

PLANNING OBJECTION LETTER

Re: Proposed Development – Land to the South-East of Abbey Road South, Shepley (WYK305733)

105 Baildon Way, Skelmanthorpe, HD8 9GY

24/11/2025

1. Introduction

I formally object to the proposed development on land south-east of Abbey Road South, Shepley (title WYK305733). The site is unsuitable, unsafe, unsustainable, and undeliverable, and is in clear conflict with national and local planning policy. Key issues include:

- Only one constrained access point, with no lawful backup route.
- Surrounding landownership and covenants block all secondary and emergency access.
- Approximately half the site lies within SPZ1, the most sensitive groundwater protection zone.
- The land is full Green Belt, not “Grey Belt,” and cannot be reclassified.
- The Kirklees Local Plan remains legally valid and fully in force.
- The proposal fails Kirklees density expectations, risking future intensification.
- Developer omissions and minimised constraints.
- Threat to Shepley Spring’s operation and employment.
- Multiple alternative purchasers exist.
- It has been alleged the landowner did not attend either public meeting.
- Banks Property Ltd registered a restrictive interest in 2021.

2. Landownership Constraints Prevent Deliverable Access

The site touches the adopted highway at only one narrow pinch-point, with no other boundary connecting to any public road. No easements, corridors, or reserved strips exist. The adjacent field (WYK672032) is jointly owned and provides no lawful secondary or emergency access.

3. WYK448961 Prohibits Access by Covenant

The narrow strip of land (2–5m wide) owned by Penmoor UK Ltd is legally restricted by a “NO ACCESS” covenant preventing any vehicular, pedestrian, or emergency access.

4. Highways & Emergency Access – Fails NPPF and LP20

The development fails Manual for Streets, cannot support emergency vehicles under NPPF 112(c), offers no lawful secondary access, and poses a life-safety risk.

5. SPZ1 Groundwater Protection — Highest Level of Environmental Sensitivity

Half the site lies in SPZ1. The developer disclosed this but downplayed its significance and provided no acceptable groundwater or drainage strategy, breaching NPPF 174–180, LP24, and LP26.

6. Green Belt Status and Misuse of “Grey Belt”

The land is full Green Belt. “Grey Belt” is not a recognised planning category and carries no policy weight. Green Belt harm is “by definition substantial.”

6B. Status of the Kirklees Local Plan – Legally Valid and NOT “Out of Date”

The Local Plan remains fully in force. Age alone does not render it out-of-date. Green Belt, highways, environmental and density policies all carry full statutory weight.

6C. Alleged Lack of Engagement by the Landowner During Public Meetings

It has been alleged that the landowner did not attend either public meeting, providing no explanation or transparency regarding intentions, agreements, or impacts.

6D. Banks Property Ltd’s Registered Interest (2021)

Land Registry title WYK305733 shows Banks Property Ltd registered a formal restriction in October 2021. This indicates an early developer interest not previously disclosed to the public, raising concerns regarding transparency and long-term intentions.

7. Density Failure — Does Not Meet Kirklees Requirements

The low-density proposal conflicts with Local Plan density policy and risks future intensification.

8. Emergency & Construction Access — Undeliverable

The access is too narrow for emergency vehicles, refuse vehicles, or construction HGVs, and cannot be widened.

9. Developer Downplayed Disclosed Risks and Omitted Key Constraints

SPZ1 and single access were disclosed but minimised. Key constraints such as covenants, joint ownership barriers, density failure, and impacts on Shepley Spring were omitted.

10. No Commitments to Schools, GPs, Dentists or Roads

No S106 mitigation, capacity assessment, or infrastructure support is provided.

11. Economic Importance of Shepley Spring

Shepley Spring contributes over £5 million in wages annually, supports local businesses, and anchors the local economy. Traffic impacts threaten operations.

12. Shepley Spring's Sustainable Alternative Land Use Proposal

At the public meeting, Shepley Spring expressed willingness to acquire the land for ESG-compatible uses including a solar array, employee parking, and sustainable farming.

13. Community Interest in Purchasing the Land

Local residents also expressed willingness to acquire the land for conservation, community use, and sustainable agriculture.

14. Final Conclusion — The Application Must Be Refused

Due to Green Belt conflict, SPZ1 risk, access failure, emergency constraints, legal barriers, density failure, lack of mitigation, economic risks, alleged lack of engagement, Banks Property Ltd's 2021 interest, and credible sustainable alternatives, the development is fundamentally undeliverable and must be refused.