

NPPF Consultation December 2025 – Comments from the Local Planning Authority (Kirklees Council)

Appeal reference: APP/Z4718/W/25/3375000

Application reference: 2024/91242

Site: Land north east of, Shepley Road, Stocksmoor, Huddersfield, HD4 6XW

Description of development: Erection of residential development (50 dwellings) with associated access, parking, public open space, landscaping and infrastructure

Appellant: Newett Homes

Date: 6th January 2026

Introduction

1. The local planning authority (LPA) notes the publication of the consultation draft National Planning Policy Framework (NPPF), and the accompanying Written Ministerial Statement (WMS), on 16th December 2025.
2. The LPA has now submitted its Statement of Case for this appeal. The LPA reserves the right to elaborate on any relevant matters relating to the consultation draft NPPF and WMS in its proofs of evidence. However, in the light of the deadline of Tuesday 6th January 2026 which has been given by the Planning Inspectorate for any comments on this matter, the LPA has the following comments at this time.
3. The LPA's comments on the consultation draft NPPF and the WMS relate to those matters which are relevant to the Council's reasons for the refusal of the application and the planning balance, which are considered to be the main issues in this appeal.

LPA comments on the consultation draft NPPF and the WMS

Weight

4. The LPA considers that the WMS can be given significant weight, as a statement of the Government's priorities and intentions which provides background and context to the consultation draft NPPF.
5. However, the LPA considers that the draft NPPF, and the specific details of the policies therein, should be given only limited weight at this stage, as it is in draft form and subject to consultation, and may therefore be subject to change following the outcome of that consultation.

Reason for refusal 1

6. Nevertheless, it is noted that Policy TR6 of the draft NPPF remains broadly consistent with paragraph 118 of the current NPPF (published December 2024) insofar as it requires development proposals likely to generate significant amounts of movement to be supported by a transport assessment 'so that the likely impacts of the proposal...can be assessed and monitored'.
7. Furthermore, with reference to highway safety, which is one of the main issues in this appeal, it is noted that Policy TR6 of the draft NPPF states that:

"All development proposals should be capable of proceeding without having a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety, taking into account any mitigation measures proposed as well as any wider network improvements".

8. In this respect, it is considered that the intentions of the draft NPPF with regard to highway safety do not materially differ from the current NPPF which states, at Paragraph 116:

"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, following mitigation, would be severe, taking into account all reasonable future scenarios."

9. It is also noted that Policy TR6 of the draft NPPF states that:

“In assessing potential impacts, all reasonable future scenarios should be considered, taking into account impacts at different times of the day, potential cumulative impacts, multimodal trip generation and the promotion of sustainable modes of travel, and realising the transport vision for the development itself”.

10. In this case, it is considered that the proposed development would have an unacceptable impact on highway safety, and the application was refused on that basis. Whilst only limited weight is to be given to the draft NPPF at this stage, it is considered that, insofar as it refers to matters of highway safety, the draft NPPF does not indicate a significant intended change compared with the requirements of the current NPPF. The draft NPPF does not alter the LPA's conclusions regarding the unacceptable impact of the proposed development on highway safety, or the weight that should be given to this unacceptable impact as a harm in the planning balance.

11. The LPA's reason for refusal 1 also refers to the impacts on active travel users. The draft NPPF makes numerous references to promoting, supporting and prioritising sustainable transport and travel and enabling 'good accessibility for different users', including in Policies CC2, DP3, TR3 and TR4. Only limited weight is to be given to the draft NPPF at this stage. Nonetheless, it is considered to indicate an intention to continue with, and build on, the aims of promoting and prioritising non-car-based travel, including active travel, consistent with the current NPPF at paragraphs 115 and 117. In the light of this, the Council's concerns regarding the impacts of the proposed development on active travel users remain.

Reason for refusal 2

12. With regard to the use of planning obligations, the draft NPPF (Policies DM3 and DM6) are considered broadly consistent with the current NPPF (paragraph 56). The tests in paragraph 58 of the current NPPF are not specifically referred to in the draft NPPF but are nonetheless consistent with the legal tests for planning obligations in the CIL Regulations, and would therefore continue to apply in any event.

13. The draft NPPF refers to the provision of appropriate infrastructure necessary to make developments acceptable in planning terms, including with reference to improvements to public service infrastructure in Policy HC3. Policy TR6 of the draft NPPF refers to the provision of Travel Plans. With reference to the specific planning obligation requirements identified in this case, the draft NPPF is not considered to raise any material issues compared with the current NPPF and relevant Local Plan policies and guidance, including Supplementary Planning Documents.

Planning balance

14. In the context of the proposed changes to the NPPF, the WMS refers to “a permanent presumption in favour of suitably located development”, including “proposing a revised presumption in favour of sustainable development”.

15. Policy S3 of the draft NPPF states that “decisions on development proposals should apply a presumption in favour of sustainable development” and that this

means “Policy S4...should be applied when considering development proposals within settlements”. The appeal site is within the settlement of Stocksmoor.

16. Paragraph 1 of Policy S4 states that:

“Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework”.

17. In this case, the ‘tilted balance’ set out in paragraph 11.d) of the current NPPF already applies, and requires “granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole...”. For the reasons set out in the Officer Report and the LPA’s Statement of Case, it is considered that the adverse impacts of the proposed development in this case – with regard to the unacceptable impact on highway safety – significantly and demonstrably outweigh the benefits.

18. The wording of the ‘presumption in favour of sustainable development’ in the draft NPPF differs from that of paragraph 11.d) of the current NPPF. However, it is considered that only limited weight should be given to the draft NPPF at this stage. In any event, in the light of the unacceptable impact on highway safety and as the draft NPPF is considered broadly consistent with the current NPPF with regard to considering highway safety impacts as set out above, it remains the LPA’s conclusion that the harm arising as a result of the unacceptable highway safety impacts of the development is substantial and is determinative in the planning balance. Therefore, even were the revised test in the draft NPPF to be applied, the LPA considers that the benefits of the proposed development would be ‘substantially outweighed’ by the adverse effects with regard to highway safety, and with reference to the relevant policies in the draft NPPF, including Policy TR6 as cited above.

19. The WMS also refers to ‘building homes around stations’ and, amongst other things, states:

“we want to establish ‘in principle’ support – a “default yes” – for suitable proposals that develop land around rail stations within existing settlements...”

20. The appeal site is within a settlement and close to a rail station. However, the WMS refers to ‘suitable proposals’ in that context. In this case, for the reasons set out in the LPA’s submissions, the proposals in this case are not considered to be ‘suitable’, including with regard to their unacceptable impacts on highway safety. Therefore, this aspect of the WMS, and the policies in the draft NPPF referring to development close to rail stations, are not considered to lend support to the proposed development in this case.

Conclusion

21. The LPA considers that limited weight can be given to the draft NPPF at this stage, although greater weight can be given to the WMS as a statement of the Government’s intentions in that regard.

22. For the reasons set out above, and taking into account the limited weight to be given to the draft NPPF at this stage, the WMS and draft NPPF do not alter the LPA's conclusions regarding the proposed development.
23. The LPA reserves the right to make further reference to the WMS and/or the draft NPPF in its proofs of evidence.