

Kirklees Council
Planning and Development
PO Box 1720
Huddersfield
HD1 9EL

30 November 2025

Dear Sir/Madam

Re: Representation on Prior Approval Application – Demolition of Bishop's Court and Holme Park Court, Land South of Woodhead Lane and Parkgate, Berry Brow, Huddersfield, HD4 7HN

Notice Date: 28 November 2025

Proposed Demolition Commencement Date: 19 January 2026

I write to submit a formal representation in relation to the above demolition proposal, made under Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPD0). These comments are submitted within the statutory 21-day period.

I have previously raised many of the concerns below directly with the Council, but no substantive response has been provided, contrary to the legitimate expectations established by prior engagement and the fair consultation standards, such as the Gunning Principles.

I note that the district's Local Plan is currently under full review (per Kirklees Council's 2025 Local Development Scheme). However, as the 2019 Kirklees Local Plan (KLP) remains adopted and in force, I submit this representation on that basis. I reserve the right to refer to any relevant emerging or revised policies once they are published.

Given the sensitivity of the site and the serious risks involved, I request that the Council require prior approval and impose robust, enforceable conditions based on both the adopted KLP and the requirements of the NPPF, as detailed below.

1. Asbestos and Demolition Safety (Contamination, Pollution, Environmental Quality)

The Council has publicly confirmed that the buildings contain in-situ asbestos, requiring full encapsulation and a slow, controlled demolition process (Huddersfield Examiner, June 2022).

This raises serious risk under contamination, health & safety, pollution, and amenity grounds.

Relevant national policy:

Under Chapter 15 – “Conserving and enhancing the natural environment” of the NPPF, planning decisions must ensure that development does not contribute to unacceptable levels of soil, air, water or noise pollution or land instability, and that contaminated or unstable land is remediated.

Relevant local policy: KLP PLP51/PLP52 (Environmental Quality & Pollution Protection), and PLP4 (Providing Infrastructure Public Health & Safety).

Requested requirements:

- Disclosure of the licensed asbestos removal contractor
- Detailed asbestos removal strategy and method statements
- Independent air-monitoring and containment methodology
- A full Demolition Environmental Management Plan (DEMP) covering noise, dust, air quality, asbestos containment, vibration, traffic
- Limits on working hours, machinery use, traffic movements, and dust/vibration/airborne particle controls

Such safeguards must be a precondition to prior approval, to comply with the NPPF's pollution control obligations and the Council's own environmental quality policies.

2. Noise, Dust, Vibration, and Loss of Residential Amenity

The proposed demolition sits extremely close to residential properties. This gives rise to risks of sustained noise, vibration, dust, HGV traffic and other disruption, which could materially harm residential amenity.

National policy: Under NPPF Chapter 15, planning decisions should account for likely effects (including cumulative effects) of pollution, including noise and pollution, on health, living conditions and the natural environment; and ensure mitigation so that noise does not give rise to significant adverse impacts on health or quality of life.

Local policy: KLP PLP24 (Design & Residential Amenity), KLP PLP52 (Pollution and Environmental Quality).

Requested measures: A robust Construction & Demolition Management Plan, secured by condition, including:

- Defined working hours
- Routing and traffic control
- Noise, vibration and dust monitoring and mitigation
- Air quality monitoring and dust suppression
- Emergency procedures
- Resident communications/complaint-handling

Without these, any approval risks breaching both national and local policies relating to environmental impact and residential amenity.

3. Lighting – Construction, Security, and Future Development

Demolition, temporary works, security measures, and future redevelopment may all involve floodlighting or security lighting, which can cause light pollution, disturbance, and impacts on amenity and ecology.

National policy: NPPF Chapter 15 requires decisions to limit the impacts of light pollution on local amenity, dark landscapes and nature conservation.

Local policy: KLP PLP24 (Design & Amenity), PLP32 (Landscape), PLP33 (Trees & Ecology), PLP52 (Pollution/Environmental Quality).

Requested requirement: A full Lighting Impact Assessment and Lighting Plan; conditions requiring compliance with appropriate lighting standards; prohibition of intrusive lighting directed toward neighbouring properties or sensitive landscape/ecology areas.

4. Tree Preservation Orders, Landscape and Biodiversity

The site includes trees under Tree Preservation Orders, collectively and individually, which provide visual screening, ecological value, dust/noise buffering, and contribute to local landscape character.

National policy: NPPF Chapter 15 requires development to contribute to or enhance the natural environment, including the protection of valued landscapes, biodiversity, trees and woodland, and to minimise environmental harm.

Local policy: KLP PLP32 (Landscape), PLP33 (Trees – protection & replacement), PLP30 (Biodiversity & Geodiversity).

Requested actions: A BS5837-compliant Tree Protection Plan; independent arboricultural supervision; and a condition requiring replacement of any TPO trees lost or damaged, with like-for-like maturity, to preserve ecological/landscape value.

5. River Holme, Flood Risk, Structural Stability, Run-off and Downstream Risk

The site borders the River Holme; the supporting dry-stone wall is visibly deteriorating, and recent flooding at Stockwell Vale raises serious concerns. The demolition and subsequent redevelopment may destabilise the wall and embankment, increase surface water run-off, deposit debris, or otherwise exacerbate flood risk downstream.

National policy: Under NPPF Chapter 14 (Meeting the challenge of climate change, flooding and coastal change) and Chapter 15, development must consider flood risk, drainage, water quality, land stability, and pollution prevention.

Local policy: KLP PLP27 (Flood Risk), PLP28 (Drainage), PLP32 (Landscape), PLP21 (Highways & Access, given possible risk to infrastructure or bridges downstream).

Requested assessments: A full Flood Risk Assessment (FRA) and hydrological/structural stability assessment; engineering proposals to secure riverbank and wall stability; surface water run-off analysis; mitigation plans; and written approval from the Environment Agency.

Without such assessments and mitigations, any approval would be inconsistent with both the NPPF and the adopted Local Plan.

6. Ecology and Wildlife Impacts

The local environment supports species including deer, fish, and small mammals. Demolition and redevelopment may disturb habitats, displace animals, worsen rodent infestations, and damage biodiversity.

National policy: NPPF Chapter 15 requires the protection and enhancement of biodiversity and geodiversity; the avoidance of harm to habitats; and, where possible, net gains for biodiversity.

Local policy: KLP PLP30 (Biodiversity & Geodiversity), PLP32 (Landscape), PLP33 (Trees & Ecology).

Requested requirement: An Ecological Impact Assessment (EcIA) and a Construction Ecological Management Plan (CEMP), to identify ecological risks, prescribe mitigation, and safeguard protected or priority species.

7. Replacement Development – Design, Layout, Parking, Amenity, Green Belt/Landscape Context

Given previous proposals that brought replacement housing/flats closer to homes, protected trees, and the River Holme, full details of any future development must be provided.

Required details:

- Full design drawings, elevations, and cross-sections showing levels relative to existing neighbouring properties
- Number of storeys/floor-levels
- Set backs from the River, TPO trees, and existing homes
- Car-parking provision compliant with KLP PLP21/PLP22
- Layout and design which protects amenity, privacy, and avoids overlooking, no balconies facing adjacent homes (given risk of nuisance/overlooking)
- Consideration of landscape/green-belt/special landscape character context (consistent with KLP PLP57, and general landscape/amenity policies)

This approach ensures compliance with the NPPF's objective of sustainable, well-designed land use and the Local Plan's standards for design, amenity, and landscape protection.

8. Access from Stockwell Vale — Safety and Amenity

I request that no pedestrian, cycle or vehicular access be permitted to or from Stockwell Vale, and that solid physical barriers (walls, fences, landscaping) be required and secured by condition.

This is to safeguard existing residents' safety, privacy, and amenity, consistent with KLP PLP21 (Highways & Access) and the NPPF's requirement for development to avoid unacceptable impacts on health and living conditions (Chapter 15).

Conclusion

Given the serious risks posed by asbestos, pollution, flood risk, ecological harm, loss of amenity, potential nuisances, and structural instability, and in the absence of detailed, independent assessments and mitigation proposals, I urge that the Council:

- Requires prior approval for the demolition; and
- Imposes robust, enforceable conditions covering asbestos removal, noise, dust, vibration, traffic, lighting, TPO trees, flood risk, wildlife, replacement development, and access restrictions.

Granting approval without these safeguards would, in my view, be premature; inconsistent with the NPPF and adopted Local Plan policies; and potentially unlawful due to inadequate environmental and amenity assessment.

I respectfully request that this representation be fully taken into account and that the Council provide a reasoned response addressing each concern raised.

Yours faithfully