

31-7-26

Jillian Rann
Planning Case Officer
Kirklees Council Planning and Development Services
Civic Centre
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HD1 2EU

Sent by email to Jillian Rann at DC.Admin@Kirklees.gov.uk

Dear Jillian Rann

I wish to formally object to the proposed planning application 2026/91494 Land off Penistone Road Birdsedge HD8 8XP.

Please see the following points/objections.

Green Belt/Agricultural land

The proposed development is green belt land, the land has been previously assessed and rejected by Kirklees council in order to protect the greenbelt (H2582 land south east of Birds edge Mills, Penistone Road Birds edge) see attached rejection confirmation from Kirklees council. The site is not allocated for development in the local plan and the NPPF categorises farmed green belt land under their land hierarchy categories as tier 4 (Highest level of protection) and states that green belt land of this nature can only be considered for development if land hierarchy options 1 to 3 have been exhausted which is not the case.

Under chapter 13 paragraph 153 of the NPPF residential housing is by definition **harmful** to the greenbelt, the local planning authority must refuse it unless the developer can prove “very special circumstances” that clearly outweigh the harm to the green belt and any other harm.

There are no very exceptional circumstances that have been presented that justify this greenbelt development, and evidence of substantial harm has been presented within the objection portal, meeting housing needs alone does not constitute exceptional circumstances alone and no other circumstances other than to meet housing needs exist, as a result this application should be rejected under the NPPF policy guidelines.

Image shows the site being previously rejected



H1767	Housing	Land to the north and east of, Woodhouse Lane, Holmbridge	Reject
H1769	Housing	Land to the east of, Moss Edge Road, Holmbridge	Reject
H1770	Housing	Land to the south of, Moorvale, Marsden	Reject
H1771	Housing	Land adjacent to, Corrie Lynn, off Carrs Road, Marsden	Reject
H1775	Housing	Spen House, The Coach House and No. 1, Spen Lane and Gomersal Lane, Cleckheaton	Reject
H1785	Housing	Land south of, Blackmoorfoot Road, Crosland Hill	Reject
H1792	Housing	Brownhill Farm, Old Lane and Station Lane, Birkenshaw	Reject
H1793	Housing	Land to the south west of, Hassocks Road, Meltham	Reject
H1794	Housing	Land to the west of, Wakefield Road, Clayton West	Reject
H1795	Housing	Primrose Hill Farm, Primrose Lane, Cleckheaton	Reject
H1796	Housing	Land between, Laverhills and Quaker Lane, Hightown	Reject
H1810	Housing	Whitechapel Road Recreation Ground, Whitechapel Grove, Scholes	Reject
H1812	Housing	Land between, Banks Road and, Woodhead Road, Honley	Reject
H1813	Housing	Land adjacent, 192 and 196, Nab Lane, Birstall	Reject
H1814	Housing	Land to the north of, Rutland Road, Flockton	Reject
H1817	Housing	Land to the east of, Primrose Lane, Highburton	Reject
H1818	Housing	Busk Farm, Northfield Lane, Highburton	Reject
H1819	Housing	Land to the north of, Eastfield Mills, The Knowle, Shepley	Reject
H1978	Housing	Land to the north of, Station Road, Meltham	Reject
H2092	Housing	Land north and west of High Street & Challenge Way, Hanging Heaton	Reject
H2095	Housing	Land to the east of, New Road, Netherthong	Reject
H2096	Housing	Land to the south of, Thong Lane, Netherthong	Reject
H2100	Housing	Bent Ley Farm, Bent Ley Road, Meltham	Reject
H679a	Housing	Land off, Lane Head Road, Shepley	Reject
H2546	Housing	Land to the south of, Northgate, Honley	Reject

H2548	Housing	Land to the east of, Church Lane, Mirfield	Reject
H2550	Housing	Land at, Wildacre, 143 Whitehall Road East, Birkenshaw	Reject
H2551	Housing	Land south east of, Shillbank Lane, Mirfield	Reject
H2552	Housing	Land at, Gomersal Lane, Cleckheaton	Reject
H2553	Housing	Land adjacent, Hagg Lane, Mirfield	Reject
H2554	Housing	Land to the south east of Hagg Lane, Lower Hopton	Reject
H2556	Housing	Land off, Moor Lane, Gomersal	Reject
H2557	Housing	Halfroods Farm, Leygards Lane, Meltham	Reject
H2558	Housing	Land to the south of, 305, Huddersfield Road, Shelley	Reject
H2561	Housing	Land north and south, Cliffe Lane, Gomersal, Cleckheaton	Reject
H2562	Housing	Land to the west of, Fulstone Road, Stocksmoor, Huddersfield	Reject
H2563	Housing	Land to the north east of, Shepley Road, Stocksmoor	Reject
H2564	Housing	Land off, Cross Lane, Stocksmoor	Reject
H78a	Housing	Land to south west of, Bradford Road, East Bierley	Reject
H2570	Housing	Land adjacent, Riley House, Riley Lane, Kirkburton	Reject
H2572	Housing	Land to the rear of 99 Drub Lane, Cleckheaton	Reject
H2573	Housing	Land to the north of, Moor Lane, Highburton	Reject
H2577	Housing	Lees House Farm, Leeds Road, Dewsbury	Reject
H322a	Housing	Land at, Wood Nook / Cumberworth Lane, Denby Dale	Reject
H2581	Housing	Land to the west of, Pump Row, Penistone Road, High Flatts	Reject
H2582	Housing	Land south east of, Birdsedge Mills, Penistone Road, Birds Edge	Reject
H2589	Housing	Land to the north of Wellhouse Lane, Kirkheaton	Reject
H440a	Housing	Land to the south of Cockley Hill Lane, Kirkheaton	Reject
H2595	Housing	Low Westwood Mill, Low Westwood Lane, Linthwaite	Reject
H2596	Housing	Land east of, Fleminghouse Lane, Almondbury	Reject
H245a	Housing	Land to the south of, Penistone Road, Shelley	Reject
H2598	Housing	Land to south west of, Derwent Road, Honley	Reject
H2600	Housing	Land west of, Bradford Road, Fixby, Huddersfield	Reject
H2601	Housing	Land east of, Bradford Road, Fixby	Reject

Conflict with core purposes (HARM)

The development breaches paragraph 143 by failing to assist in safeguarding the countryside from encroachment.

Loss of Openness and Permanence (HARM)

The proposed development would physically and visually reduce the open character of the area which directly violates the core aims of the national planning policy framework, the site would also be detrimental to the very popular public right of way that runs alongside the housing development at both sides, a development of high residential buildings and acoustic fencing would destroy the open amenity value that the public right of way brings for all to enjoy.

Road Safety (HARM)

A629 Penistone Road

The proposed development would be situated off A629 Penistone Road and opposite Birds edge Lane/Birds edge first school, Penistone road is a very busy, known speeding hotspot, it has previously been confirmed that local police had recorded a speeding vehicle every 3 minutes outside of the school, this is despite the police being highly visible and most drivers been pre warned of vehicle speeding checks taking place so does not represent the true number of speeding vehicles which is substantially higher. residents have raised the issue of speeding, racing and dangerous overtaking multiple times over the years, the road is difficult to cross for able bodied adults and very unsafe and difficult to cross for people with disabilities, elderly and children, residents often struggle to safely cross this road due to the volume and excessive speeding that takes place, putting such a large development on the opposite side of the road to the school would put children and adults safety at risk.

Adding hundreds of extra journeys/vehicles resulting from this development will make the road even busier and make crossing the road even more difficult form residents.

The developer has mentioned installing an island in the middle of the road to assist crossing, this has already been assessed and rejected previously. The A629 Penistone road forms part of the principal highways network across West Yorkshire, it is used to transport a wide array of vehicle types including abnormal loads, it is highly unlikely that the councils highway authority would approve an island, should this be the case the developer has not provided any other means to improve the safety of residents/ children trying to cross the road/access the school.

Birds edge Lane

The proposed development would be opposite Birds edge Lane, Birds edge first school, park/playing field and the woodland nature trail is situated on Birds edge lane, Birds edge lane would be the most direct route for commuting to Manchester amongst other villages and towns, halfway up Birds edge lane the road turns to a 60 mph single track

lane, has no pedestrian footpath, no street lighting and no pull ins to allow for vehicles in opposite directions to safely pass each other.

This section of road is used by pedestrians including children, walkers, dog walkers, prams, wheelchairs etc who all have to walk on the 60mph single track road that has no pavement/footpath or street lighting to access the woodland nature trail which is used and enjoyed by all the Residents of Birds edge, such a large development opposite this road will drastically increase the number of vehicles using it, not only from residents of the new houses but visitors, deliveries/couriers associated with the new houses, this will create a safety issues of having a mix of pedestrians including children and pushchairs etc on a 60 mph single track road that has no footpath, no street lighting and no pull ins for vehicles to pass each other mixed with a large amount of vehicles travelling at the national speed limit putting the residents of Birds edge in far greater danger from vehicles, the increase of the use of this single track road will also mean more vehicles will need to pass each other in opposite directions which is currently not possible to do so in a safe manner, Birds edge is a small settlement, the area and roads are not designed or intended for such a large development this is another example of the **HARM** this development will bring to the area and residents.

Biodiversity **HARM**

The proposed location of the site located within close proximity of the Upper Dearne ancient woodland and is in between Jorden Beck and the River Dearn this area is of very high biodiversity importance the ancient woodland is home to a variety of animals/birds and insects including woodpeckers, Tawny Owls, Long eared Owls, badgers, Foxes, Bats, Amphibians and is the home of one of the only verified colonies of Northern Wood Ant in the whole of the Kirklees district which is an internationally red data book species in the UK, these Ants are recognized in the Kirklees Council Biodiversity Action Plan and should be factored in to any development assessment.

Birds of prey use the fields surrounding the ancient woodland to hunt for food, removing the fields will have a negative impact on their ability to source food.

The River Dearne is the home of multiple species of fish, large numbers of Amphibians, insects runs through the ancient woodlands which is in very close proximity of this development. Paragraph 186 (C) explicitly states that development resulting from the loss or deterioration or irreplaceable habitats should be refused, this includes indirect deterioration via “edge effects” such as surface water run off being directed into the river Dearne which runs through the ancient woodlands polluting the ancient woodland river and harming the substantial amount of species that live in the river within the ancient woodland, light pollution, noise, domestic pet predation and changes to local water table.

River pollution (HARM**)**

NPPF Paragraph 180 mandates that planning decisions should ensure new developments do not contribute to soil, air water or noise pollution

The Developers Infiltrating testing reported that infiltration would not be possible and has stated they would seek to discharge surface water directly into the river Dearne which would be located just 12 metres from the site, this combined with the natural slope of the land towards the River Dearne would increase the risk of **HARM** to the biodiversity in the River Dearne, as the land was shown to have poor infiltrating rates, during periods of heavy rain the natural slope of the land towards the River Dearne will result in surface water run off from the proposed sites paved/asphalt areas and gardens running directly into the River Dearne, residential run off carries toxic hydrocarbons from driveways/ oils from cars, detergents from car washing, drive cleaning, pesticides from garden use, microplastics from car tyres etc and general dirt/silt this will have a negative and **HARMFUL** impact on the biodiversity of the River Dearne which has not been evaluated within the applicants biodiversity report. This proposed development directly fails to protect and enhance the natural environment as required by national policy and fails comply with paragraph 180 of the NPPF.

Lighting and noise associated with domestic housing will detrimental to the habitats of wildlife living in this location and in the ancient woodland such as bats, foxes, badgers, birds etc there will be a huge increase in footfall within the ancient woodland which will be detrimental to the wildlife living there, such as increased noise, litter, domestic cats/dogs hunting and disturbing the wildlife which is another example of **HARM**.

Image from the ecology report shows substantial biodiversity/invertebrate located in the river Dearne/ancient woodlands which will be polluted from the development.

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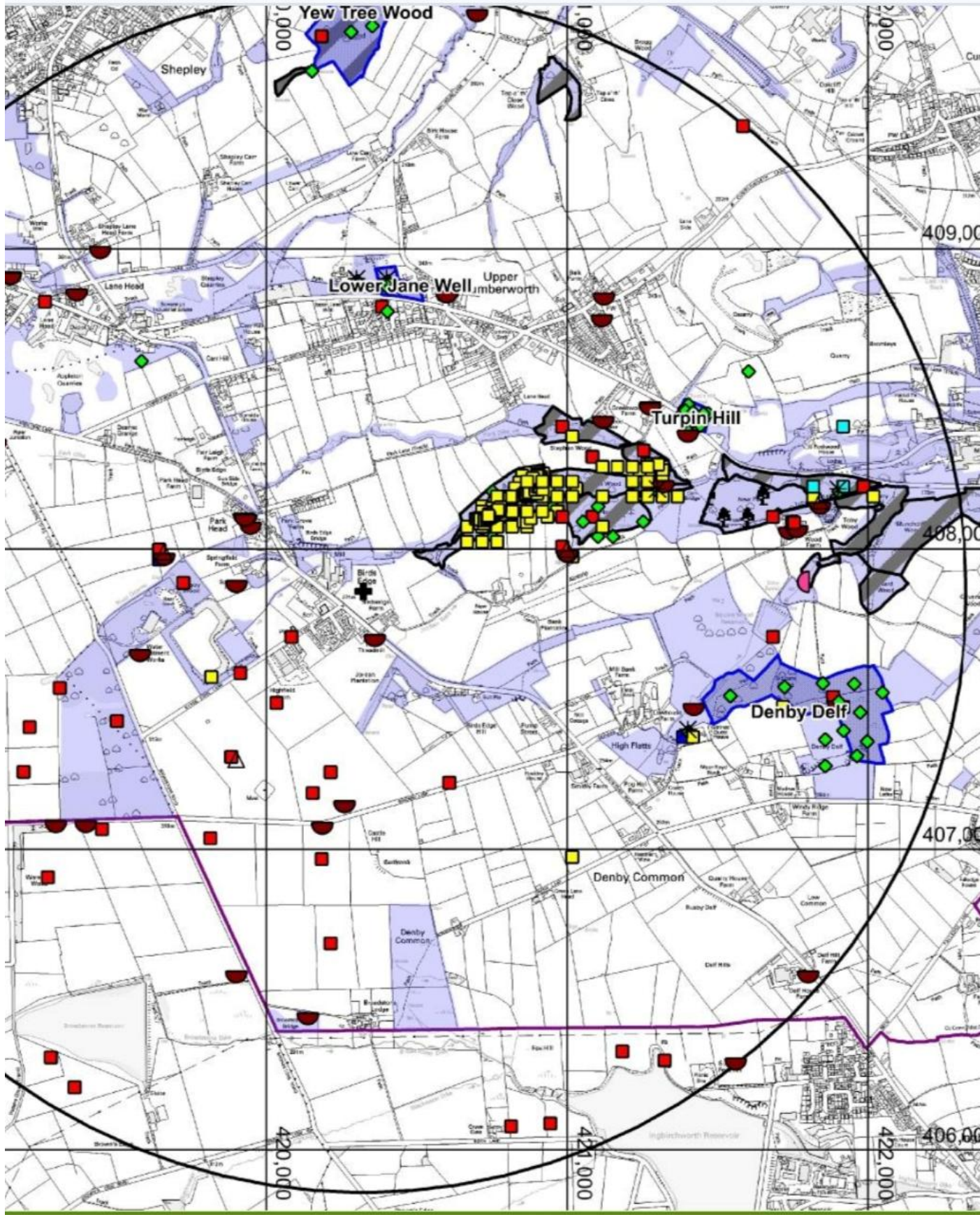
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Sustainable Drainage

Under Paragraph 169 of the NPPF, Major Developments, developers must incorporate sustainable drainage systems, in this case the developer is relying on draining surface water into the river Dearne/ancient woodlands, the developer has also stated that ground flooding of the site is of moderate risk and dismissed this as an issue as they stated this will also be directed into the river Dearne via the natural slope of the land, this does not constitute sustainable Drainage and due to the proximity of the site to the river Dearn/Ancient woodlands would cause HARM the the river and the ancient woodland which relies on clean water from the river Dearne for the fast quantity of creatures to thrive.

Sewage Capacity

I reference Yorkshire Water letter Ref B/00005 dated 3rd February 2026 which states that the sewer network does not have sufficient available capacity to support the size of the development, should to development be approved this would mean several Months of roadworks, noise from roadworks and machinery for residents, road delays, congestion, local economic costs resulting from road closures and delays, and substantial financial costs demonstrating more HARM

Harm to Openness and Character

The proposes site is surrounded by a public right of way and has several Grade 2 listed building within a close proximity to the site, the public right of way is there to be used and enjoyed by the public, should the site be approved this will harm the character of the area, openness of the countryside and spoil the enjoyment of the open countryside views from the public right of way, this will also obscure the views of the open countryside for the current residents of birds edge including the view of the grade 2 listed Emley Moor Mast and the grade 2 listed Birds edge Mill, this is another example of HARM.

The proposed development plans have noted render as a possible finish to the houses and the use of acoustic fencing, this is not innkeeping with the area, there are no rendered houses in Birds edge and no fencing visible, the houses in Birds edge are constructed of natural stone and visible boundaries are constructed from low height natural stone walls/ dry stone walls. The only exception would be the Bungalows bult after the war which are constructed of brick but due to their location and single story nature these are not visible when travelling through Birds edge. The use of render and tall acoustic fencing is not sympathetic or innkeeping with the area and represents visual HARM to the area.

Unsustainable location and Inadequate Infrastructure

The proposed development of 70 houses represents over a 40% increase of housing in Birds edge, this is unsustainable, the public transport in Birds edge is very poor, there is no railway station and there are 2 busses, the number D3 bus which runs just over every 2 hours Monday to Friday between 06:46 and 18:34, 09:06 to 18:06 Saturdays, no service on Sundays, the number 77 bus operates only once per week, on a Monday at 13:45, its clear that this development will have to heavily rely on cars for transport and commuting to work resulting in increased noise, traffic and pollution associated with increased car use demonstrating more **HARM** to both Birds edge and the environment.

Birds edge has a lack of amenities for such a large housing development, there is no Doctors surgery, not a single shop, no post office, no railway station, no pubs, cafes or restaurants etc and no direct bus to the nearest large supermarket located in Penistone.

There is no GP Surgery in Birds edge, the nearest surgeries have already experienced a significant increase in patient numbers due to large amounts of new housing already being approved in the HD8 area, this is already causing strain on local services resulting in very long wait times to get a doctors appointment, such a large development will only make this worse to the detriment and **HARM** to the local area.

The NPPF Mandates that local authorities and developers consider sustainable transport patterns when identifying land for release, Kirklees council is also required to balance housing needs with carbon reduction, approving such a large development in this area would not meet the sustainability guidelines.

Birdsedge First School Places.

Birds edge first school is a very small school, the most recent public admission numbers (PAN) for 2026 show the school accepted a total of 13 pupils out of a maximum capacity of 15, leaving only 2 spaces available, a housing development of 70 family homes would clearly overwhelm the schools ability to serve the local area resulting in children being unable to get a place and being forced out of the area to other schools, the developer has used figures from previous years, Please see the most recent PAN figures attached which is a more accurate representation of school place demand. It is clear that a development of this size (over 40% Increase) will overwhelm the schools ability to provide school places, this demonstrates more **HARM** caused by the development to the local area.

Table 2 Own Admission Authority Schools

School	PAN	0	1	1a	2	2a	3	4	4b	5	6	7	8	9	LA Allocated	Total	Oversubscribed ? Yes/No	Distance of the last on time place allocated (metres)
All Hallows' CofE (VA) Primary School	30				5		6	7			7					25	No	1781.24
Batley Grammar School	27				19			8								27	Yes	4789.61
Batley Parish CE Primary Academy	30							16			7	4				27	No	3896.99
Beaumont Primary Academy	90				39		42	8							1	90	No	3794.36
Berry Brow Infant and Nursery Academy	60	1			6		10	2		5						24	No	2926.38
Birdsedge First School	15				2		2			9						13	No	6817.82
Birstall Primary Academy	30				14			4		11					1	30	No	5192.45
Boothroyd Primary Academy	90		1		23		28	21		9					3	85	No	2975.62
Brambles Primary Academy	60				17		28	3								48	No	3104.64
Carlinghow Academy	50				14		7	6		4					1	32	No	3819.83
Christ Church CE Academy	30				16		2	5			4	1			2	30	No	988.09
Co-op Academy Smithies Moor	30		1		7		7			1					2	18	No	858.74
Crow Lane Primary and Foundation Stage School	30	1			2		4	9		9						25	No	7420.94

Increase of noise and pollution

The proposed development would increase noise and air pollution as a result of increased vehicle traffic on Penistone road which is already a very busy/noisy main road, this will be detrimental to the well being of residents on Penistone road who already have to deal with disturbance from the road noise and disruption when trying to sleep, any increase in traffic will result in an increase in noise and air quality, the developers own noise report highlighted high noise levels from Penistone road and has recommended the new houses have acoustic fencing and other noise reducing measures incorporated, they have not mentioned the effects on current residents who live on Penistone road which will have to endure increased road noise

resulting from hundreds of extra vehicles using the road daily due to the development, this is another example of **HARM** to residents of Birds edge.

No evidence/proof of very special circumstances in which to remove the sites greenbelt status

The developer has provided no proof or evidence that the site meets very special circumstances nor has the developer met any of the green belt “Golden Rules” meeting housing needs alone does not constitute “very special circumstances” I urge Kirklees council to reject this inappropriate greenbelt development.

