

Address: 89, Enfield Drive, Batley, WF17 8DR

### About the application

Application number: 2026/90310	
What is the application for?:	Erection of 37 dwellings with associated access, parking, landscaping and creati
Address of the site or building:	land off, Sunny View, White Lee, Batley, WF17 8FP
Postcode:	

### User comments

Type of comment: An objection	
Do you wish your comments to be published on the website anonymously?	No
<p>Loss of Greenfield Land and Conflict with Local Plan Policy (Adopted 27 February 2019)</p> <p>The application site lies within designated Urban Green Space under the Kirklees Council Local Plan. Policy LP61 states that development resulting in the loss of Urban Green Space will only be permitted where it is clearly demonstrated that the land is no longer required to meet local needs and does not make an important contribution to visual amenity, landscape character or biodiversity value.</p> <p>This site clearly performs those functions. It provides an important visual buffer within an already densely built-up area, offering openness and relief from surrounding development. It contributes positively to residents' health and wellbeing and forms part of a wider network of adjoining fields, maintaining landscape continuity and a genuine sense of escape from the urban environment.</p> <p>The land is demonstrably rich in wildlife. Herons, foxes, birds of prey and bats are regularly observed, with bats frequently seen flying from neighbouring gardens directly into the site during summer evenings. In the absence of a clearly published and seasonally appropriate ecological survey, it cannot reasonably be concluded that the site lacks biodiversity value.</p> <p>Although the proposal includes an area of public open space, managed amenity land is not equivalent to established semi-natural habitat. Once construction begins, the existing ecosystem will be irreversibly disrupted.</p> <p>For these reasons, the proposal conflicts with Policy LP61 and fails to justify the loss of designated Urban Green Space.</p> <p>Anti-Social Behaviour and Crime</p>	

There are legitimate concerns that the proposed public open space, backing onto Enfield Drive, may encourage anti-social behaviour. Existing open space at Asquith Fields is already affected by litter, broken glass and neglect. Creating a link between that area and the new development risks spreading similar problems unless robust, enforceable and fully funded long-term management arrangements are secured.

#### Loss of Privacy, Light and Residential Amenity

Properties on Enfield Drive, Oakwell Avenue and Shibden Drive are positioned at a significantly lower level than the proposed development. The elevated siting and close proximity of new dwellings would result in intrusive overlooking, particularly into first-floor windows, causing a serious loss of privacy.

In addition, the scale and positioning of the proposed houses would materially reduce access to natural light. The relationship between the new and existing properties is inappropriate and harmful to residential amenity.

#### Land Suitability and Flood Risk

The application site is understood to have a history of drift mining, with mine entrances located in close proximity to Enfield Drive. These features are clearly identifiable on historic mapping records available through public archive sources. Given this documented mining legacy, it is imperative that the applicant provides comprehensive and site-specific geotechnical investigations, rather than relying solely on generic desk-based assessments.

Long-standing residents have reported instances of structural movement in nearby properties, including at least one case of subsidence. In addition, a number of properties have experienced water ingress issues attributed to surface water run-off following the Phase 1 development at Sunny View. This raises legitimate concerns regarding ground stability, land drainage, and the cumulative impact of further development on already sensitive ground conditions.

The proposed development will inevitably result in large areas of currently permeable land being covered by housing, roads, driveways and other hardstanding. In its existing state, the land has the natural capacity to absorb rainfall and allow for gradual drainage into the surrounding ground. The introduction of substantial built form will significantly reduce this natural infiltration, increasing surface water run-off and placing additional pressure on surrounding lower-lying land and existing drainage infrastructure. Given the site's topography and known drainage sensitivities, the loss of this natural drainage function is a serious concern.

In light of the site's mining history, reported subsidence, and existing drainage problems, it is essential that robust, independently verified ground investigation and hydrological assessments are provided. These must clearly demonstrate that risks associated with ground instability and increased surface water run-off have been fully assessed and comprehensively mitigated. Without such assurances, the proposal

presents an unacceptable and avoidable risk to both existing and future residents.

### Consultation Concerns

Despite being directly affected, some residents received no formal notification from the Council and no site notices were observed locally. Several only became aware of the application by chance after submission. With consultation closing shortly thereafter, there are legitimate concerns as to whether statutory consultation requirements have been properly fulfilled.

### Conclusion

Taken together, this proposal would result in the unjustified loss of protected Urban Green Space, harm residential amenity, increase risks associated with land instability and drainage, and potentially exacerbate anti-social behaviour. The application fails to demonstrate compliance with Policy LP61 or provide sufficient reassurance regarding long-term impacts.

For these reasons, the development should be refused.