

DC Admin

From:
Sent: 22 March 2026 19:35
To: DC Admin
Subject: Ref 2025/90889

Categories:

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TO: The Planning Department @ Kirklees
REFERENCE NUMBER: 2025/90889
PROPOSAL: Development of 34 dwellings
ADDRESS: The Old Site of Combs Hostel WF12 0PL

Dear Planning Officer,

I am writing to OBJECT to the above planning application. My concerns are based on highway safety, inadequate assessment, loss of amenity, and conflict with adjacent uses, all of which engage key policies within the National Planning Policy Framework (NPPF) 2024 and local plan policies.

1. Unsustainable Highway Impact and Severe Cumulative Effect (NPPF Paragraph 115)

The local road network is demonstrably incapable of accommodating the additional traffic this development would generate. The existing road already suffers from tailbacks, and the proposed development would add to this congestion.

NPPF 2024 (Paragraph 115) is clear 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."

Given the existing strain on the road, the cumulative impact of adding more vehicles easily meets the threshold of 'severe' as established in case law (e.g., the High Court in *R v Devon CC ex p Isaac* [1998]). The applicant has failed to demonstrate how this severe impact will be mitigated to an acceptable level.

2. Dangerous Junction and Highway Safety (NPPF Paragraph 115)

The access arrangements for this site pose a significant danger to all road users. To access the site, drivers must stop in the middle of a blind bend. Exiting the site requires crossing the central median line into the path of oncoming traffic, again on a blind bend. This layout relies on luck rather than safe design.

This constitutes an "unacceptable impact on highway safety" as per NPPF 115. New developments must not create or exacerbate hazardous junctions. *Manual for Streets 2* (Chapter 7) outlines that junction design must provide adequate visibility splays; a blind bend offers zero visibility, making this inherently unsafe.

3. Lack of Robust Evidence (Level 3 Traffic Survey)

There does not appear to be any evidence of a Level 3 Road Safety Audit or robust traffic survey accompanying this application, particularly given the history of the site. Without this detailed assessment, the Council can not properly determine the application.

In the case of *Satnam Millenium Ltd v SSHCLG* [2019], the courts upheld that where there is uncertainty regarding transport impacts due to insufficient information, a precautionary approach is justified. The Council should refuse permission on the grounds of insufficient information.

4. Loss of Visitor Parking and Impact on Mobility-Impaired Users

The development would result in the loss of parking for visitors to Rectory Park, specifically impacting those with limited mobility. While the NPPF encourages sustainable transport, paragraph 112 recognizes that opportunities to promote sustainable transport vary depending on rural locations.

Local Plan policies (similar to Central Bedfordshire's conditions) usually require "adequate and workable parking". The loss of dedicated spaces for vulnerable visitors to a public park is detrimental to community access and inclusivity.

5. Conflict with Agriculture and 24-Hour Farm Access (Agent of Change)

The site is next to a working farm requiring 24-hour access via the same single-track road. This includes the transport of live animals. Residents parking inconsiderately have previously blocked these essential agricultural vehicles.

The "Agent of Change" principle (NPPF 2024, Paragraph 200) places the responsibility on the new developer (the agent) to mitigate the impact of existing uses, not on the existing user to change. The farm and its operations (including HGV movements) existed long before this proposal. The development should be refused because the applicant has not demonstrated how they will prevent new residents from obstructing this essential agricultural activity.

6. Amenity Impacts from Adjacent Sports Club (Noise & Light)

The site is next to a sports club hosting live matches and music events, which operate under floodlights. Despite the agent of change principle, this application appears to lack adequate mitigation for noise and light pollution.

As highlighted in a recent planning appeal (*Ipswich BC* [2025]), residential development was refused adjacent to a Multi-Use Games Area because the impact of floodlights and noise on future residents (specifically regarding garden amenity) was uncertain. If new residents move in and subsequently complain about the lawful operation of the sports club, it could threaten the club's viability. The risk of this anti-social compliance places an undue burden on the Council and the existing community facility.

Conclusion

For the reasons outlined above—specifically highway danger, severe congestion, impact on farm operations, and conflict with the sports club—this development is unsustainable and conflicts with the NPPF. I urge the Committee to REFUSE this application.

