

Address: Lower Waterside Barn Dam Head Holmfirth HD9 2PB

### About the application

Application number: 2023/93784	
What is the application for?:	Outline application for erection of one dwelling
Address of the site or building:	adj, 2, Dam Head, Holmbridge, Holmfirth, HD9 2PB
Postcode:	HD9 2PE

### User comments

Type of comment: An objection	
Do you wish your comments to be published on the website anonymously?	No
<p>Objection to outline planning application for the erection of one dwelling in Green Belt, adjacent to a Conservation Area.</p> <p>Land adjacent to 2 Dam Head, Hinchliffe Mill, HD9 2PB (the "Site").</p> <p>It is submitted there is no possibility that this application could lawfully and in policy terms be granted.</p> <p>Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the application must be determined in accordance with the statutory development plan unless material considerations indicate otherwise. The statutory development plan for the area is the Kirklees Local Plan (adopted February 2019).</p> <p>The Kirklees Local Plan clearly identifies the Site entirely within Green Belt</p> <p>Other Local Plan considerations are:</p> <ul style="list-style-type: none"><li>-Site is within Strategic Green Infrastructure Network - Small Open Space</li><li>-Site is within a UK BAP priority habitat</li><li>-Site is within the Kirklees Wildlife Habitat Network</li><li>-Site is close to listed buildings</li><li>-Site is adjacent to a Conservation Area</li></ul> <p>Not all the necessary reports have been submitted to address the requirements identified within the Local Plan, and what has been submitted is sparse at best – the applicant should be asked to provide these reports in full before a decision can be determined.</p> <p>Green Belt</p> <p>The entire Site proposed to be developed on is designated as being in the Green Belt. The Application in this regard has been significantly downplayed and an assessment as to whether the proposed development constitutes 'inappropriate development' in the Green Belt, is required to determine if the proposal is acceptable in relation to paragraphs 140 and 144 of the NPPF and the reflective Local Plan Policy L150</p>	

paragraph 143 and 144 of the NPPF and the reflective Local Plan Policy LP58.

Paragraph 143 and 144 of the NPPF state:

143. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

144. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Local Plan Policy LP58 is clear in the wording that: "Proposals to change the use of land in the Green Belt to a domestic garden will not normally be permitted."

The proposed development does constitute inappropriate development in the Green Belt, as it would unduly affect its openness, conflicting with one of the purposes of including land within Green Belts and would cause harm to the visual amenity. Very special circumstances which clearly outweigh the harm caused by inappropriateness and other harm have not been demonstrated. The development is therefore contrary to Policy LP59 of the Kirklees Local Plan, Policy 6 of the Holme Valley Neighbourhood Development Plan and Chapter 13 of the National Planning Policy Framework.

#### Heritage

Although the Site falls adjacent to a long-established Conservation Area rather than within it, this has been downplayed in the application given there are 16 (sixteen) listed buildings in the Conservation Area, some of which are within close vicinity to the Site. Heritage impact is more than a planning policy position. Its importance is demonstrated by the fact that consideration and assessment is founded on a statutory basis and not merely a policy footing.

Designated heritage assets (Hinchcliffe Mill Conservation Area, No.1 Dam Head and No.5 Dam Head) are in the immediate vicinity of the proposed development and the contribution made by their setting will be detrimentally impacted by the proposed residential development on the site, including hardstanding, domestic paraphernalia, retaining walls and the like.

Such urbanisation of this visually valuable open and green site would cause substantial harm to the significance of both the Grade II listed building of No.1 Dam Head adjacent to the site as well as the character and visual appearance of the Hinchcliffe Mill Conservation Area. No public benefits have been demonstrated which would outweigh the harm identified and the proposal is therefore contrary to Policies LP24 and LP35 of the Kirklees Local Plan, Policy 2 of the Holme Valley Neighbourhood Development Plan and Chapters 12 and 16 of the National Planning Policy Framework.

#### Conclusion

I object to the Application as submitted. Lawfully and otherwise, the Application in its current form is not capable of being granted.