

About the application

Application number: 2026/92047	
What is the application for?:	Erection of 10 dwellings with access from Netherley Drive and associated works i
Address of the site or building:	land off, Netherley Drive, Marsden, Huddersfield, HD7 6HL
Postcode:	

User comments

Type of comment: An objection	
Do you wish your comments to be published on the website anonymously?	Yes
Application Number: 2026/62/92047/W We write to raise our objection to the above application. We have submitted a more detailed comment to the Council by email. Below, we provide a summary and detail one of our main points - the site's safeguarded land status. IMPORTANT CONTEXT This is the third planning application that has been made regarding this site: 1. An original application was made on 10 December 2015 to erect 19 dwellings (Ref: 2015/60/93926/W). Following the statutory and public consultation period but before it could be determined by the Council, the applicant decided to withdraw it on 8 March 2016. 2. A further application was made on 6 July 2018 to erect 5 dwellings (Ref: 2018/62/92216/W). The Council refused planning permission on 17 December 2018 citing the site's status as safeguarded land, issues with the proposed drainage solution and the failure of the proposed development to respect the character of the surrounding area. This latest application seeks permission to erect 10 dwellings with 40 parking spaces. SUMMARY In summary, we do not consider that the land is suitable for development for a number of reasons: 1. The site remains Safeguarded Land and, contrary to the applicant's planning statement, Policy LP6 applies following recent changes to the National Planning Policy Framework (August 2026) - see further below. 2. Issues with the proposed drainage solution remain. 3. The development would put the neighbouring properties on Mount Road at an	

3. The development would put the neighbouring properties on Mount Road at an unacceptable risk of subsidence.
4. The development would exacerbate existing access and parking issues in the local area and cause an unacceptable highway safety risk.
5. The development's housing mix does not comply with the Council's policies.
6. As with the previous rejected application, the proposed development fails to respect the character of the surrounding area.
7. The development is not in a sustainable location.

SAFEGUARDED LAND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 imposes a duty on the Council to determine planning applications in accordance with the "development plan" unless material considerations indicate otherwise.

The development plan includes the Kirklees Local Plan, which was adopted on 27 February 2019. In examining the Local Plan, the Inspector, Katie Child, considered site SL2167, within which the site lies. She agreed with the Council that the land should not be developed, but remain as Safeguarded Land, until at least 2031. Further, Kirklees Local Plan Safeguarded Land Policy LP6 states "The status of safeguarded land sites will only change through a review of the Local Plan".

The applicant's planning statement instead relies heavily on paragraph 11d of the National Planning Policy Framework to assert Kirklees Local Plan Safeguarded Land Policy LP6 is deemed out-of-date. However, the new National Planning Policy Framework (August 2026) no longer considers that housing policies can be out-of-date. Paragraph 11d has now been removed. Therefore, Kirklees Local Plan Safeguarded Land Policy LP6 still applies.

The site remains safeguarded land. On this basis, the planning application should be refused.