Planning Objection

Application Reference: 2025/62/93543/W

Site: land at, former Clough Mill, Clough Road, Slaithwaite, Huddersfield, HD7 5DB

Dear Planning Officer,

We wish to register our formal objection to the above planning application. Having reviewed the submitted Design & Access Statement, Planning Statement, Transport Assessment, Flood Risk Assessment, Biodiversity Net Gain (BNG) calculation, Preliminary Ecological Appraisal, Arboricultural reports, and associated documentation, we believe the proposals fail to comply with key requirements of the National Planning Policy Framework and Kirklees Local Plan (particularly LP21, LP24, LP27, LP28, and LP30).

Our objections are set out below.

1. Overbearing Impact, Visual Intrusion and Loss of Residential Amenity

1.1. Missing Streetscene Evidence from Crowther Close

The submitted streetscenes stop at Crowther Close, omitting the only viewpoint where visual impact on existing dwellings is most severe. This absence prevents proper assessment of:

The apparent height of the proposed houses when combined with the steep topography.

The relationship between new townhouses on raised ground and existing single-storey bungalows, namely addresses 1-7 Crowther Close.

This omission is significant given the developer's own statements in the Design & Access Statement that the site benefits from elevated views to the south, views which inherently mean north-facing properties located South of the site will experience a substantial visual and physical dominance.

1.2. Overlooking and Loss of Privacy

Plots 13–16 directly overlook properties on Crowther Close. The height difference created by the raised development platform in combination with 3-storey high houses will have an overbearing effect on the low-rise bungalows adjacent to the site. No cross-section of this interface was provided in the planning submission to demonstrate actual eye-level relationships.

The combination of elevated land and two-storey dwellings creates unavoidable overlooking into habitable rooms and private garden spaces, contrary to Policy LP24(b).

2. Ecology and Biodiversity

2.1. Biodiversity Net Gain (BNG) Calculation Shows a –66.43% Net Loss

The statutory BNG output accompanying the application records:

- –66.43% habitat loss
- Trading rules not met
- Losses in modified grassland and broadleaved woodland not compensated

This is far below the mandatory +10% net gain required under the Environment Act and Kirklees LP30. On these grounds alone, the scheme should be refused.

The site has been planned for maximum land area usage and does not leave much open space, further exacerbating the ecological impact. Reduction in extent of plots adjacent to the low-rise housing on Crowther Close could give opportunity for on-site biodiversity net gain and open space.

2.2. Site Clearance Undertaken Before Ecological Surveys

Both Ecology and BNG documents explicitly state the site was largely cleared prior to survey, meaning:

- Pre-development habitats cannot be verified.
- "Good condition" grassland had to be assumed due to lack of evidence.
- The baseline is artificially weakened, contrary to Statutory Metric guidance.

This undermines the credibility of the entire ecological assessment.

2.3. Required Bat Activity Surveys Missing

The Preliminary Ecological Appraisal requires:

- Monthly bat activity surveys, April–October
- No such surveys appear anywhere in the submission.

Given the presence of woodland edge and roost features, failure to conduct required seasonal surveys is a material deficiency and a recognised reason for refusal under LP30 and BS42020.

3. Loss of Outlook and Harm to Local Character

Although "loss of a view" is not materially considered, the massing and elevated positioning of the dwellings drastically alters the character and openness currently experienced by Crowther Close residents.

The Design & Access and Planning Statements claim the scheme "respects local character" and that impacts are "minimal", yet:

- No objective analysis is provided.
- The historic mill referenced as design inspiration bore no resemblance to elevated suburban housing above existing bungalows.
- The proposal is incongruous with the prevailing low-lying residential form along Crowther Close.

The application therefore fails to demonstrate compliance with LP24(a).

4. Drainage, Flood Risk, and Surface Water Runoff

The Flood Risk Assessment (FRA) still fails to resolve the long-standing drainage problems previously raised by the LLFA. The LLFA has already recorded repeated flooding of gardens and garages on Crowther Close caused by water emerging from the higher ground within the application site. While the FRA acknowledges water entering via the eastern retaining wall and notes that

temporary diversion measures have been used in the past, it does not provide any permanent or designed solution to prevent this recurring.

The site's steep topography remains a critical, unmanaged risk. Although the FRA recognises that runoff continues to enter the site from higher land, it offers no exceedance routing, no safe overland flow paths, and no analysis of how flows will avoid vulnerable plots, despite the LLFA previously identifying plots 4–5 and 12–14 as being at particular risk. This is a significant omission for a sloping site directly above existing homes.

Attenuation feasibility also remains unproven. The FRA repeats the 4.5 L/s discharge limit to Crimble Brook but does not demonstrate that the required storage volume can be physically accommodated on such a constrained, sloping site. It even concedes that parts of the new access road may not drain by gravity and that above-ground attenuation is "not feasible," yet it provides no workable alternative layout or detailed solution. This is particularly concerning given that Crimble Brook is located within Flood Zone 3, and no assessment is provided of how additional discharge, controlled or uncontrolled, might affect peak flows or downstream flood risk in an already sensitive catchment.

Although the FRA includes an 'Engineering Feasibility Plan' indicating a potential tank location, this adds no meaningful reassurance. The plan is illustrative only and is not supported by levels, capacity checks, demonstration of functional drainage connections, or any exceedance routing strategy. It also does not address surface water entering the site via the retaining wall. In effect, the feasibility plan does not change the unresolved concerns raised by the LLFA.

As submitted, the application does not demonstrate that flood risk will be reduced or safely managed, in clear conflict with LP27 and LP28.

5. Highway Safety – Insufficient Assessment of Real-World Risks

The Transport Statement assesses safety solely on recorded collisions, noting only two in five years, but fails to account for:

- The narrow, broken-white-line section of Clough Road. The proposed access to the site comes out onto a narrow section of Clough Road where 2 vehicles are unable to pass at the same time.
- The blind bend immediately North of the proposed access.
- Frequent unreported minor accidents further north where Clough Road narrows, well known to local residents.

There is no vehicle-to-vehicle passing analysis for the narrowest section of Clough Road, no assessment of visibility splays at the bend, and no pedestrian safety appraisal.

This falls short of LP21 requirements to demonstrate developments do not create or worsen highway safety risks.

6. Loss of Trees, Vegetation, and Screening

Despite claims of "retention and enhancement," the tree surveys confirm:

- Significant pre-application clearance, leaving little of the original screening.
- No demonstration of how replacement planting will mitigate overlooking or massing effects, especially in the early years before canopy establishment.

- Given the large height differential, the loss of screening materially worsens perceived enclosure and dominance.

7. Climate Change and Sustainability

The Climate Change Statement (Appendix A) is generic and does not address:

- High embodied carbon from substantial retaining works.
- Increased surface water generation following vegetation clearance.
- Site-specific drainage vulnerabilities.

In addition, it mentions “soft landscaping to absorb water” which directly contradicts the statement in the Flood Risk Assessment that “it is considered that infiltration methods will not be a suitable method of surface water disposal for the development”.

This does not represent a compliant sustainability strategy which contradicts the ambitions of the Climate Change Action Plan for Kirklees.

Conclusion

Based on substantial evidence within the applicant’s own documentation, the proposals will result in:

- Significant overbearing impact on Crowther Close bungalows;
- Failure to achieve mandatory Biodiversity Net Gain;
- Missing required bat surveys and unreliable ecological baseline;
- Unresolved and known surface water risks to neighbouring homes;
- Inadequate assessment of highway safety at a dangerous narrow section of Clough Road;
- Incomplete and unconvincing drainage and attenuation strategy.

For all of these reasons, we ask that Kirklees Council refuse this application or require major redesign and proper evidence to resolve the issues highlighted. If the application is granted, we would ask that the following activities are undertaken:

- Detailed street scenes showing the proposed height difference between properties on Crowther Close and plots 13-16;
- Quantitative evidence of how the proposed development will achieve BNG, with consideration made to the previous condition of the site prior to land clearance works;
- A locally-specific transport strategy, including widening of the road at the proposed T-junction and consideration to locally-understood issues with the highway layout, further North on Clough Road;
- A detailed flood risk strategy that directly addresses currently known issues with run off onto Clough Road and flooding of Garages on Crowther Close.

Yours faithfully,

30 Crowther Close

19th February 2025