KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	**2023/60/90794/E**
Site Address:	Land rear of, 15 & 17, Abbey Road, Shepley, Huddersfield, HD8 8EP
Description:	Outline application for erection of residential development and highways improvements comprising widening of lane at junction with Abbey Road
Recommending Officer:	Nina Sayers

DECISION – REFUSE

I hereby authorise the refusal of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Sarah Longbottom

AUTHORISED OFFICER

Date: 23-Aug-2023

Officer Report

Site Description

Land rear of, 15 & 17, Abbey Road, Shepley, Huddersfield, HD8 8EP.

The application site is an undeveloped plot of land located to the rear of 15 and 17 Abbey Road. The site would be accessed from an unadopted access lane between 15 and 25 Abbey Road. There are residential properties to the west of the site and a small cluster of properties to the south-east. The west of the site borders residential gardens and there are open green fields directly adjacent to the north, east and southern boundaries of the site.

The site is located within the Green Belt on the Kirklees Local Plan. The site is not in a conservation area and there are no listed buildings within close proximity to the site.

Description of Proposal

The application seeks outline planning permission for the erection of a residential development and highways improvements comprising widening of lane at junction with Abbey Road. The applicant seeks approval for access, with scale, layout, appearance and landscaping to be matters dealt with at reserved matters application stage.

The submitted details show two detached dwellings with off-street car parking available for three cars per property. The dwellings would be accessed via the unadopted highway which adjoins Abbey Road, with bin collection shown adjacent to the adopted highway. No details are provided in respect to design or materials.

History of negotiations/amendments received

Officers raised concerns regarding the principle of development in the Green Belt and access for a fire tender. Amended plans were received showing a dry riser inlet.

Relevant Planning History

At adjacent properties/land:
2002/91706 Change of use of existing barn to 2 dwellings and erection of two double garage buildings. Conditional full permission.
2002/92834 Outline application for erection of detached 5 bedroom house and garage. Conditional outline permission.
2003/90357 Re-use, extensions and adaptation of existing barn to form two dwellings with detached double garage/implement stores. Conditional full permission.

2005/94688 Erection of detached dwelling with integral garage and granny flat. Refused.
2006/92077 Erection of detached dwelling with integral garage and granny flat. Withdrawn.
2006/93503 Erection of detached dwelling with integral garage and granny flat. Conditional full permission.

Representations

This application was advertised via Neighbour notification letters and on the web. Final publicity expired on 1st June 2023.

14 representations were received as a result of the above publicity, all in objection to the proposal. They raised the following concerns which will be discussed in section 6 of this report:

- No sight lines.
- Widening of lane would cause confrontation with vehicles leaving adjacent properties.
- Access would encroach on gardens at the adjacent houses
- Increased use of lane with no adequate turning area
- Assured the paddock was Green Belt during sale of house. Queried the price of the land if not for development.
- Strain on local resources and highway due to other new development in the area
- Special circumstances outline a shortage of housing in the area which is not true.
- Site is Green Belt land.
- Concerns over highway safety
- New housing development directly opposite.
- The named applicant is a dissolved company
- Highlighted inaccuracies in the supporting information
- Flooding issues
- Queried if the access is wide enough for larger vehicles
- Lamppost limiting the width of the access
- Limited visibility at access
- Exacerbate existing electrical issues
- Telephone cable through site
- No communication or consultation from the applicant with neighbouring residents
- Lack of evidence of land supply calculations
- Overlooking harm to rear of properties
- Loss of greenery to the side of the lane
- Reduced privacy
- Negative impact on neighbouring property value
- Likely the applicant will amend the application for more dwellings.
- Who will maintain the rest of the field in the applicant ownership.
- Impact the view from neighbouring properties

- Noise pollution and nuisance form construction
- Impact on wildlife

Cllr John Taylor expressed concerns regarding the impact on the Green Belt and Highway Safety. He requested this application go to planning committee should officer be recommending approval.

Consultation Responses

KC Highways Development Management – No objection subject to conditions.

KC Environmental Health – No objection subject to conditions.

KC Coal Authority – No objection subject to conditions.

KC Planning Policy – Object.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019) and the Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).

Kirklees Local Plan (LP):

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP3 – Location of New Development
- LP7 – Efficient and Effective Use of Land and Buildings
- LP11 – Housing Mix and Affordable Housing
- LP20 – Sustainable Transport
- LP21 – Highways and Access
- LP22 – Parking
- LP24 – Design
- LP30 – Biodiversity & Geodiversity
- LP31 – Strategic Green Infrastructure Network
- LP51 – Protection and Improvement of Local Air Quality
- LP52 – Protection and Improvement of Environmental Quality
- LP53 – Contaminated and Unstable Land

Other Guidance Documents:

- Housebuilders Design Guide SPD (2021)
- Kirklees Highway Design Guide (2019)
- Nationally Described Space Standards

- National Design Guide

National Polices and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated 20th July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Most specifically in this instance, the below chapters are of most relevance:

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 13 – Protecting Green Belt Land
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

Summary of Principal Planning Issues

The following matters are considered in the assessment below –

1) Principle of development
1) Scale, design and visual impact of the proposed development
2) Impact of the proposed development upon the privacy and amenity of neighbouring properties
3) Impact on highway safety
4) Other matters
5) Conclusion

1 - Principle of Development:

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal. Paragraph 11 concludes that the presumption in favour of sustainable

development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

The Local Plan identifies a minimum housing requirement of 31,140 homes between 2013 and 2031 to meet identified needs. This equates to 1,730 homes per annum. National planning policy requires local planning authorities to demonstrate five years supply of deliverable housing sites against their housing requirement. The latest published five year housing land supply position for Kirklees, as set out in the Authority Monitoring Report (AMR), is 5.17 years. This includes consideration of sites with full planning permission as well as sites with outline permission or allocated in the Local Plan where there is clear evidence to justify their inclusion in the supply.

The Housing Delivery Test results are directly linked to part of the five year housing land supply calculation. The 2022 Housing Delivery Test results have yet to be published and the government is currently consulting on changes to the approach to calculating housing land supply. Once there is further clarity on the approach to be taken, the council will seek to publish a revised five year supply position. Chapter 5 of the NPPF clearly identifies that Local Authority's should seek to boost significantly the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 68 of the NPPF recognises that "small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should […] support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes".

Green Belt

The application site is within the Green Belt as located on the Kirklees Local Plan. Chapter 13 of the NPPF requires Local Planning Authorities to regard the construction of new buildings in the Green Belt as inappropriate development. Paragraph 149 states that construction of new buildings in the Green Belt are regarded as inappropriate development with certain exceptions. None of these exceptions apply in this instance. The proposal therefore constitutes inappropriate development in the Green Belt.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The construction of new detached dwellings in this location would have a detrimental impact on the openness of the Green Belt by introducing new built form where none currently exists.

One of the purposes of including land in the Green Belt is to assist in safeguarding the countryside from encroachment. The application site is part of a field which is contiguous with areas of wider countryside and there is open undeveloped land to the north and south of the site. Whilst there is a group of four properties located to the east, they are separated by significant tree cover and have no relationship with the application site. Development of the application site would extend the built-up area of Shepley into the countryside representing significant encroachment contrary to the purposes of including land in the Green Belt.

Therefore, it is considered that substantial and material harm would arise from this proposal through inappropriate development, harm to the openness of the Green Belt and harm caused to the countryside from encroachment. All of which carries substantial weight.

For very special circumstances to be demonstrated the harm caused by the proposal needs to be outweighed by other considerations. The applicant has stated that the council cannot show a five-year supply of housing meaning that the tilted balance in favour of the proposal must apply. The applicant considers that given the limited Green Belt role of the land in this location and the infill nature of the plot, the contribution that up to two houses will make to the housing supply outweighs the limited harm caused to the Green Belt in this location. As outlined above officers do not agree that development of the plot would cause limited harm to the Green Belt.

National planning policy requires local planning authorities to demonstrate five years supply of deliverable housing sites against their housing requirement. The latest published five-year housing land supply position for Kirklees, as set out in the Authority Monitoring Report (AMR), is 5.17 years. Irrespective of the Council's position on the five-year supply of deliverable housing sites, the National Planning Policy Framework at paragraph 11 is clear that in the event a Council cannot demonstrate a five-year supply of deliverable housing sites, the Council should grant permission "unless the application of policies that protect areas or assets of particular importance provides a clear reason for refusing the development proposed". Footnote 7 at paragraph 11di) states that the protected areas include land designated as Green Belt. As such, even if the Council were not able to demonstrate a five-year supply of housing, the tilted balance would not be engaged for this proposal.

It is therefore considered that the proposed would be contrary to the fundamental aims of the Green Belt. The proposal would constitute inappropriate development in the Green Belt, thus detrimentally harming openness and character. The very special circumstances submitted are not considered to outweigh the significant harm caused. To permit the proposed development would impact adversely upon the openness and character of the green belt, conflicting with the purposes of including land within the Green Belt, contrary to the aims of Chapter 13 of the National Planning Policy Framework

A more detailed assessment of the proposal's design and its impact on the surrounding environment, assessed against Policy LP24 of the Kirklees Local Plan amongst other Policies, is undertaken below.

2 - Impact on Visual Amenity:

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) provides a principal consideration concerning design which states: "The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity. LP24 states that proposals should promote good design by ensuring: "a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape…"

The application proposal is seeking outline consent including access. The plans provided show two detached properties within a medium sized plot of land, no details are provided in respect to the design or the height of the proposed structures. The design and access statement does however outline that the proposed dwelling would be four bedroom with living accommodation in the roof space, therefore it would be assumed the proposed dwellings would at least two-storey in height. The size and design are purely indicative, thus the details are not being assessed or determined at this time. Off-street car parking is also proposed for three vehicles. Garden areas are be provided to the rear of each dwellinghouse.

Whilst appearance, layout, landscaping and scale are reserved matters, the size and shape of the development would not be dissimilar from the properties in the surrounding area, which vary in terms of scale. The proposed dwellings would be set behind the prominent building line on Abbey Road, however it is noted that there are other properties also set behind this building line. The location of the dwellings within the site would allow for adequate amenity space to the rear as well as some amenity space and soft landscaping to the front.

As no details have been submitted in respect of the proposed design or materials, it is acknowledged that care would need to be taken at reserved matters stage to reflect the local vernacular and use materials what currently exist within the local area.

In conclusion, notwithstanding the fact that the principle of development is considered to be unacceptable, it is considered that subject to the details provided within the reserved matters application, the plot may be able to accommodate two dwellings which could be designed so as to contribute positively to the local character of the area. As layout, appearance, scale and

landscaping are reserved matters, care would need to be taken to ensure that any future dwellings do not appear incongruous or overbearing in relation to neighbouring properties. Appropriate landscaping should also be provided to enhance the area and not detract from its character and appearance.

As such, it is considered that the development would meet the aims of Chapter 12 of the NPPF by contributing positively to the surrounding area and would be in accordance with Kirklees Local Plan Policy LP24.

3. Impact on Residential Amenity

Sections B and C of LP24 state that alterations to existing buildings should: "maintain appropriate distances between buildings' and 'minimise impact on residential amenity of future and neighbouring occupiers". Further to this, Chapter 12 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Principle 6 of the Housebuilder Design Guide SPD states 'Residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking.' The SPD goes on to set out typical minimum separation distances. These are as follows:

- 21 metres between facing windows of habitable rooms at the backs of dwellings;
- 12 metres between windows of habitable rooms that face onto windows of a non-habitable room;
- 10.5 metres between a habitable room window and the boundary of adjacent undeveloped land; and
- for a new dwelling located in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metres distance from the side wall of the new dwelling to a shared boundary.

The application proposal is seeking outline consent including access. All other matters would be reserved, therefore the impact the proposed development would have on the amenities of the occupants of the neighbouring properties cannot be fully assessed at this stage. However, an indicative layout has been provided and this layout is considered to provide a reasonable indication as to how the site might be developed.

Due to the location of the application site, the likely location of the dwellings within the site, would remain >21 metres from any neighbouring residential properties. This demonstrates that appropriate separation distances could be provided when the design is agreed at the reserved matters stage, even when taking into consideration the change in topography. Consideration should be given at reserved matters stage to the height of the dwelling and the location of openings.

There would be adequate space to provide amenity space surrounding the property to ensure the amenity of future occupiers. Consideration should be

given at the reserved matters stage with regard to landscaping to ensure there is adequate green space for the future occupants to use. Consideration should also be given in terms of design to ensure the proposed dwelling meets the minimum recommendations as set out within the Nationally Described Space Standards for such a dwelling.

Given the above, the proposal in outline form, again notwithstanding the matter of the principle of development being unacceptable, does not give rise to any undue adverse impacts upon neighbouring residential amenity, as such, this aspect of the proposal is considered to be acceptable. It is therefore concluded that the proposals comply with Policy LP24 of the Kirklees Local Plan, Chapter 12 of the National Planning Policy Framework and the Housebuilders Design Guide SPD.

4. Impact on Highway Safety

Turning to highway safety, Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact to highway safety and provide sufficient parking. Chapter 9 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The Highway Design Guide SPD is also relevant.

The proposed access is via an existing unadopted highway, which adjoins Abbey Road. The access lane serves a number of existing dwellings. KC Highways DM were formally consulted on the proposal. The current width of the access is considered to be of substandard width to accommodate any additional dwellings. The applicant has however, proposed to carry out widening of the existing driveway to allow passage of two-way vehicles in the vicinity of Abbey Road, which would be considered acceptable by KC Highways DM.

Ordinarily given that the access serves more than 5 dwellings, the road should be to adoptable standard, however given that improvements to the access in the vicinity of the main road are proposed, on this occasion KC Highways DM accept this aspect of the proposed development.

Officers raised some concerns regarding the provision of access for a fire tender as the dwelling is in excess of 45m from Abbey Road. The applicant submitted relevant details with regards to the provision of a dry riser inlet in the event of a fire at the property. A suitable condition to this effect will be suggested to ensure this is provided.

With regards to the provision of storage and collection of waste from the property, there are a number of existing dwellings in the vicinity of the development, it is assumed the collection arrangements will take place of a similar nature, however a bin collection point has been requested adjacent to Abbey Road. It should be noted that the drag distance will exceed that of the

recommended distance if collections do not take place in the direct vicinity of the proposed dwelling.

It is noted that a number of concerns have been raised in representations regarding highway safety and the proposed access. These comments have been taken into consideration during the assessment of this application.

Overall, it is considered, on balance, that the proposed development would not cause significant harm to the efficiency or safety of the highways, over and above the existing arrangements on site. The proposed development therefore complies with Policy LP21 and LP22 of the Kirklees Local Plan, the aims of the Kirklees Highways Design Guide SPD and Chapter 9 of the National Planning Policy Framework.

5. Other Matters

Land contamination

The site is also within a High Risk Coal Mining area as defined by the Coal Authority. A Coal Mining Risk Assessment was submitted as part of the proposal and the Coal Authority were consulted. The Coal Authority concur with the recommendations of the Coal Mining Risk Assessment that coal mining legacy potentially poses a risk to the proposed development and that investigations are required, along with possible remedial measures, in order to ensure the safety and stability of the proposed development.

Officers agree with the recommendations of the Coal Mining Risk Assessment. As such, conditions would be recommended to ensure the site is safe and stable for the development proposed.

The Coal Mining report indicates that there is a shallow coal seam beneath the site which requires further investigation. Therefore, because of the possibility of shallow coal workings and nearby made ground, KC Environmental Health consider it necessary for contaminated land conditions to be included. As such contaminated land conditions would be recommended should this application be approved.

The proposed therefore complies with Policy LP53 of the Kirklees Local Plan and paragraph nos. 178 and 179 of the National Planning Policy Framework.

Climate Change

On 12th November 2019, the Council adopted a target for achieving ‘net zero’ carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target. However, it includes a series of policies, which are used to assess the

suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

The proposal is an outline application for the erection of two detached dwellings. To ensure it contributes positively to mitigating the impact of climate change and air quality, a condition should be inserted to the decision notice requiring an electric vehicle recharging point be provided within the site for the future occupants of each dwelling. This is to comply with the aims of policy LP24 of the Kirklees Local Plan and chapters 9 and 14 of the NPPF, which seek to promote sustainable transport and to support low carbon future.

Biodiversity

It is acknowledged that the site does fall within a bat alert area as identified by the Council's GIS mapping system. The application site is an undeveloped piece of land serving Green Belt with no mature trees or structures. Therefore, it is likely to have low potential for protected species. However, Policy LP30 of the Kirklees Local Plan and Principle 9 of the Kirklees Housebuilders Design Guide SPD set out that proposals should provide net gains in biodiversity. Given this, the provision of bat and bird box would be required within the details of design provided at reserved matters stage. A condition would be recommended should permission be granted.

Drainage
Whilst it is noted that a number of representation refers to the flood risk of the land and recent flooding of Shepley Dike. This application is for two dwellings and the site is not located within any of the Flood Zones defined by the Environment Agency. Therefore for a development of this scale, no further consideration can be given in terms of drainage.

6. Representations

14 representations were received as a result of the publication of this application, all in objection to the proposal. They raised the following concerns:

- No sight lines.
- Widening of lane would cause confrontation with vehicles leaving adjacent properties.
- Strain on highway due to other new development in the area
- Increased use of lane with no adequate turning area
- Concerns over highway safety
- Queried if the access is wide enough for larger vehicles
- Lamppost limiting the width of the access
- Limited visibility at access

Officer response: The above comments are all material planning considerations which have been carefully considered during the assessment of this application. Highway concerns are addressed in detail in the highway safety section of this report.

- Assured the paddock was Green Belt during sale of house.

- Special circumstances outline a shortage of housing in the area which is not true.
- Site is Green Belt land.
- Lack of evidence of land supply calculations

Officer response: The above comments are all material planning considerations which have been carefully considered during the assessment of this application. They are addressed in detail in the principle of development section of this report.

- Overlooking harm to rear of properties
- Reduced privacy

Officer response: The above comments are all material planning considerations which have been carefully considered during the assessment of this application. They are addressed in detail in the residential amenity section of this report. This is an outline application; a full assessment of residential amenity would be carried out at reserved matters stage.

- Loss of greenery to the side of the lane

Officer response: This is an outline application; any detail of landscaping would be assessed at reserved matters stage.

- Queried the sale price of the land if not for development.
- Negative impact on neighbouring property value
- Strain on local resources due to other new development in the area
- New housing development directly opposite.
- The named applicant is a dissolved company

Officer response: these are not a material planning consideration for an application of this scale therefore no further comment will be made.

- Access would encroach on gardens at the adjacent houses

Officer response: the applicant has stated that all the proposed works within the red line boundary are within the applicant's ownership. Please note that the granting of planning permission does not override any private rights of ownership and it is the applicants responsibility to ensure they have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside their ownership.

- Highlighted inaccuracies in the supporting information
- Flooding issues
- Likely the applicant will amend the application for more dwellings.
- Who will maintain the rest of the field in the applicant ownership.
- Impact the view from neighbouring properties

Officer response: This is not a material planning consideration for a development of this scale, therefore no further comment will be made.

- Exacerbate existing electrical issues
- Telephone cable through site

Officer response: This is not a material planning consideration for a development of this scale, therefore no further comment will be made.

- No communication or consultation from the applicant with neighbouring residents

Officer response: Officers carried out statutory publicity requirements.

- Noise pollution and nuisance form construction

There is a potential for loss of amenity to the occupiers of nearby properties from noise and vibration from the construction phase of the development.

Officer response: A footnote would be added to any decision notice advising the applicant of the best time for constructure.

- Impact on wildlife

Officer response: This has been taken into consideration during the assessment of this application. This is an outline application; any detail of landscaping would be assessed at reserved matters stage.

7. Conclusion

This application for outline planning permission for the erection of a residential development at land to the rear of 15-17 Abbey Road, Shepley has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations.

The National Planning Policy Framework has introduced a presumption in favour of sustainable development. The policies set out in the National Planning Policy Framework taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development proposals do not accord with the development plan and the adverse impacts of granting permission would significantly and demonstrably outweigh any benefits of the development, when assessed against policies in the National Planning Policy Framework and other material considerations.

Recommendation: Refuse

Decision Authorisation - Delegated Powers
Application Number: 2023/90794
Officer Recommendation: Refusal

Reasons for Refusal

1. The application site is located within the designated Green Belt, whereby, as set out in the National Planning Policy Framework, most development, subject to certain exceptions, is regarded as inappropriate. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Development of this site would be contrary to the fundamental aims of the Green Belt, which are to prevent urban sprawl and to assist in safeguarding the countryside from encroachment. The proposal would constitute inappropriate development in the Green Belt, thus detrimentally harming openness and character. The very special circumstances submitted are not considered to outweigh the significant harm caused. To permit the proposed development would conflict with the purposes of including land within the Green Belt, contrary to the aims of Chapter 13 of the National Planning Policy Framework.

Plans and Specifications Table:

Plan Type	Reference	Version	Date Received
Location Plan	0344_ABB_101	B	28/03/2023
Proposed Site Plan	0344_ABB_102	C	05/07/2023
CMRA	CMRA 00312		28/03/2023
Design and Access Statement	KB/3.1/010		28/03/2023
Highways Supporting Statement			28/03/2023
Planning Statement			28/03/2023

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority has, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Officers raised concerns regarding the principle of development in the Green Belt and access for a fire tender. Amended plans were received showing a dry riser inlet.

Report Dated: 21/08/2023