Objection – Outline Application: 123 Dwellings, Upper Cumberworth #2025/60/93572/E

To: Kirklees Council
Re: Outline Application (all matters reserved except access) – Development of 123 Homes, Upper Cumberworth
Application reference: *2025/60/93572/E*
Objector: *Details Given*
Address: *Details Given*
Date: *31/03/2026*

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1. Introduction

As a resident bordering the North (Barnsley Road) edge of the development, I wish to strongly object to the above application for 123 dwellings in Upper Cumberworth. The proposal is opportunistic, attempting to undermine the plan-led system and current development of a Local Plan, on land which is Green Belt (and any consultation to change this is now not scheduled until late 2026). The NPPF (paras 145-147) makes abundantly clear the need for exceptional changes to the greenbelt to be strategic and authority (not application) led.

The applicants include a lengthy argument about the need for housing (which across the region is understood), but this entirely fails to make the case that that exceptional circumstances exist at this site to dispense with the pre-existing Green Belt allocation, ***in particular with reference to sustainability and the reliance on the private car*** (as directed in NPPF para 148 and refs therein). Claims about walking, cycling and public transport are made with no understanding of the limitations of this infrastructure in terms of gradients, pavement widths, or safety that bear any resemblance to lived experience. This is supported by the applicants with statistical information presented about car use and transport plans that is misleading (such as using MSOA data where the larger population centres in each have more local (walkable) employment options). As a keen advocate of sustainability initiatives (I'm a research academic developing technologies linked to the net-zero agenda, a passionate advocate of sustainability and a user of public transport in other places), I am all too aware that almost all journeys we do as a family necessarily involve the use of the private car as other realistic options do not exist from the village. While unfavourable to me personally, I also believe strongly this development to be very poor in meeting the needs of the wider community and very

damaging to the natural environment I moved into existing housing in the village to be close to.

As set out below there are a range of problems with the proposal spanning **sustainability, transport, residential amenity impacts, Green Belt justification, settlement character, landscape harm, drainage capacity, and highway safety**. Many of these factors relate to the overall proposal where the outline / access only nature of the application precludes detailed assessment, but it can nevertheless be seen that it is difficult to conceive of a workable incarnation of the development that is proposed. There are also specific points in relation to the detailed access. Overall, two issues are paramount:

1) **Lack of sustainability and the inevitable dominance of the private car**, including misrepresentation of the public transport, pedestrian and cycle offer; and

2) **Residential amenity impacts, particularly (winter) daylight/sunlight, privacy, and implications for density constraints** — the current indicative plans give for development behind our property and those of our neighbours would result in unacceptable residential amenity penalties. At present these have not been taken into account. As such, I think it is very important to flag at this stage I don't believe the indicative plans or something similar can be realised, once this is considered in the reserved matters stage. This has implications for the consideration of the development as a whole.

Both are addressed separately in more detail in accompanying **Appendices A and B**.

My core objections are summarised below.

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2. Sustainability, Walkability and Dependence on the Private Car

(Expanded in Appendix A)

The proposed development dramatically expands a village with patterns of high car dependency without any meaningful change to address this, contrary to **NPPF Section 9**, which require developments to promote sustainable modes and "limit future car use" (NPPF para 129). Locations are to be chosen that "limit the need to travel" and offer "a genuine choice of transport modes."

2.1 Amenities beyond the village mean travelling beyond Upper Cumberworth is essential for many activities.

Much is made of provision for a shop, pub, school and church in walking distance. The consultee response Active Travel England (id 1125211) provided refers to the need for a

mix of local amenities within an 800 m walking/wheeling distance – i.e. within Upper Cumberworth.

Shop: The shop opens 9h00-17h30 weekdays, 9h00-12h30 Saturday and closes Sunday – *i.e.* while being a valuable service to a small number of less mobile locals, in both its availability out of working hours and its (understandable) convenience store pricing isn't a realistic option for most. For most "convenience" shopping errands we use either the co-op Sovereign garage (~ 1 mile from site entrance) or even Penistone Tesco (~5.6 miles / 10 mins by road) if after something specific. We try to ensure we use the post office to keep the village amenities alive, but this is conscious effort / dependant on whether a working from home or on leave and able to shop during working hours.

School: The first school in the village is operating at or near capacity – as shown by the KC education consultee response (id 1125387), indicating the need for 7 additional places in the timeframe considered (and it appears likely from availability in areas further away there would be displacement to those rather than expansion on the school's quite fixed site).

Pub: The pub while of value to the community doesn't currently advertise food beyond bar snacks with sports fixtures and is relatively small in footprint – as such there are no eateries within Upper Cumberworth.

Church: Public data in a parish profile document showed a typical congregation size of ten adults a few years ago, with services advertised for only two Sunday's a month – rotating with Upper Denby (a 2.8 mile drive away). Sadly, parishes of this size are realistically likely to decline further and we believe it is disingenuous to count as more than an occasional community space. We travel to nearby New Mill (~3.3 miles by road) most Sundays to attend a church with a broader age range more active congregation.

What there isn't: In the mix of local amenities needed for day-to-day life (in addition to the above) ***healthcare*** (GP/Pharmacy – main surgery Skelmanthorpe available to register with when we arrived, 2.4 miles), ***sports facilities*** (gyms at the sovereign junction barncliffe mills or denby dale > 1 mile) and ***early years/pre-school childcare*** (Grey Fell (2.1 mi), Skelmanthorpe (2.5 mi) or Denby Dale School (1.8 mi)) / holiday club type childcare are all entirely unavailable without substantial journeys (which are likely to be by car).

2.2 Transport plan uses obsolete (25 year-old) guidance and applies that incorrectly beyond its original purpose, ignoring current relevant statutory benchmarks

The transport plan included by the developer relies heavily on a figure of "2000 m" from the now obsolete (over 25-year old) Guidelines for Providing for Journeys on Foot (Institution of Highways & Transportation, 2000) to justify walking distances of up to 2000 m for access to key facilities such as rail stations, convenience retail and essential

amenities. This is inappropriate, outdated, and inconsistent with current national planning and transport guidance.

Table 3.2 of the 2000 document sets out suggested walking distances (e.g. 2000 m as a "preferred maximum" for commuting, 1200 m for other activities), but these were written for general pedestrian behaviour in the 1990s, not for assessing sustainable accessibility or acceptable walking distances for new development. The document predates the National Planning Policy Framework (2012–2024 revisions), Inclusive Mobility, LTN 1/20, the National Design Guide, and—critically—the establishment of Active Travel England (ATE) as the statutory consultee for active travel matters from 2023.

ATE's current Standing Advice and associated guidance (they have pointed to as a consultee – response id 1125211) now establish clear expectations for accessibility distances, specifically amenities to be within 800 m walking/wheeling distance, using safe, direct and inclusive routes.

These distances directly contradict the developer's reliance on 2000 m thresholds. ATE's position reflects modern evidence, inclusive design requirements, and active travel policy, whereas the 2000 IHT guidance does not reflect current statutory duties or accessibility expectations.

Consequently, the use of 2000 m to justify the location of essential services, stations or amenities is not acceptable in 2026 planning assessments, and ATE's current guidance must be given significant weight as the relevant statutory benchmark.

2.3 Misleading claims regarding public transport provision

The applicant's Planning Statement implies that the site is well-served by public transport. This is not realistic:

- Bus services exist, but ***are limited in terms of real-world usability***. Illustrations of this in terms of comparison journey times and access to employment destinations or use around childcare timings given in the appendix show this is insufficient to be a practical choice (before even considering reliability – see DfT Local Transport Note 1/24). The same is true for rail services. They do not really merit the definition of frequent (travel plan says hourly) to most destinations – for example the X1 towards Wakefield past the site has a weekday gap through peak times between 8h07 and 10h00 during school term; some services (e.g. to Barnsley) run only once on a Saturday.
- Information provided in the planning statement with respect to bus services is erroneous and misleading. (7.81 The site is directly served by bus stops on Barnsley Road, that provide regular connections between Holmfirth, Shepley, Denby Dale, Barnsley, Huddersfield and Wakefield.//8.26 reiterates this point,

these locations, but saying the bus stops are around 100 m away). Not all of these destinations, in particular the major city of Huddersfield is accessible from the nearest bus stop as brief consultation with a route map shows the bus D2 goes down Cumberworth Lane rather than past the site so on return the bus stops are outside the school or Rowgate– both somewhat further from the site and > 400 m by the proposed walking route from some properties within the development. The nearer bus stops do not serve the full range of destinations mentioned (this is more accurately represented in the travel plan document).

- Bus stops are located on **narrow pavemented, fast roads** without safe waiting areas for families or children. Active travel England suggest the bus stops should ideally be accessed via routes 1.5 m wide – the two on the north side of the road are <1.0 m at the bus stop. The south-east bound services also lack shelter or provision other features recommended by Active Transport England. The one located closest to the village centre is especially concerning as children already wait on a very narrow pavement sandwiched between a 40 mph road and a stone retaining wall, where drivers are distracted negotiating a difficult junction and on the outside of a slight bend and convex slope (this needs addressing development or otherwise).
- The railway station is a single-track minor branch line eventually serving Sheffield and Huddersfield, but again, as shown in the appendix considering, for typical journeys it is not practically useable, introducing commute times > 2x driving and not compatible with childcare arrangements due to limited frequency/timing. From personal lived experience, I travel by train for work more than once a month on average, but do so after driving to Meadowhall or Wakefield Westgate as the time penalty of starting from Denby Dale station is prohibitive, would often turn a day trip into an overnight stay. [The one journey I've done to a medical setting by public transport for an eye scan (so unable to drive after) to Seacroft Eye Clinic a 40 min road journey, but was 2h20 each way by public transport (21 mins walking to Denby dale station, 1h44 scheduled train to Cross Gates and 15 mins walking).
- When assessed from the site's midpoint, as recommended by Active Travel England rather than the entrance point selected by the developer, ***the walking distance to Denby Dale Station is approximately 1.3 miles*** via the road network, involving a substantial uphill return gradient of around 223 feet, and requiring pedestrians to use a route that includes sections of narrow footway adjacent to a busy 40 mph road and frequently affected by spray from blocked drainage (as shown in the appendix). The only alternative public route, across fields behind Rockwood House (around lat/long 53.57260, –1.67244), is wet and boggy for much of the year and is not realistically usable for commuting. On any

reasonable assessment, the station is not within 1000 m of the site as claimed in Table 1 of the Travel Plan; even the closest corner of the red-line boundary lies more than 1.2 km from the station in a straight line, and significantly farther by any practical walking route, making the developer's assertion outrightly incorrect in the context of accessibility and sustainable travel expectations.

The Transport Assessment therefore **fails to accurately reflect the true public transport accessibility** for real world journeys from the site and may mislead decision-makers.

2.4 Walking and cycling access to amenities and employment locations is not viable

The NPPF expects safe, attractive, and direct walking/cycling routes. The village's topography, fast roads with narrow / no pavements, and absence of adequate cycling infrastructure make active travel to shops and amenities **impractical and unsafe**, particularly for children or those with mobility issues.

Local employment, food shops, healthcare, and secondary schools are beyond realistic walking distance as defined by Active Transport England of 800 m. This undermines any suggestion that the development meets the "exceptional circumstances" previously claimed when justifying Green Belt boundary changes.

Routes beyond the village are not "safe attractive" walking routes, useable for everyday activity – this was highlighted by a school trip on foot to Denby Dale library original planned to use the Barnsley Road pavement (04 March 2025), but after consideration of the possible risks replanned to use an alternative (muddier) route and the rationale for the change communicated to parents.

The hazards in relation to the major A-road crossing (proposed to be improved with tactile paving, but not signalised) to the south-east of the junction in the middle of Upper Cumberworth (A635), which will sit between the proposed development and the village (including school) are significant. Currently this is used by ~4 households on a regular basis, and for those with children with extreme caution. Visitors are warned to be very cautious and if on the way to work my wife will put children in car to drive to the school (0.14 miles away) to avoid crossing the road with them / twice. Adding a second similar (non-signalised) crossing appears to be inadequate for the increased pedestrian footfall likely within the village. The hazards here are exemplified by the cones and signs knocked over during water main repairs when they spanned the full width of the central hashed area, much the same space shown for the plans of the tactile crossing island (see appendix).

In terms of cycling, we have children with whom we cycle on holiday (taking bikes with us), use local cycling routes (e.g. from Penistone), but **do not feel comfortable cycling from the village.** Even as an adult who has at various life stages commuted by bike, I would not cycle any significant distance on the A635 due to safety concerns and the

route towards lower Cumberworth I have cycled (to collect car from garage), but is concerningly narrow (barely space for 2 vehicles without a bike to squash). The route down Carr Hill Road suffers from parked cars and being a “cut through” to avoid the queue at the nearby Sovereign junction often making cycling there feel vulnerable (as well as being least directly towards shops or employment). Cycle accident data shows incidents at the junction in the centre of the village in 2015/16 and more recent accidents around the nearby Sovereign junction (https://bikedata.cyclestreets.net/).

The travel plan highlights the availability of cycle networks to include NCN route 627. Aside from the fact this is >> 800 m away anyway, this doesn’t point out this section of **NCN Route 627 running south of Shepley cannot be considered high-quality active-travel infrastructure for the purposes of supporting this development**. The overall route is only 54.6% traffic-free, with the remainder running on local rural roads through Stocksmoor, Shepley and Haddingley. These roads are unsegregated, hilly, and expose cyclists directly to motor traffic, with no protected cycle provision. This form of provision is directly contrary to modern expectations for safe, inclusive, everyday cycling infrastructure. The safety concerns associated with such on-road NCN sections are also recognised at a national level: Sustrans, in a 2020 review, has formally removed or reclassified thousands of miles of NCN routes where on-road exposure made them unsafe or suitable only for experienced riders. These national statements confirm that on-road NCN sections—particularly those on rural roads—are not regarded by the Network’s own custodians as high-quality or family-friendly active travel routes. Given that NCN 627 in the Shepley area relies heavily on unprotected rural carriageways, with significant gradients and narrow road geometries, it does not constitute the kind of safe, direct, accessible cycling infrastructure required to support sustainable travel arising from new development. Within the last couple of months, we stopped so my wife could assist at the scene of an accident near this cycle routes crossing point with the A635 (resulted in road closure and ambulance recovery of cyclist – 01st Feb 26).

Access to employment within walking distance is negligible and use of **MSOA travel-to-work data is inappropriate for this location.** The Travel Plan provided benchmarks using 2021 Census data from MSOAs Kirklees 056 and Kirklees 057, but these geographies cover a very wide area that includes the much larger settlements of Shelley, Shepley, Denby Dale, Scissett and Clayton West, all of which have substantially greater employment opportunities and more diverse transport patterns than Upper Cumberworth. As a result, MSOA-level data is highly misleading when used to represent travel behaviour in this village context. Lower-Layer Super Output Area (LSOA) data is the correct scale for assessing this site (or meaningful aggregation of genuinely similar LSOAs). The relevant 2021 Census unit for the immediate locality is LSOA Kirklees 057F, which corresponds largely to Upper Cumberworth and its surroundings. This dataset is significantly more representative of local travel behaviour and provides an accurate reflection of transport choices available to residents. This LSOA data confirms an

overwhelming dependence on private cars. Within Kirklees 057F, over 90% of commuting journeys by those who do not work from home are made by car or van (see Appendix). This is the figure that correctly reflects the settlement's limited local employment, limited public transport accessibility, and rural morphology, and it strongly contradicts the more favourable MSOA-level mode shares presented in the Transport Assessment.

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3. Residential Amenity: Light, Privacy and Density

(Expanded in Appendix B)

3.1 Privacy and Use

Although matters other than access are reserved at this stage, the principle of residential amenity in terms of privacy remains a material consideration when determining whether the site is suitable for residential development, and the proposed density is likely to be achievable. Our property and those of immediate neighbours lie downhill (~1.5 m established using QGIS with LiDAR Composite DTM data and checked with standard trigonometry based measurements). Currently we experience a high level of seclusion, with no facing residential development across open land for in excess of 100 metres. These homes were clearly designed and habitable rooms oriented to take advantage of this openness, and garden areas are used for sensitive domestic activities that rely on the established level of privacy. Introducing housing on the application site would fundamentally alter this relationship by creating potential intervisibility where none presently exists. In this rural context it would be inappropriate to rely on standard suburban separation guidelines such as the commonly cited 21-metre rule, which assumes an existing pattern of some mutual overlooking. The acceptability of future layouts, building heights and window positions therefore raises significant unresolved concerns regarding overlooking and loss of privacy, and these impacts cannot be fully mitigated or deferred without careful consideration at the outline stage of whether residential development is appropriate in principle on this site. Privacy was discussed with subcontractors of the developer and the need for improved screening / distance / orientations highlighted.

3.2 Impacts of reduced light on residential and garden amenity

At outline stage, even where only access is formally sought and layouts remain indicative, it is still necessary for the authority to understand whether the principle and likely density of development can be accommodated without unacceptable loss of residential amenity. The council's assessment should therefore have regard to the daylight and sunlight guidance set out in *Site Layout Planning for Daylight and Sunlight:*

A Guide to Good Practice published by the Building Research Establishment (BRE). Given the rising topography immediately to the south-west of our property and the elevation difference measured at approximately 1.5 m between the indicative building line and our property, there is a clear risk that compliant BRE relationships may not be achievable once realistic building heights are modelled. The absence of detailed level information at this stage makes it impossible for affected residents or decision-makers to verify whether acceptable daylight and sunlight standards could be met, which is precisely why the issue must be examined now rather than deferred to reserved matters.

Importantly, the concern is not speculative but relates to foreseeable loss of low-angle winter sunlight to a primary south-facing kitchen/dining/living space, an amenity highly sensitive to obstruction from elevated south-western development. This is the primary habitable space and highly open with full height glass through a large part of the space to take advantage of natural light. Thus, reduction in winter light would represent a credible harm. Even if annual sunlight reductions were ultimately shown to fall below the headline 20 % threshold, the combination of a minimally separated row of houses, rising landform, and obstruction of late-afternoon winter sun raises a realistic prospect that the indicative density shown cannot be delivered without significant amenity harm. Similar issues have been recognised in decision-making elsewhere, including large residential schemes (Cambridge Station Road, Wandsworth Ravenslea Road), where officers and inspectors have accepted that low-angle winter sunlight loss and topographical relationships may justify reduced building heights, increased separation distances, or lower site densities even where headline BRE numerical targets were not exceeded but perception or experiential effects would have an unacceptable impact. Raising this issue at outline stage is therefore material because it goes directly to whether the scale and quantum of development currently envisaged are feasible on the site without redesign, reduced height, increased offsets, or lower density — matters that cannot realistically be corrected later if the outline parameters already assume a form of development that inherently causes unacceptable overshadowing. Appendix B does include some approximate geometries based on the indicative plan that show why this is a credible concern.

In addition, the loss of winter sunlight would extend beyond internal living accommodation and materially affect the reasonable enjoyment and productive use of the garden which extends much closer to the proposed new buildings. The property includes vegetable growing areas and a greenhouse that rely on low-angle southern sunlight during autumn, winter, and early spring months when solar availability is already limited. Overshadowing during these periods can substantially reduce growing viability and garden usability, which precedents for planning practice recognises as part

of residential amenity, rather than a purely private preference. The potential reduction in direct winter sunlight to cultivated garden areas therefore represents an additional and cumulative amenity impact that should be assessed alongside BRE daylight and sunlight considerations.

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4. Impact on Local Woodland, Landscape and Rural Character

The development site sits adjacent to **ancient woodland** and forms part of a long-established rural settlement pattern. The proposal poses several risks to the ecological integrity, landscape setting and rural character of Upper Cumberworth.

First, despite being a **completely greenfield farmland site**, the scheme appears unable to achieve a **genuine on-site biodiversity net gain**. There is also some doubt according to KC's own ecology unit assessor on the figures provided. Instead, the applicant proposes to rely significantly on **off-site biodiversity offsetting**, which is inherently less effective and provides little local ecological benefit. In a location with existing species richness and uncomplicated opportunities for habitat enhancement, the fact that net biodiversity is projected to fall locally is a serious concern and suggests the proposal is poorly aligned with the biodiversity principles of the NPPF.

Second, the ecological surveys submitted do **not reflect the wildlife regularly observed by residents and visible in the field**, particularly at the end of the site farthest from the woodland boundary where we live. Locally recorded species include **roe deer, multiple bat species, barn owls, stoats**, and a wide range of common and uncommon bird life. The omission of detailed quantification raises questions about the robustness of the ecological baseline and the adequacy of the methodology employed.

Third, the adjacent **ancient woodland has already been highlighted during consultation** as requiring stronger protection than that currently proposed. Yet the layout and drainage design still risk indirect impacts. The site **directly feeds the woodland watercourse.** Altered hydrology - such as increased surface run-off, pollutant load, or changes in soil moisture - poses a realistic risk of **habitat change** within this sensitive ecosystem. This concern is reinforced by issues raised in recent appeal and judicial decisions (such as the Chidswell case), where ecological effects on ancient woodland were found to be significant and inadequately mitigated.

This particular woodland is known locally to support **rare invertebrate species**, including notable ant populations associated with mature **beech woodland**. Such habitats are highly sensitive to even minor shifts in ground conditions, moisture levels or edge disturbance. The proposal does not convincingly demonstrate that these impacts will be avoided both during construction and upon completion.

The current plans also remove an unacceptable number of mature trees, some of which are now protected by granted TPO (unclear in some of the supporting documents due to the timeline), giving a sense of the villages strong feeling about their value as part of the village as key habitats visible to many residents bordering the field and walkers along the adjoining footpaths.

Combined with the risks of **disturbance to wildlife corridors**, **increased light pollution**, and **severance of rural character** at the village edge, the scheme fails to comply with the requirements of **NPPF Chapter 15**, which obliges decision-makers to protect and enhance valued landscapes, conserve habitats and species, and recognise the intrinsic character and beauty of the countryside.

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5. Access and Highway Safety Concerns

5.1 Proximity to an already problematic junction

The proposed access lies extremely close to the **already crowded junction in Upper Cumberworth** (outside Post Office) where visibility, queuing, and turning conflicts already occur. Adding traffic from 123 dwellings will significantly increase pressure at peak times. There is also a strong likelihood of substantial increased pressure on the nearby Sovereign Junction (a local fatality blackspot – see Appendix A), and pinch point in the road infrastructure where substantial queues form at peak times. Notably the 5 year crashmap data makes it difficult to see trends visible over a longer period, such as an accident cluster at the junction outside the post office, and has not been extended away from the site towards the Sovereign junction and Shepley where multiple fatalities have occurred. However, substantive changes to the road network have not occurred in this time to address these problems.

5.2 Travel assessment model problems

The applicant's Transport Assessment records around 700 car movements in the AM peak (1-hour) on the A635 through Upper Cumberworth, based on the surveys undertaken for this application. Against this baseline, the TA's trip-generation work assumes ~530 one-way vehicle movements per day from the development and describes this as a 'worst case'. However, that "worst case" is derived from TRICS sites in private residential areas, some better served by public transport and/or embedded within larger conurbations with proximate employment; as such, it does not reflect the local context of Upper Cumberworth. Moreover, a number of the lower traffic counts used in the TA are drawn from 2021/2022, when COVID-related working-from-home effects were still material; this suppresses observed flows and understates present-day peak activity.

The “optimism” of the traffic assessment model choice can be seen by considering Local Census 2021 ‘method of travel to work’ data for the relevant LSOA show that most employed residents travel by car. For a scheme dominated by 3–4-bed homes, the average number of employed people per dwelling is likely to exceed the area benchmark of around 1.15 per household (based on LSOA Kirklees 057F as the local reference point; sources: Nomis Census 2021 Topic Summaries TS066 / TS041). Applying the Census proportion of 54% driving to work would therefore generate around 77 peak-time outbound trips, almost double the 44 assumed in the Transport Assessment. Not all commuting trips will fall neatly within the census peak hour, but this is likely to be offset by additional non-commute journeys, particularly to childcare settings (as none exist in village).

Even accepting the applicant’s daily trip total and a 50:50 directional split, the proposal would add approximately ~265 one-way movements through the junction at the middle of the village outside the post office over the day and the Sovereign junction (A635/A629). We are likely quite conservative in the journeys done (some home or away overnight working, one of us not full-time), and our typical week shows the 2 round-trips per household per day is a substantial underestimate (see appendix) for likely conservative real-world experience of living here. Because of proximity to shops, we also use regular delivery services and visitors to us tend to travel by road. Using these two counts would put between 4 and 10 % extra vehicle movements through this junction (noting the 2.5 times higher junction use we experience versus that assumed for the travel assessment – appendix A).

The TA focuses on modelled queueing for only two junctions and concludes there is no material queuing impact through the village; however, **queueing is most likely to form at the Sovereign junction, which the TA does not assess**, while the route through the village (narrow pavements, frequent crossing movements, school buses) would be subject to materially higher conflict and delay for vulnerable users. The other place queues often arise in the daytime is for the Bromley Farm recycling centre – see below, this has also not been considered). Critically, the TA does not assess the increased difficulty of crossing safely in an area with already conflicted traffic movements so drivers are distracted, and footway adequacy is poor, or the change in accident risk arising from a material increase in peak-hour flows, despite NPPF §115(b) and §116 requiring that developments provide “safe and suitable access for all users” and requiring proposals be refused where there is an unacceptable impact on highway safety

In summary: the applicant’s trip generation is optimistic for this rural commuter context; their network assignment relies on pandemic-period counts and larger suburban contexts where employment and transport opportunities exist. The TA omits

the Sovereign junction where queues would form and does not address crossing difficulty, narrow footways, or collision risk commensurate with a significant uplift in AM-peak traffic on the A635 through the village. On this basis, the application fails to demonstrate compliance with NPPF §115–116 and should be refused or, at minimum, be subject to re-assessment requiring: (i) updated baseline counts; (ii) locally appropriate TRICS selection and a road commuter-led peak profile; (iii) modelling of the Sovereign junction; and (iv) a forward-looking road safety assessment addressing pedestrian crossing, footway adequacy and collision propensity under the forecast flows.

5.3 Overlooking of the Quarry/Bromley Farm recycling centre junction

The access plans fail to recognise the **regular HGV and tractor movements** associated with the quarry and recycling centre, and recent approvals to substantively increase HGV movements associated with the quarry. These are unmarked on the plan but the access for this downhill of the site entrance with a middle turn lane, an intermediate point with a middle turn lane and then the proposed site entrance, interleaved by two pedestrian crossings and then the junction with Cumberworth lane mean **drivers will be faced with a substantial number of successive obstacles to negotiate, on a 40 mph road**. **In the assessment of the quarry proposal that was adopted, the increased traffic considerations were already a key concern**. Putting 123 homes in a location, where reliance on the private car as the near exclusive means of travel, will inevitably further increase the likelihood of vehicle conflicts in relation to the quarry vehicles, as well as put more pedestrian users in the vicinity of the quarry entrance than was originally accounted for. As above, queuing occurs currently more frequently at this location (without the increase of quarry traffic) on days when the recycling centre is open than at either of the points modelled in the transport assessment.

5.4 Cycle infrastructure concerns

A cycle lane that terminates abruptly on a rural road invites unsafe behaviour:

- cyclists may divert onto pavements;
- motorists emerging from driveways might not see approaching bikes on these pavements;
- pedestrians are already at risk due to narrow footways.

The proposal appears to install a short cycle lane from nowhere to nowhere, which will inevitably lead to cyclists remaining on the existing pavement to the junction with Carr Hill Road. Several driveways including ours already have poor visibility (partly due to screening hedging to reduce road noise from the busy road). I'm really concerned about the difficulty of seeing a cyclist who inevitably diverts onto this pavement when it is not easy to rejoin a busy 40 mph road and this short cycleway has run out. This is

particularly problematic as in the uphill direction the cycleway disappears shortly before the road narrows to accommodate the pedestrian island forcing cars and cyclists to converge if they do not divert illegally onto the pavement. It would seem better not to build this rather pointless stretch of cycleway than include at all.

For pedestrians, the cycleway also does not appear to deviate for the lower crossing proposed at the eastern most corner of the site / the access plan doesn't explain how this will work.

This contradicts NPPF paragraph 112, which expects developments to prioritise pedestrian and cycle safety.

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6. Drainage, Water Infrastructure and Flooding

The local water and drainage network is already demonstrably under strain, with **frequent mains leaks**, **low mains pressure**, **recurring road flooding**, **storm-drain overflows** and episodes of **sewer surcharge discharging into nearby watercourses**. Introducing a further 123 dwellings without secured, funded upgrades would materially increase loading on an infrastructure system that is not currently performing to an acceptable baseline. Yorkshire Water has previously acknowledged capacity constraints in this area, reinforcing the need for robust evidence before any intensification is approved and positive support from Yorkshire water to confirm this is achievable. The current statutory response is really very serious indicating the infrastructure cannot cope and **Yorkshire water indicate this lacking provision means "public health may … be negatively impacted"**

Given the pattern of failure, it is essential that a **full, independent hydraulic modelling assessment** is undertaken and published before determination, in line with the NPPF's requirement that developments do not place unacceptable pressure on existing utilities and that infrastructure capacity is properly evidenced. This is not a theoretical risk: in the short length of highway outside our property alone, there have been **three significant mains bursts within the last year alone**, and Yorkshire Water has offered a settlement exceeding £1,000 to address damage from one such incident — a clear indication of the scale of current vulnerability. Repair teams have repeatedly described these fixes as "temporary", yet no permanent, systemic solution has been put in place. Other points around the village also leak and reduce water pressure to the rest of the village on a regular basis. In this context, approving a major housing scheme without firm, costed and deliverable infrastructure upgrades would be unsound and contrary to the requirement for safe, resilient development.

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7. Conclusion

For the reasons outlined above, this Outline proposal is **inadequate**, **insufficiently evidenced**, and poses clear risks to sustainability, residential amenity, environment, and public safety. The development fails to demonstrate compliance with the NPPF and relevant Kirklees policies. In particular it vastly oversells the sustainability of the location in terms of access to amenities and public transport within an appropriate distance. These exaggerated attributes are strongly relied on by the applicants to justify the exceptional case for greenbelt development, which is therefore not made. In places information given is inconsistent (e.g. BNG) or misleading/erroneous (around travel distances).

I therefore respectfully request that Kirklees **refuse** the application.

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8. Key References – Web Links for Policies Cited

National Planning Policy Framework (NPPF, 2023 version)
https://www.gov.uk/government/publications/national-planning-policy-framework--2

Manual for Streets (DfT)
https://www.gov.uk/government/publications/manual-for-streets

Kirklees Local Plan Strategy and Policies
https://www.kirklees.gov.uk/beta/planning-policy/local-plan.aspx

Kirklees Highways Design Guide
https://www.kirklees.gov.uk/beta/transport-roads-and-parking/highways-design-guide.aspx

National Design Guide / National Model Design Code
https://www.gov.uk/government/publications/national-design-guide
https://www.gov.uk/government/publications/national-model-design-code

Active Travel England guidance document referred to in planning consultation response
https://assets.publishing.service.gov.uk/media/667ace3fc7f64e234208ffb5/ate-travel-sustainable-development.pdf

https://www.activetravelengland.gov.uk/planning-active-places/bus-stops

DfT Local Transport Note

https://assets.publishing.service.gov.uk/media/65f48b65811225001a579f7c/local-transport-note-124-bus-user-priority-report.pdf

Building Research Establishment: Site layout planning for daylight and sunlight: a guide to good practice (BR 209 2022 edition)

https://bregroup.com/store/bookshop/site-layout-planning-for-daylight-and-sunlight-a-guide-to-good-practice-br-209-2022-edition

St Nicholas Church Parish Profile data

https://share.google/S0HApx5TxQ5BORTNd

Appendix A

Action Travel England Planning Application Assessment Toolkit

This assessment toolkit matrix is provided by the statutory consultee (*Standing advice note: active travel and sustainable development – 1.8*) some of the information provided in the following section shows how far short of sustainable the site falls against the criteria given. The applicants have opted not to follow the publicly available guidance document from this statutory consultee recommending "*ATE encourage design and transport consultants to use the toolkit and submit a completed version with future planning application submissions. Local authority officers (planning and highways) are urged to use the toolkit in their assessment of planning applications.*" It is hoped Kirklees will follow the guidance from their statutory consultee and use this framework to assess the proposed development.

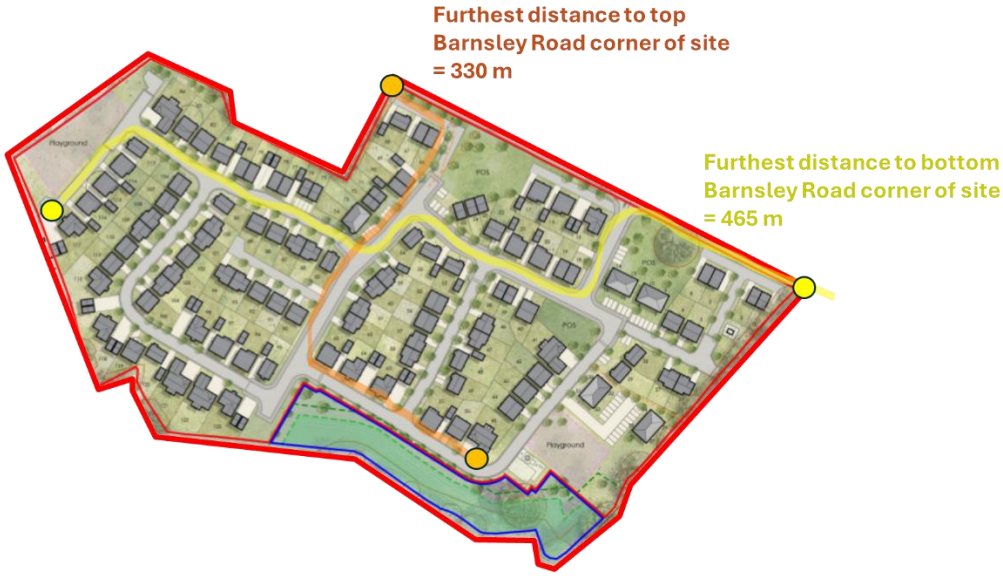
Maps showing Active Travel England's 800 m wheel/walk distance thresholds / 400 m bus stop thresholds.

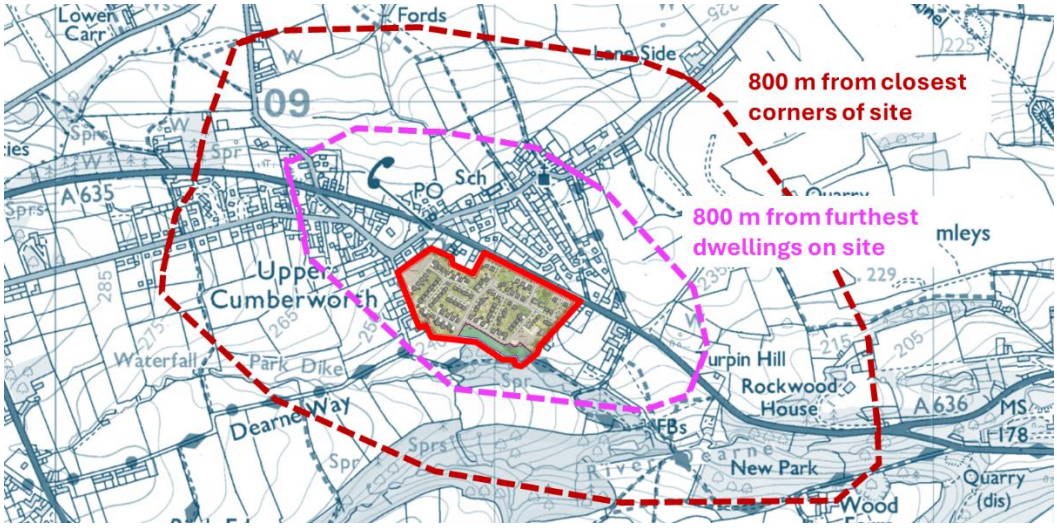
Active Travel England Standing Advice Note: Active travel and sustainable development (given as the statutory consultee response [id 1125211]) 2.4 indicates "A mix of local amenities should be located within an 800m walking and wheeling distance (using well-designed routes) of all residential properties" (and determined from appropriate point, not the site boundary). Similarly 2.9 "Most buildings within the application site should be within 400m of a high-frequency bus stop or 800m of a rail/light station or tram stop, with appropriate facilities. Local bus stops should have good natural surveillance and provide seating, lighting, shelter, real-time passenger information and raised bus boarders or specialist kerbs. ... Footpaths/ways to public transport nodes should conform to the design standards identified in paragraph 2.6 of this advice note." (2.6 includes width of 2 m and pinch points not less than 1.5 m and smooth even surface).

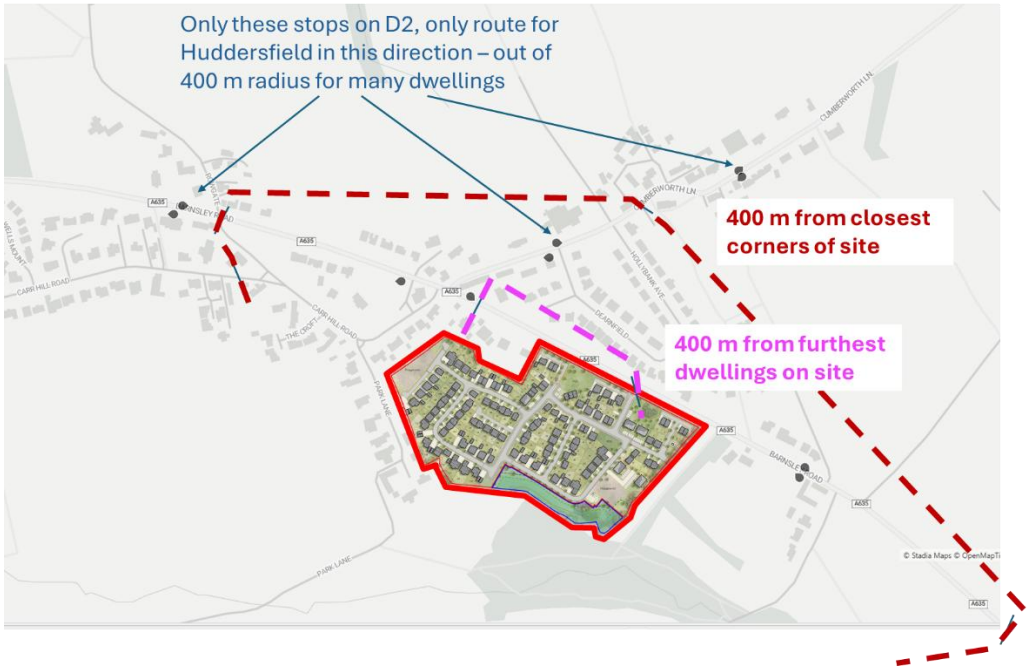
As of (1 June 2023), ATE is officially a statutory consultee on all planning applications for developments equal to or exceeding 150 housing units, 7,500 m^2 of floorspace or an area of 5 hectares. The proposed development is for an area of > 5 hectares (5.6 hectares) and a 3-4 bed led development is estimated using Nationally Described Space Standard minimums to be at least 12500 m^2.
(https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard/technical-housing-standards-nationally-described-space-standard). Other obsolete standards from 25 years ago cited in the application documents with longer than currently accepted distances must be disregarded.

While these standards are to be met regardless, the correct interpretation of the site being sustainable based on appropriate public transport and access to amenities in walk/wheel distance is pivotally important in this case. The arguments put forward by the developer to justify Green Belt construction rely entirely on meeting the "exceptional circumstances" criteria which require them to meet this definition of sustainable, which the plans very clearly do not.

Measurements from the farthest houses within the site ***via available walking routes*** using available access points show some maximum on site walking distance and minimums are assumed to be from those corners in the larger scale map. OS maps online was then used to identify 800 m intersects with road /walking routes out of the village as shown. (These points are joined arbitrarily to produce circles to indicate max [dark red] and min [pink] 800 m thresholds). Similarly the 400 m thresholds overlaid on bus stop map (bustimes.org).

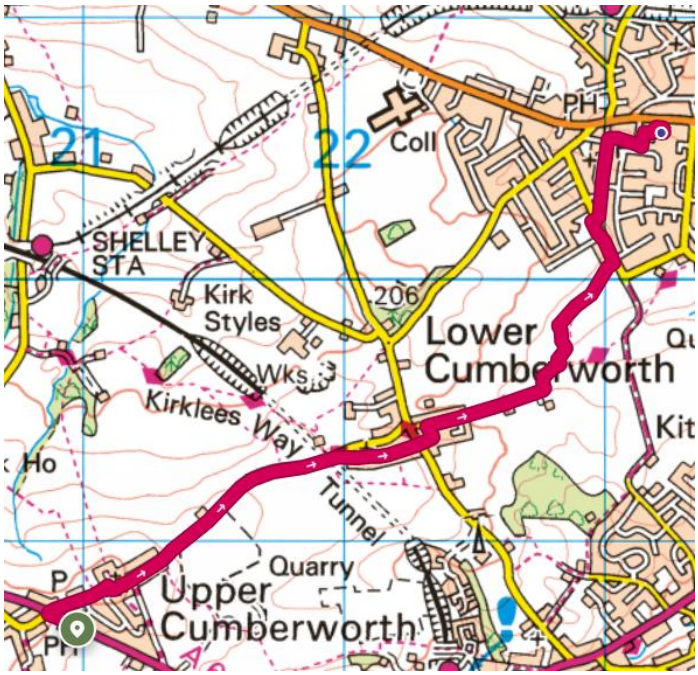




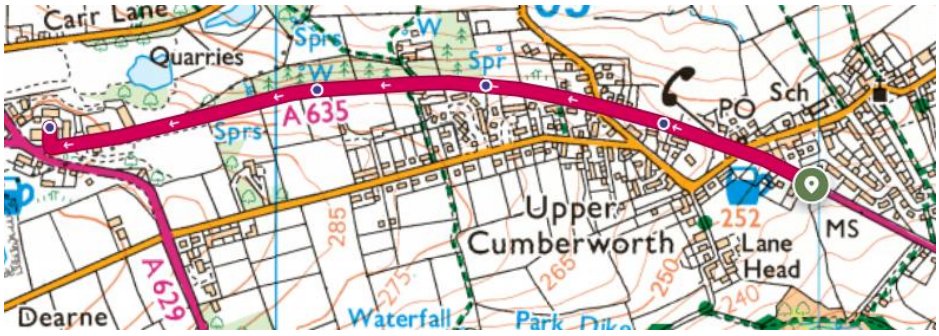

Only these stops on D2, only route for Huddersfield in this direction – out of 400 m radius for many dwellings
400 m from closest corners of site
400 m from furthest dwellings on site

Maps to key amenities

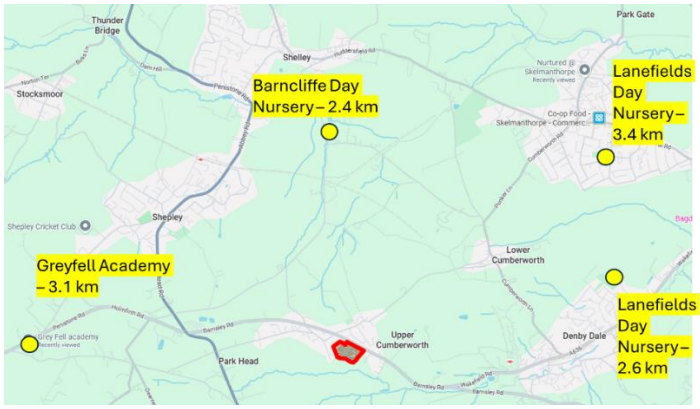
Skelmanthorpe Family Doctor - 3.79 km from site corner:



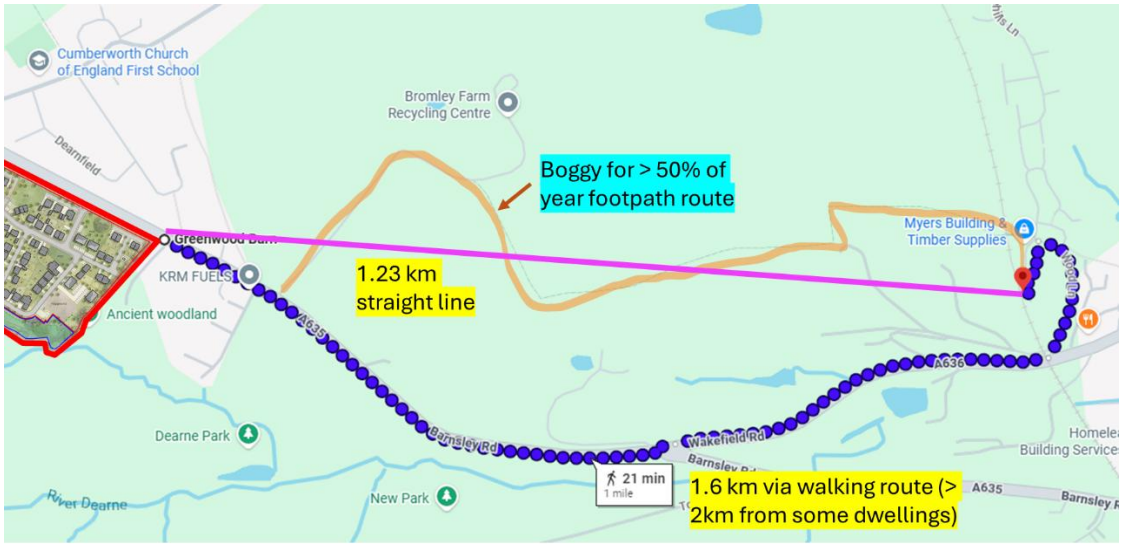
Nearest substantial convenience store (excludes post office due to limited hours) – 1.48 km from site corner (listed as 1000 m in Table 1 of travel assessment, section 2.32)**:**



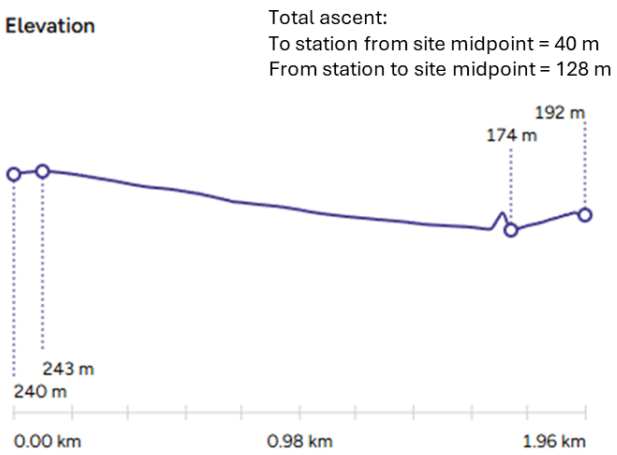
Nearest preschool / nurseries from nearest site corner:



Distances to station at Denby Dale from nearest site corner showing walking routes and crow flies route (claimed in application 1000 m – Table 1 of travel assessment, section 2.32, along with other services in near end of Denby Dale all > 1km)**:**



Station walking route elevation map Additionally, for the station, an elevation profile of the walking route shows that the topography makes practical use far less attractive than an equivalent flat route. Although the horizontal distance is 1.96 km from the site mid-point (and more than 2 km for a substantial proportion of proposed dwellings), the significant ascents materially increase journey time and effort. The gradients also render cycling impractical for many users. Using the well-established Naismith's Rule—adding one minute for every 10 m of ascent—it can be shown that the outbound route is equivalent in time to a 2.3 km flat walk, and the return journey to a 3.0 km flat walk. Even if one accepts the obsolete 2 km figure included in the applicant's travel assessment, this simple calculation illustrates why the site cannot reasonably be described as having practical access to the station once the topography is taken into account.



Pavement widths and pinch points

Active Travel England – the statutory consultant, make clear in the advice note linked from their guidance (Active Travel England Standing Advice Note: Active travel and sustainable development) that pedestrian routes to amenities should "have a minimum width of 2m, with limited pinch points no less than 1.5m;" and "have a smooth, even surface;" (Para 2.6). In Upper Cumberworth few pavements are close to 2 m and many pinch points and uneven surfaces are present – some examples are provided below. All 4 road routes have significant footway pinch points (in the case of Carr Hill Road no footway at all).

A635 SE:

Regular pinch points below 1 m



Including long term maintenance issues not addressed


Additionally surface runoff water makes spray from road due to puddled surface water necessitate a change of clothing or high end waterproofs for anyone using this route to, for example, commute by train.

Near Bromley Farm Entrance:


Near Wakefield/Barnsley Junction:

A635 NE (stretches generally ~ 80 cm wide with pinch points less than 50 cm):




Cumberworth La to Lower Cumberworth (pinch points under 40 cm, footway only one side):

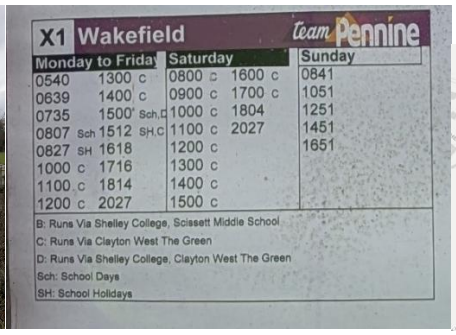




Bus / Train services and bus stops

As indicated in the main text, many bus services are insufficiently frequent; buses to Huddersfield leave from further than 400 m from many dwellings (ATE's standing advice note states "Most buildings within the application site should be within 400m of a high-frequency bus stop" P2.9) as shown in the above maps, and **X1 buses from next to the**

planned site to Wakefield are 1h53 min apart during peak morning hours(term time) and when running on time. Note these bus stops don't serve Huddersfield.



Furthermore bus stops do not conform to expected specifications indicated by Active Travel England (P2.9 of standing advice note: "Local bus stops should have good natural surveillance and provide seating, lighting, shelter, real-time passenger information and raised bus boarders or specialist kerbs."), or even provide a safe, adequately wide waiting area (as meant to be 2 m routes to the bus stop, it can reasonably concluded this applies as an appropriate minimum for the bus stop as well – for example:

SE bound near post office junction – width at bus stop ~ 90 cm:

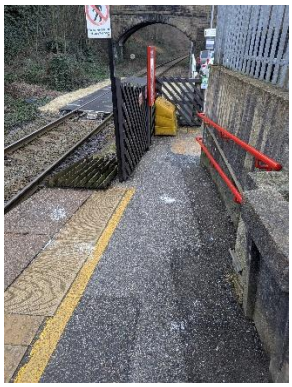
SE and NW bound on A635 to SE of site:

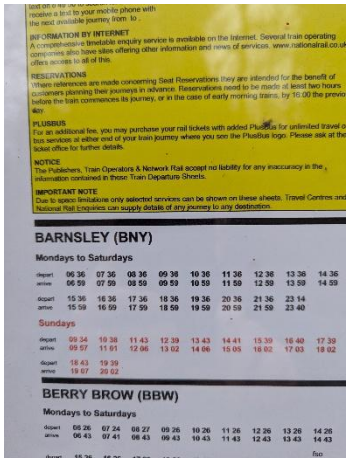
Access along the side of the road with pavement (N) there are pinchpoints of 65 cm:

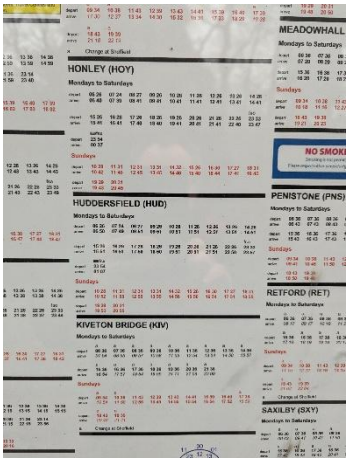
The bus stop on the N side of the road is again ~1 m total width (if hedge cut / not wet). It should be noted that both bus stops NW are inadequate.

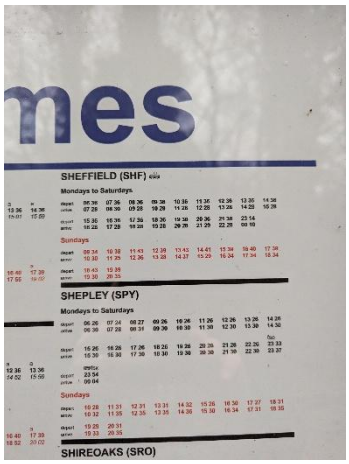
Pavements are also often uneven:

Trains should be noted to be accessed at Denby Dale station by a fairly steep ramp and uneven car park surface (no footway) onto platform and also have relatively low frequency:



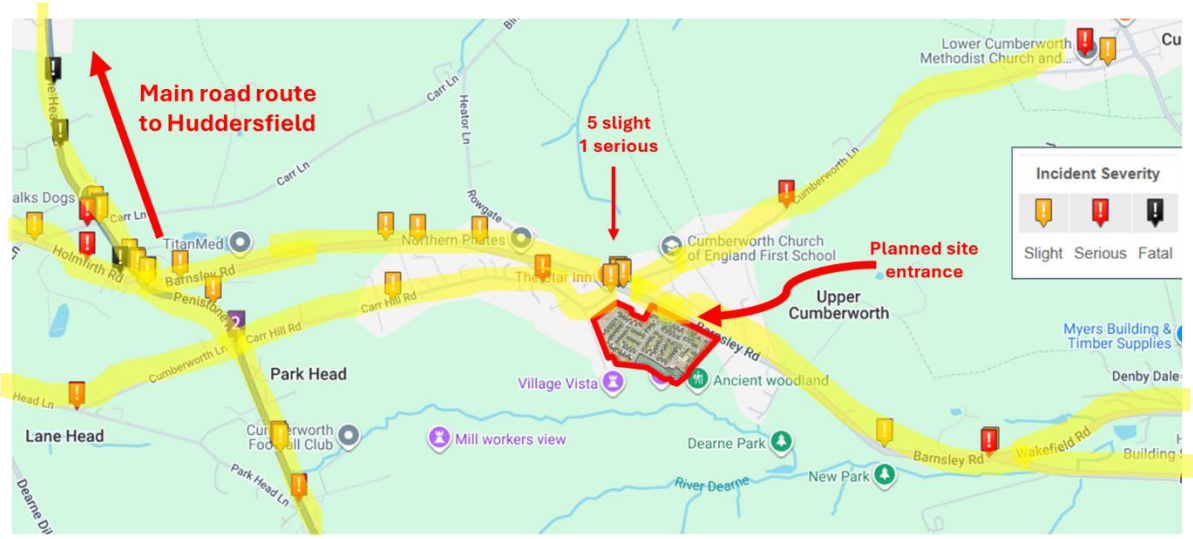





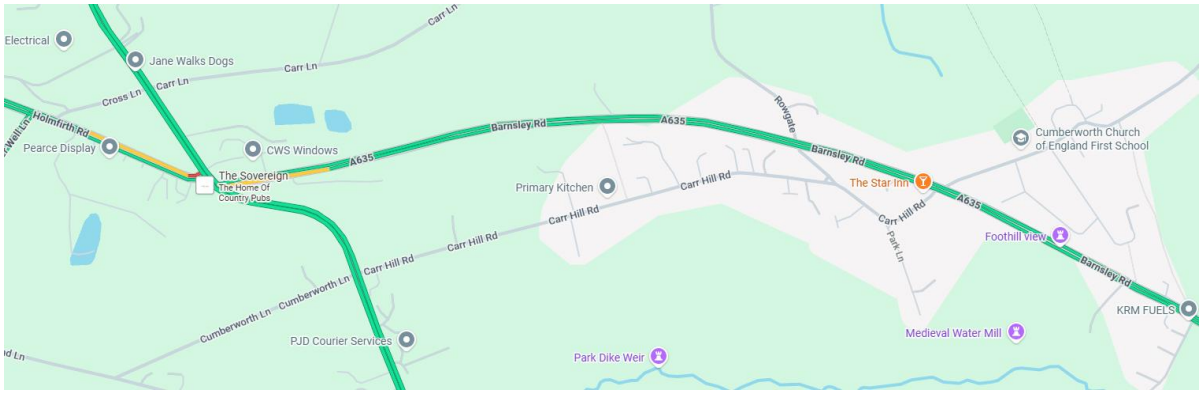


Local road network

It is helpful to consider a longer term assessment of crashmap data to establish blackspots – the 10 y data around the site is shown below (10 year Crashmap.co.uk UK Great Britain road accident data 2015-2024 showing serious accidents on all routes out of the village, and fatal accidents around and downhill of the Sovereign junction. There is also a cluster of “slight” accidents and one serious (19/10/2016) at the village centre junction by the star, to which improvements haven’t been made and do not form part of the plan to address. Routes out of the village are highlighted.):



It is additionally noted in the text that the main traffic build up in the morning effecting villagers is at the Sovereign junction – not in the village itself or the points modelled in the travel plan – this is shown for 8:30 am on a typical Tuesday using googlemaps traffic feature (average queues):



Water Leaks

In terms of water infrastructure, we noted there have been three significant leaks over a period of ~ 1 year on Barnsley Road of mains water (as well as many other locations in the village) – photos included below show the severity of these leaks. It is also notable that cones and signs were hit frequently once laid out illustrating the risks of island crossings.

Typical Journey's over a 2-week period prior to the application (full weeks 12th – 25th Jan).

As a typical family of two adults, 2 children (one early years, one primary school age), one adult working partly from home and sometimes away overnight, the other not full time we likely represent a moderate (certainly not higher end) vehicle use. We still had ~6.2 individual vehicle movements a day (1.5 times those predicted in the transport assessment – likely due to flawed comparators in the TRICS data due to non representative comparators as outlined above). In particular, however, we note the significantly higher number of movements across the Cumberworth La / A635 junction due to school drops/collection forming part of a commute, and this being the dominant direction of travel by a factor of ~2. (This is about *2.5 times the number* assumed by the transport assessment).

Data assembled from diaries and google timeline information. Morrisons delivery and cleaners included as stops one delivery route more distant, cleaner's journey known. Morrisons typically turn at A635 / Carr Hill Road junction, but this is ignored and only arrive/depart SE counted. A number of Amazon and Evri deliveries also made, but may have made multiple drops so not included to achieve a conservative estimate, although will add to number. Movements over the Cumberworth La / A635 junction additionally recorded as school drops on work days by car create additional movements at junction.

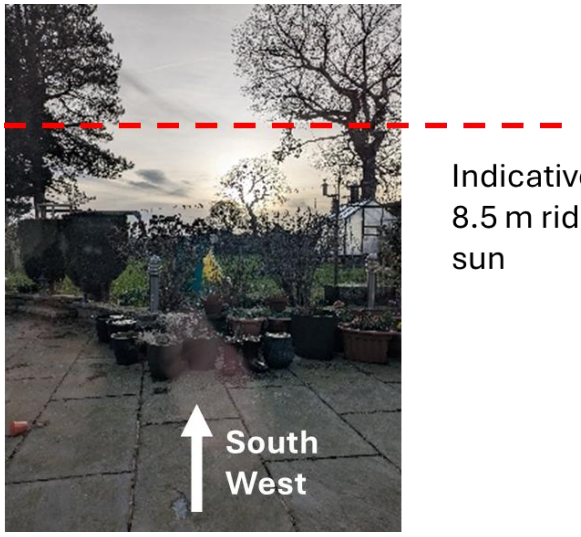
Day	Car 1	Car 2	Visitor	Individual movements SE A635	Individual movements NW A635	Individual movements across Cumberworth La / A635 junction
12	Work (outbound)	School, work, school	Relatives Sovereign Coop (newspaper); Relatives visiting friends	3	4	6
13	Work (homebound)	Child swim Denby Dale x 2	Relatives Sovereign Coop (newspaper); Relatives denby dale	7	3	3

			builders merchant; Relatives depart			
14	Sovereign Co-op; New Mill Church	School, work, school			6	8
15	Work	School, work, school	Cleaners	2	4	6
16	Nursery x2; Denby Dale Fisheries	School, work, school		2	6	8
17	Leisure (Holme valley walk); Denby Dale (café)		Visitor from Huddersfield	2	4	4
18	Pennine Garden Centre; Sovereign Garage	New Mill Church	Morrisons delivery	2	6	6
19	Nursery	School, work, school			2	6
20	Work trip outbound	Child swim Denby Dale x 2; Library		7		
21		School, work, school			2	4
22	Work trip return	School, work, school	Cleaners	1	4	6
23	Nursery	School, work.	Relatives arrive; Relative sovereign coop.		7	8
24	Sovereign Coop Shopping		Relatives Sovereign Coop (newspaper).		4	4
25		New Mill Church; Childrens party (Scissett)	Morrisons delivery; Relatives Sovereign Coop (newspaper); Relatives depart	4	5	5
			TOTALS	**30**	**57**	**74**
			DAILY AVERAGE	**2.1**	**4.1**	**5.3**

Appendix B

Ours (and adjacent properties) have rear facing main habitable rooms – kitchen/dining/living space in our case that are below the level of the proposed development and designed to take advantage of natural light (e.g. full height windows):

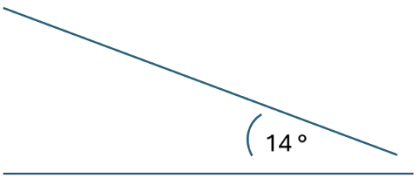
View from window midpoint and indicative building heights (crude estimate):



Indicative building line (for 8.5 m ridges) in Feb winter sun

Property on Barnsley Road

Approx 1.5 m land height change + 8.5 m houses (assumed) = 10 m



Approx 40 m to buildings

Indicative plan building line

The property points almost exactly SW (224 degrees) to the rear with open windows.

Basic angle calculations from suncalc.org show that as the sun traverses the south west direction (central to the back garden in the photo above) **the sun would drop below the proposed building line before getting to half way across (225 degrees) the rear elevation from 26th October to 16th Feb** in the coming year (crudely around 50% of the sun's direct light into the room) – almost 4 months through the winter. This is consistent with the photo obtained on 17/02/26 (about the end of this period). More detailed calculations are clearly needed, but this highlights clearly the proposed density may not achievable without impacting residential amenity.