



I have lived in the village of Upper Cumberworth for 25 years. I care deeply about this community and I am genuinely worried about what this proposal would do to our village and the surrounding environment.

First, this site is Green Belt land and it is not allocated for housing in the adopted Kirklees Local Plan. Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications must be determined in line with the development plan unless material considerations say otherwise. The NPPF at paragraphs 137 to 156 makes clear that new housing on Green Belt is inappropriate development and should not be approved except in very special circumstances. The applicant, Vivly Living Ltd, has not demonstrated those circumstances. Building 123 homes here would cause real harm to the openness of the Green Belt and go against everything the designation is meant to protect.

Second, Yorkshire Water has formally objected to this application because the existing sewer network does not have the capacity to handle this development. The site was never planned for in their asset management programme precisely because it is not allocated in the Local Plan. There are clear risks of flooding, pollution and harm to public health, which conflicts with NPPF paragraphs 170 to 175.

Third, the southern boundary of this site sits right next to Stephen Wood, which is ancient woodland. The applicant proposes just a 15 metre buffer, but your (Kirklees Council's) own biodiversity officer has said this should be 30 to 50 metres for a major development of this size. The drainage proposals would actually discharge surface water through the ancient woodland, which your own tree officer has objected to because it could damage an irreplaceable habitat. This conflicts with NPPF paragraph 193 and Local Plan policy LP30. On top of this, the council's tree officer has also objected because a tree protected by a TPO is set to be removed, and another protected tree has been misrepresented in the applicant's survey, which raises serious questions about the reliability of the submitted documents.

Fourth, the West Yorkshire Archaeology Advisory Service has recommended that a full archaeological evaluation should be carried out before this application is decided because the site has genuine potential for significant remains. To determine this application without that evidence would be premature and conflicts with NPPF paragraphs 200 to 208.

Finally, Barnsley Road already struggles with traffic and this development would only make it worse. Adding potentially 200 or more extra car movements a day onto a road that runs through the heart of a small village is a real safety concern for pedestrians and for children walking to school.

I would respectfully ask that this, and all further repeat applications to build on this site are refused. The harm to the Green Belt, the lack of sewerage capacity, the threat to ancient woodland and protected trees, and the unresolved archaeology all point clearly against approval.