

Kirklees Council

Planning & Development

PO Box 1720

Huddersfield, HD19EL

13 Burton Royd Lane

Kirkburton

Huddersfield, HD8 0TU

Re : Application For Outline Planning Permission With Some Matters Reserved

Application No : 2025/93016

Construction Of A Detached Dwelling On Land Adjacent To 15 Burton Royd Lane

Dear Sir / Madam

We refer to the above outline planning application to construct a detached dwelling on land between 15 & 23 Burton Royd Lane, Kirkburton and wish to register our strong objection to the proposed development.

### **History**

You will be aware from your records that there has been three previous planning applications and one planning appeal for the construction of a dwelling on this land all of which were refused by Kirklees and an Inspector appointed by the First Secretary Of State.

The reasons that the previous applications and appeal were refused are set out in Kirklees "Refusal Of Permission For Development" and the First Secretary Of State's "Appeal Decision". Briefly the main reasons that the application was refused were that;

The land lies within designated Green Belt.

The application represented inappropriate development in the Green Belt.

The application could not justify very special circumstances sufficient to allow such development within Green Belt.

The proposed development would be detrimental to the openness of the countryside.

Burton Royd Lane is substandard and raised highway safety issues.

All of the above reasons for refusal have not changed, with the exception to issues with regard to the Lane specifically it's condition and traffic movements which we will address later. We cannot see any justification why the previous decisions by Kirklees and the First Secretary Of State should not stand.

### **The Application Form**

We refer to the application form submitted and wish to address a number of sections which are incorrect.

Section 10 – Vehicle Parking

There are no established vehicle car parking spaces on the land.

### Section 12 – Assessment Of Flood Risk

The proposed development is within 20m of a water course. The southern boundary of the land is 6m from a ditch running the length of the lane. The ditch carries surface water from the fields to the south of the lane discharging into a stream further down.

### Section 13 – Biodiversity And Geological Conservation

There are protected species using the land and land adjacent to the proposed development site. protected species, along with foxes and other wildlife use the land and adjacent land to feed and transit. There is a clearly defined pathway created by wildlife running across the land.

### Section 14 – Existing Use

The form states that the land is a vacant paddock, this is not the case. The land is not and, in accordance with the definition of the word paddock, has never has been used as a paddock, it has never been used to keep horses or any livestock and there has never been a stable or shelter on the land.

### Section 15 – Trees And Hedges

There are trees and hedges on the site. There is a hawthorn hedge running along the length of the northern boundary of the land which is an established habitat for a variety of nesting birds. There are three mature trees along the southern boundary of the land.

### Section 30 – Site Visit

The site can be seen from a public road, public footpath, bridleway and other public land.

## **The Design Access Statement & Planning Supporting Statement**

We acknowledge that these statements have been prepared by a professional who is fully experienced and conversant with planning issues and regulations. The statements are lengthy, repetitive and contain some assumptions which are clearly incorrect. Accordingly we wish to challenge certain points made within the statements and set out below our response to its content.

## **The Proposed Development / Site**

The proposed development currently lies within a designated area of Green Belt.

The proposed development does not integrate sensitively within the existing environment, its design and size is totally out of character with properties along the lane. It does not sit, as stated, seamlessly within the site and does present an overbearing impact on adjacent properties.

The land has intentionally been left vacant and unmanaged by the applicant. Contrary to the statement that the land contributes little to the local environment or aims of Green Belt policy it now benefits from supporting an abundance of wildlife and vegetation whilst still maintaining open views of the surrounding countryside which is enjoyed not only by residents but by members of the wider community. It is rewilding on a small scale.

The development would not represent “sustainable infill within a clearly defined residential frontage”. There is no residential frontage along the lane, it is not a row or street of properties. Properties along the lane are set apart with clearly defined gaps / open spaces in between which is the nature and character of the lane.

The statement that the proposed development would directly contribute to the local housing supply, although true to a very small degree, is a poor argument to support the application when considering the many hundreds of properties already under construction in the locality and the many hundreds more already going through the planning process.

The statement that the development would “free up” the applicants current property and benefit Kirklees housing supply is also a poor argument in that we understand that the applicant does not live within the Kirklees area and as such there would be no local benefit

## **Highways**

Clearly the applicant / agent is totally unaware of the traffic and maintenance issues affecting Burton Royd Lane. In addition there are major concerns to be considered at the junction with Linfit Lane, Paddock Road and Moor Lane and the applicants / agents assumptions with regards to these matters are way off the mark.

### **Burton Royd Lane – The Lane**

Over the past ten years, and in particular after COVID, the lane has become extremely busy. Growing families with additional private vehicles, on line shopping and home deliveries, walkers, horse riding and off road motor biking has increased to a substantial level.

Due to the increase in traffic using the lane it has been necessary to maintain its surface in some sort of reasonable condition on a more regular basis. After several incidents it became necessary over time to construct the two passing points to try and alleviate further problems.

The increase in on line shopping and home deliveries represents a serious issue. Drivers in the main disregard the lane’s condition and travel at inappropriate speed, walls, fences and gates have been damaged by drivers trying to turn on the lane. Towards the end 2025 a delivery driver attempting to turn around in the lane ended up in the watercourse that runs parallel with the lane blocking access / egress to all traffic along its route for 2/3 hours.

### **Burton Royd Lane – The Junction**

We have existing major concerns with the junction at Linfit Lane, Paddock Road and Moor Lane. Again over the past ten years traffic on these roads has increased substantially and with further developments ongoing within the area traffic will only increase. These roads and the junction are busy most of the day with traffic being a constant during peak times i.e. school times and working day times.

On any given day there will be in excess of one hundred vehicle movements to and from Burton Royd Lane at that junction.

Although there is a 30mph speed limit on these roads most vehicles, unless turning, exceed that limit. This became a matter for concern and during the latter part of 2024 when Kirklees / Highways installed a Vehicle Activated Sign at the junction warning drivers of their speed.

Also, you may be aware that, during the summer of 2024 there was a serious accident at the junction when two cars travelling north and south on Linfit Lane and Paddock Road collided head on resulting in one person being fatally injured and a second person and child being seriously injured. There has been several but minor traffic issues at that junction since the accident.

The sight lines to the north of the junction, Linfit Lane, are poor at the best of times and made worse when trades people and visitors to number 2 & 4 Linfit Lane park their vehicles, because there is no alternative, at the top of the lane and in front of their houses.

Reference to the garage at No158 is does not bare any relevance to the junction at Burton Royd Lane. Traffic movements from the garage are no more than two in any one day. The site of the garage is approximately 70 metres from the junction, there is a "pull in" set back from the road where a vehicle can park prior to accessing / egressing the garage, traffic passing the entrance to the garage will have clear site of any vehicle at that point and will be naturally slowing down or accelerating either approaching or leaving the junction.

### **In Closing**

We refer to the applicants / agents request and ask the question if it is protocol / acceptable for the planning officer to contact the agent prior to drafting their recommendation for determination.

We hope that due and fair consideration will be made when deciding on this application and that on the basis of previous refusals, current factors, in particular highway issues, this application will be declined.

Yours faithfully

14th March 2026