

Ms Joanna Rednall
Planning Officer
Development Control
Kirklees MBC
PO Box 1720
Huddersfield
West Yorkshire
HD1 9EL

5th October 2026

Dear Ms Rednall,

Re: Application Reference 2026/59/92523/E
Land off Ing Head Lane, Thurstonland, HD4 6XG

Instructions

I write in reference to the aforementioned planning application, to advise that we have been instructed by _____ who is close to finalising _____, to review the current proposals and to comment as necessary. The application is noted to relate to the erection of a single dwelling, with the Applicant at this time only seeking consent for Permission in Principle, with the Technical Details including siting, design etc to be addressed in a future Technical Details application. Our clients have particular concerns with the development, including loss of privacy, loss of daylight and amenity, access, parking and wider environmental impacts. These concerns are of a sufficient level to justify the submission of this objection.

Site Context

The application site is noted to currently comprise of an overgrown area of scrub land, with extensive existing planting and vegetation. Two small existing structures are understood to be located within the red line boundary. The land is sited on the southern edge of a cluster of existing dwellings, accessed from a single lane driveway sited off Ing Head Lane. The land is understood to be bordered by large hedging with open agricultural land to the south, with public footpaths noted to be in close proximity.

The application site is understood to be located within the Green Belt, a biodiversity opportunity area and a Mineral Safeguarding Zone.

The site is not understood to contain any listed buildings and there are no known statutory, nor non-statutory designated heritage assets in close proximity. The site is also not understood to be located within a Conservation Area. It is therefore accepted that there is no requirement to undertake an assessment of the impact of the proposals on the historic environment.

The application site is also not understood to be located within an area at risk from flooding. However, we expect further detail to be provided at Technical Details stage (should this application be approved) to robustly deal with foul and surface water drainage, to ensure that there is no harm to the local environment, and no impact to neighbouring residents, including protecting the existing access road from localised surface water flooding.

Whilst trees are noted to be located within the wider site, none are understood to be subject of Preservation Orders. We are however concerned that the scheme proposed will result in the loss of existing trees and hedgerows, and the impact this may have on ecological networks, priority species should bats or birds be roosting on site (including in the existing buildings), and the visual harm the loss of existing vegetation will have on the visual quality of the landscape. The impact of the scheme on biodiversity and the need for on site enhancements will also need to be addressed in a future application, if this Permission in Principle is supported.

Whilst as a Permission in Principle the Applicant is not required to submit extensive documentation and details, from the indicative plan provided there are clear concerns regarding the visual impact of the development in relation to scale and design, the loss of existing vegetation and the potential erection of new boundary treatments. In addition, the scheme will likely result in direct overlooking of neighbouring properties and will result in an overall feeling of a loss of privacy. Loss of light and amenity to the neighbouring properties could well be oppressive, with the overall scale of development likely in our view to represent overdevelopment of the plot. In that regard, the development will overbear the neighbouring sites and result in harm to the wider site. It is clear that the scheme will result in a scale and siting of development out of keeping with the local area, and one which results in a cramped appearance. The resultant harms from these elements are in our view sufficient to justify refusal of this Permission in Principle.

Additional concerns relate to the highway impact of this development, including the legality of the submission on site access. The Applicant has correctly red lined the driveway access to the site, however our clients, once their purchase is complete, will actually own the access road, which in itself raises questions on the deliverability of the plot and right of access.

The need to ensure that vehicles can safely turn and manoeuvre within the site boundary such that they can enter and exit the site in a forward gear, including during the construction phase, also needs to be explored in relation to the assessment of this scheme. As does the matter of parking, in circumstances where there are a number of existing properties with doors that open directly onto the

access road, meaning that the accessway simply cannot be used for vehicle parking associated with this proposed development. Our client is therefore concerned that this could lead to vehicles needing to park on Ing Head Lane itself, and resulting in a further narrowing of the highway in an area already poor in visibility, and potentially leading to congestion and highway safety concerns.

The suitability of Ing Head Lane to accommodate additional development and a further dwelling, given the highway alignment, reduced highway width and lack of passing places is also a clear concern. The fact that there are no facilities, services or public transport connections within walking distance of the site, and certainly none that can be accessed via well-lit footpaths, is also a matter that requires due consideration.

In relation to the amenity standards of future occupants of the dwelling proposed, we are concerned that the proposed indicative layout indicates a development somewhat cramped in appearance given the tight nature of the application site boundaries. It is essential that new homes not only meet the requirements of Nationally Described Spacing Standards, but also deliver a high quality and satisfactory standard of living accommodation for future residents. We therefore kindly ask that the case officer undertake a site visit, if not already done so, to fully understand the nature of these concerns, and to make a suitable assessment to ensure that the site can in reality accommodate a new dwelling, access, parking, garden areas etc.

Statutory Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that when determining a Planning application, local planning authorities must make their determination in accordance with the Development Plan (the adopted Kirklees Local Plan) unless material considerations indicate otherwise. The development as currently proposed is deemed to fail to meet the tests of the Development Plan when read as a whole, given the perceived harm on the amenity of neighbouring residents, the visual amenity of the streetscene, the legitimate concerns regarding the harm on the openness of the Green Belt, and safety and suitability of the proposed access arrangements. The scheme is therefore also felt to fall foul of the tests laid out within the National Planning Policy Framework, and specifically policies GB3 and TR3. Further, there are no material considerations, which outweigh the provisions of the Development Plan, and we therefore kindly urge the Council to seek to refuse this Permission in Principle.

Whilst we note that Kirklees have an under supply of housing land, and have failed the recent Housing Delivery Test, indicating a presumption in favour of sustainable development, this does not negate the need to ensure that new homes are sustainably located, well sited and designed, and do not result in harm to the local environment, and with due regard to the amenities of both current and future occupants. In short, the lack of housing land does not mean that all proposals for new residential development should be deemed to be acceptable as a matter of principle.

Supplementary Planning Documents

In addition to the provisions of the Local Plan, due regard should also be paid to the contents of adopted Supplementary Planning Documents, which within Kirklees would include the Highway Design Guide SPD (2019), Housing Mix SPD, Housebuilder Design Guide SPD, Open Space SPD. As currently proposed, it is our view that the scheme also falls foul of the requirements and expectations of Supplementary Planning Documents, and specifically the Housebuilder Design Guide and Highway Design Guide.

Summary

As clearly shown within this statement, the scheme subject of this Permission in Principle falls foul of the provisions of the Development Plan, and there are no material considerations which would outweigh the policy presumption against the scheme. In fact, when one weighs the material considerations including the harm on the character of the local area, impact on neighbour amenity, impact on the openness and visual amenity of the Green Belt, issues on highway safety, and the resultant harm on social, ecological and environmental considerations, the material considerations further weigh heavily in favour of refusal.

Conclusions

It has been demonstrated throughout this statement that the development subject of this application, currently fails to accord with the relevant statutory duties and the Development Plan when read as a whole. The proposed development is unacceptable in principle, by virtue of the provisions of the National Planning Policy Framework and the Kirklees Development Plan. Given the harm resultant from the proposals, there are no material considerations or benefits from the development which outweigh the policy presumption against this proposal.

Section 70(2) of the Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that where an application accords with the relevant Development Plan and material considerations are in favour, applications should be determined positively. However, in this case, based on the above principles, we would therefore kindly request that the Council seeks to refuse this application for the various reasons laid out above.

Yours sincerely,

BA (Hons) MSc (Dist) MCIM