

Address: 1, Sunny View, Batley, WF17 8FP

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
I write to object in full to planning application 2026/62/90310/E for the erection of 37 dwellings with associated infrastructure on land off Sunny View. I am the resident of 1 Sunny View, immediately adjoining the site. This objection is made on material planning grounds only, based on conflict with the development plan, the National Planning Policy Framework (NPPF), the planning and appeal history for this site, unresolved statutory objections, and insufficient evidence demonstrating that the proposal is acceptable. 1. Conflict with planning history and dismissed appeal This site has already been tested through the planning system. A 2015 housing scheme was refused and dismissed on appeal in 2017. A later scheme was withdrawn. The current application is a further attempt to develop the same land. The dismissed appeal is a highly material consideration. The Inspector previously concluded that development was not justified due to the harm caused by the loss of open land. The key question is what has materially changed to justify a different outcome. No such change has been demonstrated. The same issues remain: loss of open land, drainage concerns, highway impacts, ecological uncertainty, and cumulative pressure on the area. A reduction in dwelling numbers does not overcome the earlier reasoning. The Council cannot reasonably depart from the appeal decision. The proposal should therefore be refused. 2. Loss of Urban Green Space (Policy LP61 and NPPF) The site is open, undeveloped land with clear amenity, environmental and drainage	

The site is open, undeveloped land with clear amenity, environmental and drainage value. Development would result in its permanent loss.

Under Policy LP61 and the NPPF, development is only acceptable where the land is surplus or equivalent provision is secured. Neither test has been met.

The land is not redundant, and the proposed internal open space does not replace its function, as it would be fragmented and enclosed by development. Approval would also weaken protection against further incremental loss.

The Council therefore cannot lawfully conclude compliance with Policy LP61 or the NPPF.

3. Drainage and flood risk (LP27 and LP28)

Drainage is a fundamental issue.

The Lead Local Flood Authority objects. In the presence of an unresolved statutory objection, the Council cannot conclude that the development is acceptable.

The scheme relies on engineered drainage, including a storage tank beneath parking, raising concerns regarding maintenance, failure risk and long-term management. Policy LP28 requires secure lifetime arrangements, which have not been demonstrated.

My own experience within the adjoining development shows that drainage and external works have required significant remediation, reinforcing the need for strict scrutiny.

This issue cannot be deferred to condition. The proposal therefore conflicts with LP27, LP28 and the NPPF, and should be refused.

4. Highway safety and cumulative impact (LP21 and NPPF)

The application fails to demonstrate safe operation.

Sunny View is a residential street. The proposal would materially increase traffic, servicing and construction movements, changing its function.

There is a speed bump directly outside my property. Increased traffic would lead to more braking and acceleration, increasing disturbance and conflict risk.

Additional delivery and servicing activity would introduce manoeuvring within a constrained residential environment, increasing pedestrian–vehicle conflict, particularly for children.

The application does not demonstrate that these impacts would not be severe. The Council should not conclude compliance with Policy LP21 or NPPF paragraph 116.

5. Ecology and biodiversity (LP30 and NPPF)

The ecological evidence is insufficient.

The site is undeveloped land and may support biodiversity that has not been properly assessed. Limited survey work does not provide a reliable basis to conclude that harm will not occur.

Without robust evidence, the Council cannot lawfully conclude that biodiversity impacts are acceptable or that mitigation is sufficient.

The proposal therefore conflicts with Policy LP30 and the NPPF.

6. Biodiversity Net Gain

Biodiversity Net Gain has not been robustly demonstrated. Without a sound baseline and clear delivery mechanism, claimed improvements cannot be relied upon.

7. Cumulative impact and site suitability

The area already experiences pressure on infrastructure, traffic and open space. This proposal adds further strain and is not sustainable in this context.

The site is constrained by access, surrounding development and reliance on engineered mitigation. It is not suitable for development at this scale.

8. Delivery and long-term management risk

The proposal depends on infrastructure requiring long-term maintenance, including drainage and open space.

There is insufficient evidence demonstrating that these will be reliably delivered and maintained. My experience of unresolved boundary treatment issues within the adjoining development highlights the risk of delivery failure.

The Council cannot be satisfied that the development will function as intended over its lifetime.

9. Insufficient information and premature determination

Key matters remain unresolved, including drainage, ecology, highways and long-term management.

These go to the principle of acceptability and cannot be left to condition. The application is therefore premature.

Decision position

The Local Planning Authority cannot lawfully conclude that the proposal complies with the development plan. It fails to demonstrate that:

loss of open space is justified;

drainage is safe;
highway impacts are acceptable;
biodiversity impacts are understood;
infrastructure will be delivered and maintained.

Conclusion

For these reasons, planning permission should be refused.

I request that the application is determined by Planning Committee and that a site visit is undertaken.