

9 December 2025

Kirklees Council
Planning Department
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Huddersfield
HD1 9EL
By email :dc.admin@kirklees.gov.uk

Dear Kirklees Council

Planning Application Number 2025/60/92776/E

Land at Eastfield, Shepley, Huddersfield HD8 8HB

I am writing to object to the above application for planning permission. I believe that the application is fundamentally flawed for the reasons explained in this letter and should be refused.

I understand that it is possible to provide a supplementary objection and I reserve the right to do so. I also understand that you will allow comments on the application up to the point at which it is considered by the relevant committee. Please let me know if my understanding of these points is wrong.

Green Belt and Grey Belt

Green Belt

The site is currently classified as Green Belt and this is accepted by Banks Group Limited ("Applicant").

Despite recent changes in government policy, it remains the case that development on Greenbelt should only be permitted in "very special circumstances" - see the National Planning Policy Framework ("NPPF") (December 2024) at paragraph 153. The clear exceptions to this general principle at paragraph 154 do not apply in this case.

Paragraph 155 of the NPPF is framed in less emphatic terms than paragraph 154 which means that it should be read as subsidiary to paragraph 154¹. It sets out a number of factors which enable a planning authority to grant permission but only if all factors are present including compliance with the "Golden Rules". That is not the case here. I put forward two examples: firstly, the application proposes no

¹ The opening words of paragraph 154 are "Development in the Green Belt is inappropriate unless one of the following exceptions applies" whereas paragraph 155 states "The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply..." (Emphasis added)

meaningful improvements to national or local infrastructure. Secondly, on the Applicant's own case, the development would not be in a sustainable location by reference to NPPF paragraph 115². The criteria for building on Green Belt are simply not met.

The Applicant's Planning Statement refers in several places to the Kirklees Local Plan being "out of date"³. That "out of date" status is then relied upon in support of paragraph 11 of the NPPF and the presumption in favour of sustainable development. This approach is in stark contrast to the Applicant's position on affordable housing where it is more than happy to adopt the Kirklees Local Plan by proposing 35% affordable housing⁴ (being the 20% in the Local Plan plus the 15% "uplift" at NPPF paragraph 157) instead of the default 50% set out in paragraph 157. As a responsible planning authority, Kirklees should not permit cherry-picking of this nature. A developer should not be permitted to pick and choose which parts of the Local Plan – which remains the Local Plan until it is replaced – it likes and which it does not. The fact that the Applicant resorts to such an obviously clumsy tactic illustrates that in seeking to justify development in the Green Belt it is willing to deploy contradictory arguments on the same topic.

Kirklees should also be wary of a well-resourced developer seeking to exploit a combination of extremely wide-ranging government policy coupled with the transitional period between local plans. The Applicant should not be permitted to take advantage of any hiatus caused by these changes. Kirklees must discharge its obligations as a planning authority by standing back from the political and commercial noise and consider the application objectively and in the interests of the people it serves. This point applies as much to Grey Belt as it does to Green Belt.

Grey Belt

As an alternative to being allowed to build on Green Belt, the Applicant proposes that the site at Eastfield should be reclassified as Grey Belt. In doing so, it takes a narrow, literal, approach to the definition of what may constitute Grey Belt.

I accept that the definition of Grey Belt at NPPF Appendix 2 is capable of having an extremely wide application. That is apparent on the face of the words used; much of what is currently Green Belt could easily be reclassified as Grey Belt. Indeed, it has been reported that an analysis by the planning department of Leeds City Council has concluded that up to 90% of that authority's Green Belt is in danger of reclassification as Grey Belt⁵.

The Applicant is seeking to exploit this policy change (as well as the alleged "out of date" Local Plan) for profit⁶. It should not be allowed to do so. Kirklees should address its mind very carefully to the implications of the definition of Grey Belt and, in the absence of its own analysis⁷, have regard to the Leeds figure of 90%. It should also take a dual approach to the question of Grey Belt. Firstly, it should apply a broad, purposive, approach to the definition by recognising that there will be parcels of land in its jurisdiction which should be treated as Grey Belt whereas other land should sensibly remain as Green Belt. Secondly, it should take a structured, holistic, approach to any reclassification by making it part of the new Local Plan. To do otherwise would entail a piecemeal approach. Such an approach

² See the section on egress via Lea Drive below.

³ See, for example, paragraphs 6.4 and 6.7.

⁴ Paragraph 6.21.

⁵ ['Alarming to the people of Leeds' Claims 90 percent of city green belt could be lost](#) : Yorkshire Evening Post 13 November 2025.

⁶ The profit to the Applicant arising out of the proposed development is likely to be in the region of £6m to £8m.

⁷ Such an analysis might usefully be conducted in conjunction with the revision of the Local Plan. It is understood that central government funding is available for the purpose. In addition, it would allow local people to fully understand the impact of the changes to national policy on Green Belt.

would not only be unprincipled, it would entail developments being approved on a case by case basis which in turn would quickly lead to a disproportionate loss of Green Belt. Once Green Belt becomes Grey Belt, it is highly unlikely to ever become Green Belt again.

In any event, in the case of the site at Eastfield, the land does in fact contribute strongly to NPPF paragraph 143(a). Shepley is no longer a stand-alone village; it exists on the outer edge of the Kirklees conurbation. Recent housing developments, particularly, but not exclusively, near the A629 mean that there is now an almost unbroken urban line from the centre of Huddersfield to Eastfield; such fields that remain are no doubt attracting the interests of other developers who will in turn argue that they are Grey Belt. The site in question is itself at the edge of Shepley. The development would amount to urban sprawl; it cannot realistically be argued otherwise.

Highway Safety and Traffic Congestion

The legal and policy framework

References in policy or other documents to “access” should be interpreted as meaning both ingress to and egress from a piece of land. Although access is frequently understood to mean getting into a place in this context it means both getting in and getting out.

NPPF paragraph 115 states (emphasis added): “*In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: ... b) **safe and suitable** access to the site can be achieved for all users;...*”

Kirklees policy LP21 states (emphasis added):

*“Proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed **effectively** and **safely** by all users.*

*New development will normally be permitted where **safe** and **suitable** access to the site can be achieved **for all people** and where the residual cumulative impacts of development are not severe.*

Proposals shall demonstrate adequate information and mitigation measures to avoid a detrimental impact on highway safety and the local highway network. Proposals shall also consider any impacts on the Strategic Road Network.

All proposals shall:

- a. ensure the **safe and efficient flow of traffic** within the development and **on the surrounding highway network**;*
- b. ...*
- c. be accompanied by a supporting Transport Assessment or Transport Statement where the development would generate significant trip generation, providing detail as to the impact on highway safety, air quality, noise and light restrictions;*
- d. take into account changes in site levels and topography **to ensure the development can be accessed easily and safely** by all sections of the community and by different modes of transport;*
- e. **take into account the features of surrounding roads and footpaths and provide adequate layout and visibility to allow the development to be accessed safely**;*
- f. take into account **access for emergency, service and refuse collection vehicles**;*
- g. ...”*

It should be noted that nothing in this policy is confined to the development itself. Paragraph (e) in particular extends it to the surrounding roads.

The Kirklees Highways Guidance Note⁸ states (emphasis added):

“The design of development proposals must comply with health and safety legislation. This includes the Health and Safety at Work etc Act 1974 and the Construction (Design and Management) Regulations 2015 (CDM Regulations).

*The Health and Safety at Work Act requires employers – which includes developers – to conduct their business in a way that ensures, ‘so far as is reasonably practicable’, that they do not expose ‘persons not in their employment’ to risks to their health or safety. **This means that developers must ensure that their developments do not unreasonably increase the risks to the public, local residents, or people engaged in servicing or maintaining the roads, paths, and drains provided.**”*

The Kirklees Highways Guidance Note – Gradients⁹ contains the following statements in the section headed “Effects of steep gradients – motorists”:

“[23] Gradients up to 8% (1 in 12.5) do not generally affect the safe use of motor vehicles. Desirable and absolute gradients of 6% (1 in 16.7) and 8% respectively are often quoted in standards but these are generally based upon economic considerations derived from operating costs on link roads rather than roads within residential or commercial developments. [24] Carriageway gradients of 8% to 10% (1 in 10) can be incorporated successfully into developments but with gradients above 8%, there is an increased chance of vehicles losing traction on icy surfaces. [25] On gradients above 10%, some stationary vehicles can start to slide in icy conditions.”

It is important to bear in mind that the relevant test is not just one of safety but also, by virtue of Policy LP21, one of suitability, effectiveness or efficiency. A proposal can be safe but if it is not also suitable and effective then it fails to comply. In any event, the Applicant’s proposals fail all these tests.

Egress via Lea Drive - Gradient

At paragraph 7.53 of its Planning Statement the Applicant states:

“...it is proposed that Knowle Park Avenue becomes a one-way southbound street, ensuring any vehicles leaving the proposed development will use Lea Drive and Abbey Road South Junction when exiting the estate. This is due to visibility splays being insufficient when turning onto Knowle Park Avenue from the Knowle.”

Given that a visibility splay is a safety issue this is a concession from which the Applicant should not be permitted to resile.

The Kirklees Highway Design Guide¹⁰ contains guidelines for parking spaces in a new development which acts as a reliable proxy for the likely number of cars generated by this development. The guidelines are: “2 to 3 bedroom dwellings provide a minimum of two off street car parking spaces. 4+ bedroom dwellings provide three off-street spaces”. By applying these guidelines to the mix of

⁸ [Highways Guidance Note - Requirements of New and Improved Roads and Paths](#)

⁹ [Highways Guidance Note - Gradients](#)

¹⁰ [Highway Design Guide Supplementary Planning Document \(SPD\)](#) at paragraph 5.4.

properties proposed, a total of 261 new vehicles will be leaving the area, in addition to current residents, exclusively via the Lea Drive and Abbey Road junction.¹¹

The final stretch of Lea Drive approaching the junction with the busy A629 at Abbey Road is very steep. It is believed to have a gradient of around 1 in 7. At an elevation of approximately 700 feet above sea level, it is easily affected by ice and snow for up to 6 months of the year. The slope is treacherous in wintry conditions; no existing resident with an appreciation of the risks it poses uses it to leave Lea Drive and adjoining streets, preferring instead to use the gentler and safe router via Knowle Park Avenue, an option which the Applicant proposes to remove. If planning permission is granted then current and future residents of the area around Eastfield and Lea Drive will not be able to leave their homes by car because the risk of losing control on the 1 in 7 slope and sliding out on to a busy main road and colliding with a lorry or car is unacceptably high. If a driver is lucky enough not to hit another road user then they face the very real prospect of colliding with the dry stone wall opposite Lea Drive, beyond which there is a handful of trees and a steep drop to Shepley Beck. It is not an exaggeration to state that residents will be prisoners in their own homes for long periods during the winter.

The risks are not confined to residents. The area around the junction of Lea Drive and Stonecroft Gardens is used by parents dropping off and picking up pupils attending Shepley First School. Delivery vans are a frequent sight on the streets. Emergency vehicles will also only be able to leave the area via Lea Drive.

While it is acknowledged that these risks are confined to the winter months each year, any other blockage of the junction of Lea Drive, for example by utilities contractors or a road traffic collision, means that no egress from the existing and proposed homes will be possible.

None of these entirely foreseeable risks are addressed in the application. Whilst the Applicant makes much of its engagement with the local community, that engagement took place before this proposal became apparent.¹² The Applicant must have decided on the proposal that the only egress would be via Lea Drive before its meetings in July 2025; its consultants were engaging with Kirklees Highways before May 2025¹³. The steepness of the Lea Drive gradient is apparent to anyone who drives down it. Far from there being engagement with the community, there has been active concealment of a serious safety issue. It is also particularly striking that the proposed arrangements will not apply during the construction period meaning that the Applicant and its contractors will not face the same risks. These issues go to the integrity of the entire application and beg the question of what else is being concealed.

The standards that Kirklees imposes on new developments should also apply to the immediately surrounding area especially where there are issues of safety involved. A gradient of 1 in 7 would not be permitted on a new development; nor should a development be permitted where the sole egress on to the nearest main road is 1 in 7. To do otherwise would not only derogate from the national and local policies set out above and therefore be irrational, it would also condone a breach of the Health and Safety at Work etc Act 1974.

¹¹ The figures at paragraph 5.6.4 of the Transport Assessment are noted but appear to be self-serving and unrealistic for a development of this size.

¹² The meetings relied on by the Applicant took place in July. The traffic arrangements are buried deep in the Planning Statement which was not publicly available until October.

¹³ See paragraph 1.1.4 of the Transport Assessment which refers to a meeting on 1 May 2025. Further, a survey was conducted of parking on the steep section of Lea Drive in June 2025.

Parking on Lea Drive – Shepley First School

The only parking survey conducted by the Applicant involved assessing parking near the junction of Lea Drive and Abbey Road during 00.30 and 05.30 on two consecutive nights.

Shepley First School is a Victorian building which is only directly accessible via a narrow side street. It is however indirectly accessible via an alleyway off Stonecroft Gardens and the immediate vicinity, including the stretch between the Stonecroft Gardens/Lea Drive junction and the Lea Drive/Abbey Road junction is used for drop off and pick up parking on every school day. The introduction on to Lea Drive of additional traffic, whether residents of the proposed development, delivery vehicles or construction traffic will lead to an increased road safety risk for both children and their parents.

Allied to this point is the proposal to place double yellow lines on Lea Drive. That will not reduce the number of parked cars in the area especially at school times; it will move those cars elsewhere. Some of those cars will park on Abbey Road. When turning out of Abbey Road, visibility southbound (up the hill) is affected by vehicles parked outside the terraced cottages on Abbey Road. Those vehicles also reduce the width of Abbey Road which is further reduced by the frequent HGVs travelling downhill. Visibility northbound (downhill) is generally good at present but will be affected if, as is inevitable, vehicles park on the main road instead of on Lea Drive.

The Sovereign crossroads

The circa 261 cars generated by the new development will usually go in one of three directions namely (1) north towards Shelley and Huddersfield (2) west towards New Mill and Holmfirth via Marsh Lane and (3) south towards Denby Dale or Penistone via the Sovereign crossroads. That crossroads is a notorious accident blackspot. It is difficult to justify any additional volume of traffic through that junction especially in circumstances where permission has been granted for a quarrying operation at Bromley Farm which entails a large number of HGVs passing through the Sovereign crossroads on a daily basis.

Transport

Rail

The Applicant makes much of Shepley's transport links. Whilst it is the case Shepley has a station on the Penistone Line, large parts of that line are single track which means that a train delayed in one direction also delays an approaching train coming the other way. The trains, which only run hourly, are operated by Northern Rail which, in the period from 12 October to 8 November 2025 only operated 50.7% of their trains on time¹⁴. The service through Shepley is simply not reliable for anyone travelling regularly for work to a destination on the line; it is even less reliable for anyone making a connection elsewhere. Inevitably, this will lead to more cars on the already busy A629 and surrounding roads.

The station is not fully accessible. One of the platforms can be reached only by steps which excludes its facilities to anyone with a material mobility issue.

There is no parking at the station but the area in the immediate vicinity is increasingly congested as commuters park there. This will only increase with the proposed development. It is fanciful to suggest that residents of the new development will walk in excess of half a mile to the station in bad weather.

It has been reported that the government wishes planning applications in the vicinity of rail stations to be prioritised. That wish has not appeared in any policy document. It is important that Kirklees

¹⁴ Itself a deterioration from 14 September – 11 October 2025 when the corresponding figure was 56.4%.

assesses the application on the basis of the approach as it is now and not at some future date. In any event, the flaws identified above, especially the lack of access for all users, mean that the presence of a station should be given very little weight.

Buses

The D2 and D3 bus service does not assist commuters especially those working outside of 9.00 – 5.30; nor does it help anyone travelling in the evening for other reasons. The service is mostly only hourly. The last service from Shepley to Huddersfield is at 18.39 (18.11 on Saturday). The final service from Huddersfield leaves the bus station at 18.20 (Saturday at 17.50). There is no bus service on a Sunday.

Similarly, the X1 service to Wakefield and Holmfirth is only hourly. The final service towards Wakefield is at 20.21 Monday to Saturday (Sunday at 16.35). The last bus to Holmfirth is at 19.55 (16.21).

The Applicant describes these services as frequent; this is true but only in the sense that a weekly service is also frequent.

Water

General

The water infrastructure serving Shepley is inadequate to deal with current demands placed on it. At the time of writing, the A629 has recently been closed for several days for repairs to water mains following heavy rain. It is the second such closure in recent weeks.

Foul Water

In a letter dated 29 April 2025¹⁵ Yorkshire Water told the Applicant that:

“At present the sewer network does not have sufficient available capacity to support the size of development proposed. It is understood that the site is not allocated within the adopted Kirklees Local Plan and as such the site has not been considered within the current Yorkshire Water Asset Management Plan (AMP) period. Should the site come forward as part of a planning application Yorkshire Water (YWS) would likely not support the proposal.”

Kirklees should attach considerable weight to this statement. It would be unfair and unjust to expect all local residents to face the difficulties of an already overloaded Victorian system in order to accommodate a development on Green Belt land.

A Freedom of Information Act request has been made of Yorkshire Water in order to better understand the implications of the proposed development on local capacity and this is an area where I may choose to make a supplementary comment in due course.

Shepley Spring

Shepley Spring is a valued local employer providing employment to over 130 people. It draws its water from beneath part of the site. There is a risk that the development will compromise the quality of the water supply. In this respect I refer to the technical report prepared for Shepley Spring dated 6 November 2025 which has been provided to Kirklees.

There is no justification for permitting a development that represents an existential threat to a successful local business and its employees. There is a long term economic benefit to the Kirklees area

¹⁵ At Appendix E to the Flood Risk Assessment and Drainage Strategy.

arising from Shepley Spring; that benefit should be placed ahead of any temporary benefit during the construction period and the £6m - £8m of profits that will accrue to a business based outside Yorkshire.

Local Amenities

Shops

The Applicant claims that there is a supermarket in Shepley¹⁶. This is simply not true. The Co-Op in Shepley is very clearly a convenience store not a supermarket; that this is the case can be seen from a review of its prices. In any event, a supermarket is defined as a large shop of over 280 square metres and is required to have restricted trading hours on a Sunday. The Co-Op in Shepley has longer opening hours. The reality is that large, weekly, shops by residents of the proposed development will entail a trip of several miles to one of the large supermarkets in the area or the arrival into Shepley of online delivery vehicles.

Health Services

Shepley has had a health centre for many years. The current practice has a wide catchment area with patients not just in Shepley itself but also the surrounding villages of Stocksmoor, Upper Cumberworth etc. There is already considerable pressure on its services with a particular feature being the well-known 8.00 a.m. rush to get a same day appointment with a doctor or face a wait of several weeks. It is unfair to the existing patients, the 250 plus new patients (if consent is granted) and the staff at the health centre to expect it to continue to operate without a decline in service levels.

Education

The attention of the planning department is drawn to the comments on the application provided by Kirklees Education Service. Their data shows that whilst Shepley First School is currently just under capacity, it will be back at 100% by 2028. Meanwhile, the proposed development is projected to generate a need for 18 additional spaces. It is not clear how those extra children are to be accommodated, given the physical constraints of a Victorian listed building and the surrounding site.

Broadband

For many years, Shepley was without a proper broadband service. Whilst that has improved considerably, an additional 110 homes are likely to add a further 500 devices, a proportion of which will be using streaming services at peak times. Any dilution of the service to accommodate the proposed development will affect both existing and future residents.

Other Matters

Community engagement

The Applicant claims, at paragraph 4.4 of its Planning Statement, that there has been engagement with residents closest to the site. My house is adjacent to the site but, apart from one leaflet which was widely distributed in Shepley, there has been no attempt at engagement at all. As far as I am concerned this claim is simply untrue. In any event, for the reasons explained in relation to egress via Lea Drive, the community engagement was undermined by a serious lack of transparency by the Applicant.

¹⁶ See Plan A07

Affordable housing

At paragraph 6.34 of the Planning Statement the Applicant discusses the need for affordable housing in Kirklees. It does not however explain how it proposes to deal with the 35% affordable housing element in the development. If it is to involve a Housing Association, it has provided no evidence that such a demand exists. It is understood that Housing Associations are not interested in acquiring properties in the area. If it is by discount to the market price then nothing is said about the anticipated market price and proposed discount. Irrespective of the technical definition of a demonstrable unmet housing need, the way in which the affordable housing on the site is to be addressed is an important consideration.

Conclusion

This is a deeply flawed and opportunistic attempt by the Applicant to make many millions of pounds of profit by exploiting government reforms and the hiatus in the Local Plan. Critical issues such as road safety in the winter have not been addressed; indeed, they have been concealed from local residents. A parking survey has focussed on parking in the small hours of the morning while ignoring daytime activity. The proposed development is not supported by the water utility.

For the reasons set out in this letter and other objections, this application should be rejected.

Yours sincerely