solution needs to be found for the driveways.
- The planning application site has already been decimated in terms of vegetation removed, with a detrimental effect on local wildlife.
- The natural inhabitants of this environment rely heavily on the area around 11 Wood Street. Despite the alleged bat survey which has been carried out, numerous bats are seen regularly and therefore I would refute the claim of there being no presence of bats.
- What about the Bats, I hope the due diligence has been carried out to ensure this protected species are not being put at risk. Number 11 was a well maintained home before it was allowed to deteriorate.
- The mature trees on this site provide habitats for regularly observed owls, squirrels, bats and birds. Bird nests are currently present in TPO T5 (and possibly the Holly tree) and within the group of TPOs at the northern boundary of the site.
- I would like to know if this application is in line with the government legislation in relation to the destruction of natural environment prior to the application being submitted. How can a true calculation be made to show the carbon loss from this habitat destruction if the site has already been cleared.

Officer Response: *The applicant has submitted a bat survey report (reference no. MBE/BAT/2025/039/01, dated 22nd May 2025) which confirms that there is a common pipistrelle summer day roost located on site. As a result, a Natural EPS licence is required to undertake the proposed works. Furthermore, there would be a net loss of biodiversity value for habitats comprising 0.55 habitat units. However, the applicant's agent has confirmed that the 10% net gain will be achieved by purchasing third-party biodiversity credits.*

Boundary Treatments

- The Consultant appears to be under the impression a new native species hedge is to be planted along the western boundary of the site. This is NOT shown/indicated on the submitted Site Plan.
- Close boarded wooden fences are NOT appropriate adjacent to the conservation area and wider environs which is dominated by dry stone walls and or hedges.
- They simply make new housing look like 'toy town forts' and debase any design and neighbourhood amenity value. They are not part of the local, Pennine heritage.
- We believe the northern boundary should be a new native species hedge and 'green' fencing and drystone walls separate individual properties.

- The hedge at the Eastern boundary is going to need considerable repair and replanting.

Officer Response: *A pre-commencement condition has been added to the decision notice requiring full details of all boundary treatments to be submitted to and approved in writing by the Local Planning Authority in the interest of visual and residential amenity.*

Visual Amenity

- Building 3 storey high homes will be an eye sore.
- The other side of wood street is a conservation area, altering the other side would make a mockery of this.
- Developing the site in line with the application will destroy the current streets view and tree lining.
- Apart from the conservation side of the road I thought it was classed as a 'heritage street,' again a mockery will be made of this.
- The height of the properties is unacceptable. The current property cannot be replaced with anything of any greater height. As this has a material impact on access to light and of course the aesthetic environment which is on the edge of a conservation area.
- The street and neighbouring street has houses that are 200+ years old, the designs of the properties are too modern, indeed even the relatively new development in Holly Tree Grange is more sympathetic to the aesthetic and history of the area.
- The final point is that the proposed dwellings will cause a severely detrimental effect on the aesthetics of the area and the proposed plans do not appear to be in keeping with other properties within the local area.
- The proposed builds are not in keeping with the direct local area and has no consideration it borders conservation zone.
- I object to how the houses look, they would look out of place and will affect the character of the area detrimentally.
- This site is well located and can accommodate a denser residential development than existing, but it must protect and enhance the local character of the area and deliver quality development.
- The Type A dwellings are ugly 3 storey buildings and will have a negative, overbearing, domineering impact, not only on the site, but the whole immediate area around Wood Street, Station Road and even Elm Street, particularly given they are at the highest (western end of the site).
- Parking space dominates the frontages of the proposed housing, against Principle 12 of the Kirklees Housebuilders Design Guide SPD, June 2021.
- It will not enhance the built and historic environment

- We believe the site to be overdeveloped.

Officer Response: *The proposal's potential impact on the appearance and character of the street scene has been assessed within the 'visual amenity' section of the report.*

Insufficient & Inaccurate information

- I have been looking at the plans for 11 wood street development and it appears that the measurements for my drive opposite are not correct. Specifically, the width and length compared to the plans make it look like it is not directly opposite, which it is. Could you please look into this as soon as possible to avoid any misunderstandings. I believe these plans are being used by others in their assessments and plans so if they are wrong, which I believe they are then they need checking ASAP.
- The applicant has failed to submit a west/east cross section across the site and into Holly Tree Grange to properly illustrate the topography involved.
- I am unable to fully understand the proposals and their impacts due to insufficient details being provided. The following details need to be provided:
 3. An elevation drawing showing the full extent of the wall modifications works and how these modifications will tie in as the wall continues in front of 9A Wood Street.
 4. A cross sections drawing showing the highway level, existing and proposed wall top and the required regrading works to the retained soil. The cross sections should accurately show the existing tree locations.
 5. A cross sections drawing showing the proposed topography between 9A and 11 wood street. Providing details of how the proposed regrading works will tie in.

Officer Response: *Whilst this is noted, it is considered that the size of the driveway would not impact upon the sightlines demonstrated and as such, officers have not requested any further amendments in this regard.*

Additional information was also received during the course of the application to address concerns relating to residential amenity and comments from KC Environmental Heath, KC Ecology, KC Trees and KC Highways Development Management.

Residential Amenity

- We feel that we need to object to this development in its current arrangement due to the direct impact on daylight and sunlight to our property as well as its impact on our privacy as a result of being directly overlooked by the new dwellings.
- The proposed development site is located on a slope, which is elevated above our house and garden areas.

- The existing property is a bungalow that will be replaced by 2no. 2 storey dwellings (plots 3 and 4), the new buildings will be much taller than the existing building and therefore shade our property.
- The top floor windows to both properties will directly overlook our garden impacting on our privacy.
- We would like to request that the planning approval considers changing the block layout arrangement to move the plots and road layout, so that Plots 3 and 4 are further set back (to the south of the development site) so our property is not overlooked and our privacy and light impacted.
- Plots 1 and 2 comprise of 3 storey dwellings that would be located to the south west and positioned considerably up slope of our property.
- Construction of Dormer bungalow style properties would have less of an impact on our property and be in keeping with the roof height of the existing property (that is to be demolished).
- The rooflines of these properties will be significantly elevated above the crest line of the existing slope and therefore shade our property and obscure direct sunlight.
- The bedroom windows from Plot 1 will directly face downwards into our garden and into our bedroom window. It would be our opinion that two storey dwellings would be much more appropriate and result in much less of an impact.
- The proposed tree planting to the rear gardens, of Plots 3 and 4, will do little to improve privacy but will directly impact on light to our property.
- Our garden is located approx. 4m below the ground elevation of the proposed trees. Therefore, any substantial trees located so close to the boundary, will tower over and shade our existing garden and property, and once established, their canopy will be difficult to maintain and therefore hang over our existing patio area. This will have a significant impact on light and our quality of life.
- The plan for the replacement of the existing house is far too close to the border and will block light and reduce privacy significantly, approximately 5 foot below the site.
- A new dwelling should be in the same position as the existing dwelling and no higher.
- The height of the properties is unacceptable, It will likely result in neighbouring properties being overlooked. This will impact the residents' enjoyment of their properties.
- The plot on Wood Street is already significantly elevated which, when coupled with the gable end of a proposed tall property so close to the boundary of the site, will drastically inhibit natural light.
- Prior to this I could not see any other houses from my windows, now I can see houses and they can see my house.
- The layout will block a significant amount of light, which would affect that side of my house detrimentally.
- The height of the houses is far too high, they will tower above the site below, be such an eyesore and would completely ruin the aspect of the street.

- The loss of light would probably have a detrimental effect on the visibility for drivers and pedestrians.
- The Type B house nearest to the eastern boundary is close to the old quarry edge.
- No. Holly Tree Grange has an extension at the back (not shown on the site plan) which needs further investigation as required separation distances may not be achieved.
- The living areas and bedrooms are also likely to look directly into the gardens, house and balcony of the neighbouring property.
- The separation distances between the neighbouring properties needs further investigation

Officer Response: The proposal's potential impact to the neighbouring properties has been assessed within the 'Residential Amenity' section of the report.

Retaining Wall & Trees

- Planning to rebuild the wall has already been refused
- This reduction in height is not necessary.
- It seems like they are intent to damage the tree to get more houses on the plot.
- The proposal to lower the boundary wall will make the protected trees unsafe and will damage the roots.
- To lower the height would suggest moving a considerable amount of soil.
- The plan to reduce the wall size is a ploy to destroy where the TPO sits.
- This wall is not the danger it is falsely claimed.
- The recutting of the driveway may impinge on the required root protection zones of the TPOs, especially the Sycamore closest to the driveway.
- The risk to the established TPO'd trees on Wood Street is significant, because of the proposed layout.
- Before any development takes place, the existing bulge in the retaining wall close to the entrance needs to be repaired in a way which will not harm the roots of the TPO.
- The "tunnel" of trees along the street are an important element of the historic amenity and fear that it could be irretrievably damaged.
- Healthy mature trees have been removed, enormous amount of shrubbery all without any consideration for the habitat destruction and the effect on local wildlife and birds.
- A huge amount of trees have already been taken out and it would be nice to retain some screening from the development.
- The wall should be rebuilt as was, keeping the character of the road.
- The site borders a conservation zone and has exactly the same dry-stone wall, this should be preserved in the same way.

- Local history should be preserved. The conservation zone should be extended to include this wall.
- To reduce the height of the wall running alongside Wood Street would markedly reduce the visual aspect of the street and the adjacent environmental area.
- This is clearly just trying to find another way to kill the trees that are decades (if not centuries) old
- It would appear to us that this proposal is a 'back door' attempt to achieve the real aim (i.e. the removal of the existing TPOS) of the earlier, quite rightly, refused planning application. (Ref. 2023/62/91649/E).
- Following the previous refusal, the landowner has felled all non TPOS trees on the site and large sections of existing hedgerow.
- The wall has been inspected by the Kirklees highways, the owners have been notified to fix the wall. Why is this not been fixed and at risk of falling into the road?
- The destruction of mature, healthy woodland trees on the site's western boundary is of grave concern to us.
- We are pleased to see additional tree planting is proposed on site, although sadly they are unlikely to be the woodland tree types now lost.
- We would like to see the new trees planned within the residential properties to be part of any approval conditions and property deeds.
- The only bit of this wall that requires rebuilding is a section below T4 Sycamore. The rest of the wall does not pose a danger to the public.
- We have serious concerns about the structural stability of such a small wall to support the created bank.
- The impact of these works on the existing retaining wall and hedges surrounding the eastern side of the property at 9a Wood Street has not been considered.
- We are also concerned about the impact of Plot 1 on the group of TPOs which exist just to the north of the site boundary.
- The visibility splay submitted by the applicant demonstrates that the tree cannot remain and the height of the wall should be reduced further to achieve the visibility splay requirements.
- If T4 is removed there will be a significant gap in the canopy which will take decades to restore by replacement young trees.
- There is no reason to reduce the wall height. The visibility splays from the entrance are sufficient for the speed and volume of traffic on this narrow lane (and confirmed by the Transport Statement).
- T4 should be retained plus 3x more sycamores to compensate for the destruction to woodland trees already wreaked on this site and loss of habitat.
- We are sure you will take a very dim view of anyone trying to damage this wall in order to further a spurious argument to try and secure the removal of this particular TPO.
- The retaining wall between not just 4 Holly Tree Grange and the plot at 11 Wood Street but all properties on Holly Tree Grange is likely to

sustain substantial damage when proposed groundworks are taking place potentially causing significant damage to the external areas of said properties on Holly Tree Grange.

- The wall is currently over twice this height and serves to support the cut through of Wood Street through a naturally occurring mound and bedrock. Reducing its height is likely to destabilise the existing two TPOs which are a feature of Wood Street and bring great amenity value.
- It is also ingenuous for the Arboricultural Consultants to state The Tree Officer implied it would be acceptable to remove the Sycamore nearest the entrance because of its age. Trees Planning were clear: the latter proposal contravened LP33 and they mounted an objection.
- Drawing SE/010 should raise immediate concerns with the removal of 900mm of soil within the RPA of T5, which should never happen either manually or mechanically.
- Repair work now similar to that now required has been very successfully carried out in the past and stands firm at least 10 years later.
- There are no roots visible in the collapsed area of wall – the roots of T4 appear to have wound around bedrock according to the Tree Officer.
- We understand Highways have previously requested the landowner to repair this wall. This has not been done to date and Wood Street still has a fenced off section, narrowing the road even further months later.
- The creation of a recessed bank from the top of the proposed lowered wall will cause damage to the root protection area of the large Sycamore T5 as acknowledged in the Arboreal Consultant's Report. This could easily lead to the de-stabilisation of this large tree and future applications for its removal.
- We have absolutely no confidence in the mitigation measures proposed and their ultimate supervision.
- I object to the destruction of any more of the natural environment, habitat and landscape.
- The stand of trees now has a break into which is being slotted two ugly, high 3 storey houses 2 on the current proposals.
- The retaining wall on the RHS of Wood Street is perfectly sympathetic to the local character and history of Wood Street.
- The wall has been repaired successfully on the occasions mentioned – the last repair in 2016 has not moved.
- Given that the LPA is now accepting sandbags as retaining wall material for supporting dwellings, we find the view of this wall as hypocritical.
- We understand that a competent waller could repair this wall in a few days' work as happened in 2016 without requiring the removal of T4.
- The Council should be seeking the opinion of an experienced waller, completely independently of the applicant or their agents before making any decision on this application which also present many other issues.

- Such a reduction is against regulations given the height and weight of banking it will have to support.
- It has been the publicly declared intention of the land owners to get rid of all the trees on this site. They have almost succeeded barring the 2 x TPOs and a small Holly tree near the entrance.
- Interfering in some context with the retaining wall has been used by their agents as a ruse to remove and/or seriously weaken T5 and T4.
- We believe that what is currently shown as 'replacement tree' planting should be required, in addition to the retention of T4, by way of mitigation for the number of mature woodland trees already destroyed.

Officer Response: *The proposal's impact on the protected trees has been addressed within the 'other matters' section of the officer report. Furthermore, Paragraph 197 of the NPPF states that responsibility for securing a safe development rests with the developer in relation to land stability.*

Highway Safety

- Concerns relating to traffic
- Without a Traffic management plan no one can make an informed decision on how the traffic and roads would be managed with this increase.
- The increase in vehicles associated with the proposal would obstruct road users and pose safety risks.
- The current infrastructure may not adequately support the additional traffic
- Is the existing drive wide enough to cope with large construction vehicles?
- Wood Street is very narrow
- The junction with Station Road has become increasingly dangerous to exit due to vehicles speeding along Station Road.
- The end on to Station Road is dangerous, the blind bend, how fast cars come round is already a great risk.
- The increase in traffic will have a serious impact on the safety of residents and users.
- Concerns that construction traffic will block the road and cause hazards
- Commercial vehicles will damage the road which will require significant repair.
- The Highways Statement is inadequate.
- The proposed development will have a detrimental effect on the use of my drive and its access.
- Insufficient parking provision for both occupants and visitors
- This proposal introduces a real risk to increased parking on Wood Street, detrimental to the safe operation of the highway.
- Concerns for traffic movement should contractors' vehicles be accessing the site during construction
- Difficult for refuse lorries to proceed up and down the street due to parking
- We would ask the Council to stipulate that contractors' vehicles should not park on Wood Street between the junction with Wood Street and No. 11 Wood Street.

- It is also doubtful if the large rig necessary for such an operation could gain access to the site via Wood Street
- Concerns for the removal telephone pole and lamp post at the entrance of the site should the access be widened
- Four houses could bring 8 cars and however many delivery vans, takeaways, visitors, workers, family.
- ATTP suggest that vehicle speeds are unlikely to exceed 15 mph, no speed survey information is provided to support this claim.
- Without evidence, the stopping sight distance below the speed limit should not be accepted, especially where there is an intensification in use.
- ATTP confirm that if vehicle speeds are in excess of 15 mph, then the necessary stopping sight distance cannot be provided as a result the risk of a collision is increased.
- Visibility splay requirements in Manual for Streets state that the vertical visibility envelope commences at 600mm, to take account of children and low cycles. This cannot be provided with the landscape proposals being maintained.
- The applicant is applying Manual for Streets guidance when it suits.
- The level difference between the modified turning head, that now extends into the hedge, closer to the gardens related to the neighbouring residential property is significant, as such, errant vehicle protection would be required.
- The width of new road is reported as 5.0m, this does not provide 6.0m behind each driveway.
- Without a swept path analysis confirming that 2 vehicles can park on each drive, and each vehicle can enter and exit simultaneously, the parking bays cannot be considered to be parking bays.
- How will this proposal work given the only entrance is opposite my drive, how is this assessed and who assesses it?
- How often will the road be cleaned to make sure I have no dirt from the development coming on my drive and in my house.
- Wood Street is unsuitable for large vehicles and has a sharp 90 degree bend at its western end which restricts the type of vehicles that can pass.
- Wood Street has no footpaths, but forms part of a 'round walk' of Skelmanthorpe and is used by many pedestrians and dog walkers.
- The Tracking Diagram and site plan fail to show the driveways to the neighbouring properties and the position of the drystone walls.
- Some residents need to park on the road which may have to be moved so RCVs (which have to reverse up Wood Street) can pass without risk of damage.
- What is proposed is a gated development. The gates will cause obstruction to traffic flow and entry and egress from the driveways opposite.
- The Highways Statement fails to consider access to the site by construction plant and materials deliveries and the health and safety risks posed to residents, road users and pedestrians.
- A detailed Construction and Transport Management Plan should be submitted prior to determination.

- The Type A houses provide only two parking spaces as they have a garage that is too narrow (internally appears to be 8ft 3" only) for modern sized vehicles and therefore, cannot be viewed as a genuine car parking space – they are merely family storage spaces.
- The Type B houses whilst appearing to have a slightly larger garage space have a very restricted parking apron in the front of the properties and turning areas onto the driveway.
- The proposed layout does not provide sufficient visibility to enable a vehicle travelling on Wood Street to stop should a vehicle leave the development access as proposed.
- The Highway Statement states that the "level of visibility is achievable at the site access," this statement is incorrect
- The visibility splay diagram shows that the tree trunk immediately adjacent to the access will block visibility in the critical direction.
- The visibility splay requirements related to the legal speed limit on Wood Street cannot be achieved in reality or on paper.
- In the non-critical direction, the splay is taken across land outside of the blue and red line provided by the applicant. The applicant has no control over this land, at present this area of private garden is contained by a fence in excess of 2m in height, blocking any visibility splay to Wood Street.
- The vehicle speeds in the critical direction benefit from no egress points and a downhill gradient with good forward visibility prior to this existing access, so are likely to be greater than the non-critical direction.
- ATTP guesses vehicle speeds, no survey data is provided to quantify why 15 mph was selected.
- MfS sets out visibility splay requirements for 15 mph as 17m, the access provides 5m visibility with the proposed alteration to the wall and widened access. 15 mph is too fast for the presented visibility.
- The probability of a vehicle leaving this access at present is 4 times lower than the proposed situation.
- The probability of a vehicle emerging from this access is 400% greater than existing and as such, highway safety is likely to be compromised.
- The access is widened to aid pedestrian visibility, this is a positive.
- The swept path analysis confirms that a vehicle cannot enter and exit the development simultaneously.
- There would be insufficient space for a vehicle to wait to exit whilst a vehicle enters the site.
- The turning head for delivery vehicles is at the entrance to the site, maximising the distance a vehicle has to reverse to service the site, this should be minimised.
- Delivery vehicles may enter the development and reverse into Wood Street when they cannot turn, or they may park on Wood Street, affecting the visibility splay.
- The level difference between the proposed turning head and the gardens related to the neighbouring residential property is significant.
- The road width behind the driveways is narrower than 6m, therefore parking space widths must be increased.

- The existing hedge between the house and existing dwellings to the east has been reduced in width, no additional measures are proposed to reduce headlights from causing nuisance.
- There is space within the site to accommodate a bin store, which would remove the need to store 3 no. further bins on Wood Street on the day of collection, which would likely interfere with visibility splays

Officer Response: *The proposal's potential impact on the highway network has been assessed within the 'Highway Safety' section of the report. Furthermore, impacts from construction are temporary and are not material planning considerations.*

Other Matters

- There is currently a surplus of four-bedroom houses in the vicinity, and many of these properties are not selling. Approving more of these homes could exacerbate this issue, leading to vacant properties and a decline in property values.
- The proposal would result in financial detriment to the values of their properties.
- I object to the type of houses being built, in the village this type of house is not selling and are being reduced. This surely means this type of house is not needed in the village.
- I would also like to know if this meets the needs of the local development plan and if it has been assessed?
- Many houses are up for sale, lots reduced or not selling, including the new builds. This evident that the market in Skelmanthorpe is saturated. What happens when the housing market crash?
- I would also like to comment about the infrastructure, the doctors, the schools, the roads, the parks, the everything local. How will these essential services meet the increase in demand?
- It fails to deliver the Social Objective in that it does not provide the type of housing desperately needed in the area. It is not an effective use of land in this respect
- We believe in its present form; this application fails to meet two of the three criteria for a sustainable development.
- The Economic Objective will only be achieved if the developer will contract with firms local to Skelmanthorpe/Denby Dale. At present, this information is not provided.
- The type of housing proposed does not meet the local housing need which is for more affordable housing and housing for older people particularly.
- With its position close to the shops and bus stops and relatively easy walking, this site is ideal for much needed housing for older people, allowing them to downsize and free up family sized homes in the area.
- There is an oversupply of expensive, large 4 bedroom+ housing in Skelmanthorpe. The provision of new housing in the village 3 appears to be increasingly 'out of kilter' with the real needs of the local population and affordability parameters.

- New developments are not selling. There is a need for the LPA to take a more strategic view of housing applications in not only Skelmanthorpe, but the Denby Dale Ward as a whole in this respect.
- It is not an effective use of land if a development application does not fulfil the real and identified housing need in our area.

Officer Response: *The proposal seeks planning permission for the erection of four detached dwellings within Skelmanthorpe, Huddersfield and would assist in meeting the housing needs of the Council. The proposal has been assessed against the Kirklees Local Plan and the National Planning Policy Framework as demonstrated within the officer report and would constitute sustainable development. A loss in property value would not constitute a material planning consideration. Furthermore, the proposal is not considered to significantly increase the demand for essential services and would be acceptable in this regard.*

6. Conclusion

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

As set out above, this application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation: Approve

Decision Authorisation - Delegated Powers

Application Number: 2024/91934

Officer Recommendation: Approve

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP7, LP11, LP20, LP21, LP22, LP24,

LP28, LP30, LP33, LP35, LP51, LP52 and LP53 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

3. The detached dwellings hereby approved shall be faced in coursed natural stone for the external walls and blue slate for the roof. The materials of construction shall thereafter be retained for the lifetime of the development.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Principle 13 of the Council's Housebuilders Design Guide SPD, and the aims of Chapter 12 of the National Planning Policy Framework.

4. Prior to development commencing on the superstructure of the dwellings hereby approved, details of all the external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and retained as such.

Reason: This pre-commencement condition is in the interest of visual amenity and to comply with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

5. Notwithstanding the submitted plans and information, before development commences on the superstructure of the dwellings hereby approved, full details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details before the dwelling is first brought into use and thereafter retained.

Reason: This pre-commencement condition is in the interest of visual and residential amenity, in accordance with Policy LP24 of the Kirklees Local Plan, Principles of the Housebuilders Design Guide Supplementary Planning Document and Chapters 12 and 13 of the National Planning Policy Framework.

6. Before development commences, the wall to the site frontage and 2m x 17m sight lines to the east and 2m x 43m to the west of the proposed access shall be lowered to a height not exceeding 900mm above the level of the adjoining highway as shown on the Site Access Visibility Assessment Plan number 21017/VIS/001 rev B and shall be cleared of all obstructions to visibility and shall be retained free of obstruction throughout the lifetime of the development.

Reason: *This pre-commencement condition is necessary to allow for safe pedestrian access to and from the site and adequate visibility in the interest of highway safety and in accordance with Policy LP21 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.*

7. Before any dwelling is occupied turning facilities shall be provided in accordance with the details shown on drawing no Site Plan (reference no. LD/245.E) The turning facilities shall thereafter be always made available for use by vehicles and shall be kept free from obstruction to such use.

Reason: In the interest of highway safety and to achieve a satisfactory layout in accordance with Policy LP21 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

8. Prior to the commencement of development (including demolition and ground works) a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include a timetable of all works, details of point(s) of access for construction traffic, vehicle sizes and routes, times of vehicle movements, parking for construction workers, predevelopment road condition surveys, wheel washing facilities within the site and hours of working. The development shall be carried out strictly in accordance with the CMP so approved throughout the period of construction and no change therefrom shall take place without the prior written consent of the Local Planning Authority. Upon completion of the development, post-development road condition surveys and a schedule of remedial works shall be submitted to and approved in writing by the Local Planning Authority, and the approved remedial works shall be carried out following the completion of all construction works related to the development.

Reason: This pre-commencement condition is necessary to ensure the site can be made safe and accessible in the interests of highway and pedestrian safety in accordance with Policies LP21 of the Kirklees Local Plan, guidance within the Council's Highways Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

9. The development shall not be brought into use until the areas to be used by vehicles and/or pedestrians have been surfaced and drained in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 2009 (ISBN as amended or any successor guidance. The parking spaces shall be so retained, free of obstructions and available for the use thereafter.

Reason: In the interests of highway safety and to ensure satisfactory surface water drainage of the site in accordance with Policy LP21 and LP28 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

10. Before the development commences, the proposed demolition of existing private boundary retaining wall adjacent to Wood Street and design of the of new substitute retaining Wall shall be submitted (via submission of an AIP) and approved by the Highway Authority in writing. The approved scheme shall

be implemented prior to the commencement of the proposed development and thereafter retained during the life of the development.

Reason: This pre-commencement condition is necessary to ensure that any risk to highway safety is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan.

11. Development shall not commence until an Arboricultural Method Statement in line with BS5837:2012, has been submitted to, and approved in writing by the Local Planning Authority. The method statement shall include details on how the demolition and construction work will be undertaken to minimise damage to the retained trees. Thereafter, the development shall be carried out in complete accordance with the Arboricultural Method Statement. This should include details of the measures required to protect the roots of protected tree T5, whilst the work to the retaining wall is being carried out on Wood Street.

Reason: This detail is required prior to development commencing on site to protect to viability of the protected trees and to accord with Policy LP33 of the Kirklees Local Plan and the National Planning Policy Framework.

12. Development shall not commence until a replacement planting plan and maintenance schedule following the guidance in BS 8545:2014. has been submitted to and approved in writing by the Local Planning Authority. This plan should include replacement planting to mitigate the loss of T4, which would consist of 3 no. Sycamores, using the space available so that they have space to develop into good quality trees in the future.

Reason: This detail is required prior to development commencing on site to protect the future amenity and canopy cover of the site and to accord with Policy LP33 of the Kirklees Local Plan and the National Planning Policy Framework.

13. No works shall take place until a Biodiversity Enhancement Management Plan has been submitted to and approved in writing by the local planning authority. The plan must include the following:

- 1no bat boxes
- 1no bird boxes

Reason: This pre-commencement condition is necessary in the interests of biodiversity and in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

14. If contamination, the presence of coal and/or evidence of coal workings not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works in the affected

area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Verification Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 197 of the National Planning Policy Framework.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) regarding obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework. Reports must be prepared in accordance with the following guidance:

- Land Contamination Risk Management (LCRM)
- BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice
- Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group.

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action

and invalidating the permission if the planning condition is a pre commencement condition.

NOTE: Bats and the places they use for shelter or protection (i.e. roosts) are protected under the Habitats Regulations 2017 (as amended). They receive further legal protection under the Wildlife and Countryside Act 1981 (as amended). Section 43 of the Habitats Regulations makes it an offence to: deliberately capture, injure, or kill a bat; deliberately disturb bats; or damage or destroy a bat roost. Where a licence is required to derogate from the Habitats Regulations, a grant of planning permission does not constitute consent to proceed with the works insofar as they affect the species in question. The licence must be applied for separately from Natural England, be granted and all licence conditions be complied with for the works to proceed lawfully. No works are to commence without the council first receiving a copy of the European Protected Species (EPS) licence and mitigation method statement.

NOTE: Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

- 07.30 and 18.30 hours, Mondays to Fridays
- 08.00 and 13.00hours, Saturdays
- With no working Sundays or Public Holidays

In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule:

Plan Type	Reference	Revision	Date Received
Location Plan	TQRQM23159151243780	-	15/07/2024
Site Plan	LD/245	E	22/09/2025
Floor Plans – House Type B	LD/243	A	02/01/2026
Elevations – House Type B	LD/244	A	02/01/2026
Plans & Elevations – House Type A	LD/250	-	26/09/2025
Retaining Wall Details	SE/010	-	27/03/2025
Phase 1 Environmental Desktop Study & Coal Mining Risk Assessment Report	C4945/25/E/7566	-	28/03/2025
Phase 2 Geo-environmental Report	C4945/25/E/7875	-	16/07/2025
Letter from RGS	C4945/25/E/7875/GM	-	15/08/2025
Further gas monitoring at 11 Wood Street, Skelmanthorpe	C4945/25/E/7875GM	1	03/10/2025
Letter from RGS – Phase 2 Works	-	-	24/04/2025
Arboricultural Impact Assessment	AIA-2001-2	-	28/03/2025
Bat Survey Report	MBE/BAT/2024/038/01	-	15/07/2024
Bat Survey Report	MBE/BAT/2025/039/01	-	06/06/2025
Statutory Biodiversity Net Gain Metric	-	-	04/04/2025
Speed Survey Analysis - Eastbound	-	-	12/05/2025
Speed Survey Analysis	-	-	12/05/2025
Site Access Visibility Assessment	21017/VIS/001	B	12/05/2025
Swept Path Analysis and Access	-	-	12/05/2025

Highways Statement	-	-	28/03/2025
Visual Structural Inspection Report	132/010/STR_v1.1	-	28/03/2025
Statement of Significance	-	-	15/07/2025
Planning Supporting Statement	-	-	15/07/2024
Climate Change Statement	-	-	15/07/2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. The Case Officer undertook negotiations with the agent to secure amended plans. The revised drawings received were considered acceptable with regard to residential amenity. Additional information was also received during the course of the application to address comments from KC Environmental Heath, KC Ecology, KC Trees and KC Highways Development Management. The agent has confirmed their agreement to the pre-commencement condition.

INFORMATIVE NOTE – Biodiversity Net Gain:

Based on the information available, this permission is considered to be one which requires the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and (i)the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or (ii)the application for the original

planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being: 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- i) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high-speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High-Speed Rail (Preparation) Act 2013.

* “original planning permission means the permission to which the section 73 planning permission relates” means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including

any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.