

**From:**  
**Sent:** 04 June 2026 23:53  
**To:** Louise Bearcroft; DC Admin  
**Subject:** Objection to Planning Applications 2025/61/92713

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Please log this objection against the case files for both planning applications 2025/61/92713 and 2025/44/92737

Ms Louise Bearcroft,

Objection to Planning Applications 2025/61/92713

I wish to comment on the [Delegated Report / Committee Report \[id 1142153\]](#) Committee Report for Strategic Planning Committee 11 June 2026 and raise an objection against the two planning application in relation to the number of times Kirklees planners have not followed their own SPD's and LP in order to try and push this application through on behalf of this builder.

It is not a justifiable reason for Kirklees planners to not follow their own rules and procedures by using the term **“planners find this acceptable”**.

**They have used this terminology to justify why they are not adhering to Kirklees Planning procedures on the following:**

**10.14 Minimum separation distances between 21 Summerdale and Plot 10.** Principle 6 of the adopted Housebuilders Design Guide SPD specifies 12 metres between windows of habitable rooms that face onto windows of a non-habitable room. It does not differentiate between ground floor windows and 1<sup>st</sup> floor windows. If a window exists in a wall it should be taken into account as specified in Principle 6 of the adopted Housebuilders Design Guide SPD.  
**Planners find it acceptable**

**10.15 SPD requires that longer distances between buildings may be necessary where there is steep topography on the site.** The planners have only taken into account the difference between ground and floor levels of these two houses. Added to this the difference in the height of the ridge tiles Plot 10 will overshadow 21 Summerdale. This has been acknowledged in point 10.28.

Another example of planners not adhering to the adopted Housebuilders Design Guide SPD. **Planners find it acceptable**

**10.29** “The side facing upper floor windows of Plot 10 would serve bathroom/en-suite areas and therefore be obscurely glazed (to be secured by condition) to avoid potential overlooking” Just because these window have obscure glazing in them does not mean the window do not open. This means residents can look out of an open window into 21 Summerdale’s window. This is why the SPD specify non habitable windows (i.e. bathroom windows) have minimum separation distances applied to them. Again **Kirklees planners not following their own recommendations and procedures. Planners find it acceptable.**

**10.32** Plot 1 (HT04) is referred to as a 5 bed, 7 person at **3 storeys** 125m<sup>2</sup> Proposal 225.21m<sup>2</sup>.

In point 10.44 Plot 1 is referred to a 2 storey building. Planner’s advise that this plots’ eaves will be higher, consequently the ridge tiles will be higher. This makes Plot 1 taller than a 2 storey building. Another example how planning are bending the rules and not adhering to the principle (2 storey buildings only) on which the previous committee meeting passed the original outline planning permission for this site. This plan is placing a 3 storey building in the vicinity of a grade 2\* listed building which contravenes previous planning concerns that were raised at outline planning committee meeting. **Again Kirklees planners not following their own recommendations and procedures. And find it acceptable**

- **10.38 Bin drag distances for plot 5-10 exceed the recommended maximum.** Plots 5-10 would have greater drag distances than the recommended guidance. The maximum drag distance for a resident is 25 metres. Plot 10 and 9 will have a drag distance of approximately 40 metres. How can planners describe this excessive distance as “This is not an ideal situation, however the drag distance is not so significant to amount to significant material harm”. **In excess of 15 metres more than the maximum is significant especially when dragging a bin up an incline.** Putting the onus on the developer to ensure future residents are aware, does not make this issue comply with Kirklees Housebuilders Design Guide SPD. **What a blatant disregard of planning rules, for everyone to see. Again Kirklees planners not following their own recommendations and procedures. And find it acceptable**

- **10.39 Visitors parking spaces.** “Officers acknowledge the concerns from K.C. Highways, however other layout and location options for the visitor parking spaces have been explored and it is considered to be the best option” In this point we have general planning officers acknowledging K.C. Highways have shown concerns but planners feel they know better than the expert department and just accept the best option for the builder rather than recognise that the plans do not comply with planning regulations. In 10.4, here we have the term again “considered acceptable”, even though K.C. Highways do not consider it acceptable. **Again Kirklees planners not following their own recommendations and procedures. And find it acceptable**

The site is within a radon-affected area, with no assessment of how radon gas may migrate towards properties once ground is disturbed. The remediation plan lists risks such as inhalation of contaminated dust, dermal contact with polluted soil, and ingestion of contaminated materials, but provides no protections for residents. The report gives no methods of how remediation is to be done. Arsenic and Lead contaminated topsoil will temporarily be piled-up and stacked at the boundary to neighbouring residential properties.

The geo-environmental report confirms arsenic levels above safe limits in the topsoil.

Kirklees planning should be acutely aware of this danger in view of the problems in the Cleckheaton area after plans were passed on a contaminated site by Kirklees planning. Local residents in Cleckheaton are now suffering from contamination entering their properties through windows, doors etc. On this site in Moor Lane there is arsenic; Kirklees have stated the level of arsenic is safe. **There is no such thing as a safe level of arsenic. Arsenic is deadly poison.** The issues at Corby and the contamination suffered in that area confirms that fact. There were cases of child birth defects and early miscarriages. If this happens at this site, will all the Kirklees planning management and officers - **Find it acceptable?**

All the above points highlight how Kirklees planners are not adhering to planning procedure and try to justify deviating from it by using the term **”Planners find this acceptable.”**

Well what is “acceptable to planners” is not acceptable to existing Kirklees residents, who pay the wages of Mr. David Wildman, Director, Mr Mathias Franklin, Head of Planning. Kirklees planners are more interested in providing homes for 10 future resident’s houses, but totally ignoring the issues affecting at least 38 existing resident family homes.

As I have requested before, why can't you just follow the original approved outline planning permission and just follow the rules about separation distances and flooding which you completely ignored on the first plans. Why do planners find it acceptable to advise Liz Smage, at that time Major of Kirklees it is legal to direct flood exceedance into a private residents garden providing it does not enter the building. This is not true, it is illegal.

Why has Kirklees planners picked on the elderly residents of 21 Summerdale. Easy targets.

Please add these comments to both planning applications 2025/92713 and 2025/92737