

Kirklees Planning Service
Civic Centre 3
PO BOX B93
Huddersfield
HD1 2JR

3 April 2025

Dear Sir/Madam,

Re: Objection to Planning Application 2024/62/92977/E – Proposed Residential Development on Land off Lane Head Road and Cross Lane, Shepley

I write as a resident of Highfield Court to formally and strongly object to the above planning application for the construction of four dwellings on the land to the southeast of Highfield Court, Shepley. This objection is supported by a range of material considerations outlined below, each of which, I believe, provides a compelling case for the rejection of this application.

1. Inappropriate Development on Green Belt Land

The proposed development site lies within designated Green Belt land. According to the National Planning Policy Framework (NPPF), the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The construction of new buildings in the Green Belt is considered inappropriate unless there are very special circumstances – none of which have been demonstrated by the applicant. General housing need or applicant preferences do not constitute very special circumstances on their own, as numerous appeal decisions have confirmed, so there would need to be an overwhelming justification to approve the development. There is no such justification in the application, which fundamentally fails to address this crucial point.

This proposal directly conflicts with both national policy and the Kirklees Local Plan, which seeks to protect Green Belt land unless exceptional justification can be clearly and robustly evidenced. The developer has provided no such justification. Moreover, there is no evidence that any brownfield or more suitable non-Green Belt sites have been considered. Major housing developments are already underway in Shepley with three already on Abbey Road, making it incredibly difficult to argue that there are insufficient sites available in Shepley.

Furthermore, the application fails to acknowledge the site's Green Belt designation altogether, a concerning omission that undermines the integrity of the planning process and risks misleading the local planning authority.

2. Biodiversity and Environmental Harm

National policy also requires planning decisions to protect and enhance biodiversity. NPPF s193(a) (2024) is unequivocal that “if significant harm to biodiversity resulting from a development cannot be avoided (...), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused”. The proposed development is located on an area of mature woodland that includes broadleaved trees and diverse understorey vegetation. According to Kirklees Council's own Ecology Team response dated 25 March 2025, the site lies within 500m of priority habitats.

There are known local populations of protected species such as bats, tawny owls, and bullfinches, all of which are likely to be impacted by the removal of habitat. The accompanying documents submitted to date fail to address a number of uncertainties about protected species or habitats; the assessment of bat habitation on the site appears to be no more than a desktop review. It can be plainly seen on any given evening that there are bats in and around the area. To this effect, please see a still of a video taken on the evening of 1 April 2025 showing bats flying to and from the proposed development site. There is also anecdotal evidence of invertebrates using the site, consistent with habitat conditions observed.



Still of video taken on Tuesday 1 April showing bats in and around the proposed site. The full video can be seen here: <https://youtube.com/shorts/ZlIdkPGS7q0?si=-OI3Ecr3AoE9j71f>

The woodland includes mature trees that are currently subject to provisional Tree Preservation Orders (TPOs). These TPOs are due to be formally assessed in the coming weeks, with strong local support that has been submitted, for these to be made permanent. Any development prior to the outcome of this assessment risks irreversible damage to trees that may soon be granted formal legal protection.

Policy LP33 (Trees) is highly relevant, as the site contains or is adjacent to mature trees and woodland. LP33 states "The Council will not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity". It requires that valuable trees be retained wherever they contribute to public amenity or biodiversity (including those in the Wildlife Habitat Network). From the plans, it appears several trees/hedgerows would be removed or impacted (especially if creating a new access road or sightlines), but no impact assessment has been included making it impossible to verify which trees are at risk. Failure to include the Arboricultural Impact Assessment appears in contravention with the validation requirements for planning applications.

LP33 is also unequivocal: "The Council will not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity". It goes on to say that proposals should retain any valuable or important trees, especially those that contribute to wildlife networks or landscape character, and that if any tree loss is deemed acceptable, it must be accompanied by a detailed mitigation (replanting) scheme. In this case, the applicant has not even submitted a tree survey, so how can we determine which trees are "valuable" or "of significant amenity"? The omission of this required information suggests that the development will threaten trees.

The applicant's Biodiversity Net Gain (BNG) documentation is wholly inadequate and demonstrates a lack of due care for the process. The Council's ecologist noted that the developer failed to meet the habitat trading rules and incorrectly classified tree sizes to artificially inflate biodiversity gain. As a result, the site fails to achieve the legally required 10% net gain under Schedule 7A of the Town and Country Planning Act 1990 (amended by the Environment Act 2021). No habitat management plan or mitigation strategy has been submitted and the recommendations in the preliminary ecological appraisal that replacing mature woodland with nesting boxes for displaced bats and birds represent a "biodiversity enhancement" do not stand up to scrutiny. There is no indication from the plans that existing mature trees would be retained and/or transplanted.

This application, if approved, would result in the irreversible loss of important woodland habitat and contravene national commitments to halting biodiversity loss.

3. Dangerous Traffic Impact at an Existing Accident Hotspot

Lane Head Road and its junctions with Cross Lane and Carr Lane are well known to local residents, the council and government as accident hotspots. Adding a new private driveway feeding three large family homes directly onto this busy and problematic stretch of road poses a serious risk to public safety. In addition to private parking for the three homes, it is expected that the driveway would be used throughout the day by visitors, delivery drivers, refuse collectors etc, adding a significant amount of additional traffic to this already dangerous junction including large vehicles which may stop at short notice.

Furthermore, no plan has been made for construction traffic during the period in which the house will be built.

Recent approval of operations at a nearby quarry will already introduce approximately 120 heavy goods vehicle (HGV) movements through this junction daily. The cumulative effect of the quarry traffic combined with new residential traffic, including visitor and service vehicles, will be dangerous and unsustainable.

Despite these factors, the application includes no professional traffic impact assessment or visibility analysis. Sightlines on Lane Head Road are often obscured by vegetation, elevation changes, and existing built form. The plans simply state visibility splays of 45m, which may not be achievable in practice.

A petition has been signed by over 2,400 people calling on Kirklees Council to improve road safety on this stretch of Lane Head Road following a recent spate of accidents including a death in July 2024. It is incomprehensible that further risks would be introduced to an already dangerous junction. If the LPP requires that all developments must “ensure the safe and efficient flow of traffic within the development and on the surrounding highway network”, then a development which contributes to an existing accident blackspot will never meet this policy.

4. Unsuitability of the Site for Residential Housing

The land in question is part of a disused quarry. It includes steep retaining walls and is known locally to be prone to waterlogging and poor drainage. Residents frequently observe significant flooding in this area after moderate rainfall. These ground conditions make the site poorly suited to the proposed development.

Moreover, due to its orientation, slope, and the shadowing from quarry walls, the proposed location for the three houses receives very little natural light. The quality of living in such homes would be compromised, and this has not been acknowledged by the applicant.

No drainage strategy has been provided, despite the clear evidence of a high water table and standing water in the area. Surface water management is a serious issue that must be addressed prior to approval, not post hoc, particularly where existing greenfield sites are replaced with hardstanding. Failure to do so places not just the new development but existing residents at material risk of flooding, in contravention of LP27a (Flood Risk).

5. Historical Covenant and Planning Cap

When Highfield Court was originally developed, a legal agreement was signed stipulating that no more than 12 dwellings would be built on the site. The existing 12 homes remain fully occupied today. This proposal would breach that long-standing agreement and undermine trust in both the planning process and in prior development contracts.

We believe this agreement was put in place specifically to protect the surrounding green space and prevent further overdevelopment in a rural setting. Approval of this proposal would set a dangerous precedent for circumventing community-agreed planning conditions.

6. Lack of Public Engagement and Transparency

The developer has made no visible effort to consult local residents, despite the scale and significance of the proposal. There have been no public engagement sessions, exhibitions, or letters of invitation to comment despite the developer being known to local residents and making regular visits to the area. This stands in contrast to best practice guidelines for community consultation in planning matters.

Given the potential impact on public safety, environmental quality, and precedent for future Green Belt development, the failure to engage the public meaningfully should weigh heavily against approval.

Conclusion

This proposal is in fundamental conflict with Green Belt policy, fails to meet biodiversity and ecological requirements, raises serious highway safety concerns, and lacks basic respect for community and environmental context. The developer has failed to meet required evidentiary standards and has misrepresented or omitted key planning factors.

For all these reasons, I urge Kirklees Council to refuse Planning Application 2024/92977 in full.

Thank you for your time and consideration.

Yours faithfully,