



**Outline Application For
Proposed Dwelling
Adj. 2 Dam Head
Hinchliffe Mill
Holmbridge**

Introduction

This statement has been produced by AKPlanning in support of an outline planning application for the erection of a single dwelling on land adjacent to number 2 Dam Head, Hinchliffe Mill, Holmbridge.

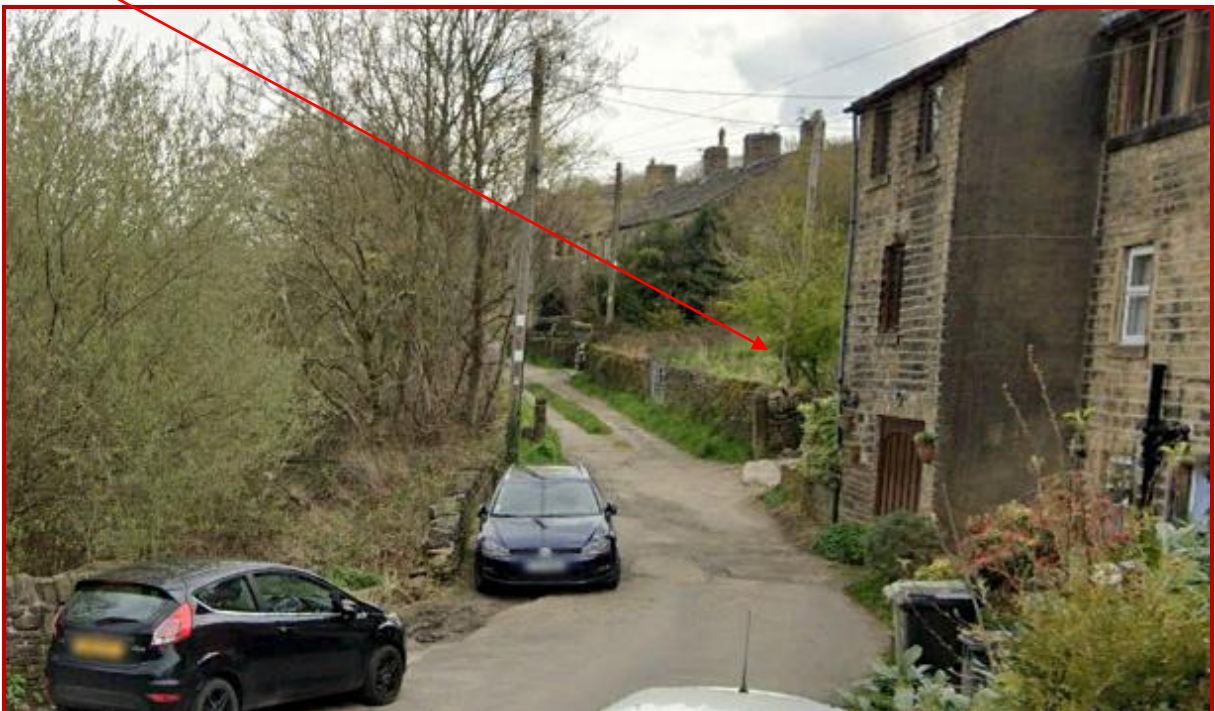
The statement will address the main planning principle issue which is Green Belt policy.

Site Location and Description

The aerial view below shows the sites location and appearance.



The site is an open field that has mostly been used for the grazing of horses.



Planning History

An outline planning application for two dwellings was submitted in August 2021. This application was refused for the following reasons: -

1. The proposed development would constitute inappropriate development in the Green Belt, which would unduly affect its openness, would conflict with one of the purposes of including land within Green Belts and would cause harm to its visual amenities. 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.

2. In the absence of a Heritage Impact Assessment which describes the significance of the affected designated heritage assets (Hinchcliffe Mill Conservation Area, No.1 Dam Head and No.5 Dam Head) and the contribution made by their setting, the application has failed to comply with the requirements of Paragraph 194 of the National Planning Policy Framework. Nonetheless, residential development on the site, including hardstanding, domestic paraphernalia and likely retaining walls, would urbanise a visually valuable open field thereby causing less than substantial harm to the significance of Hinchcliffe Mill Conservation Area and the Grade II listed building of No.1 Dam Head. Such urbanisation of this open and green site would also cause detrimental harm to the character and appearance of the area, as well as the visual amenities of the locality. 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.

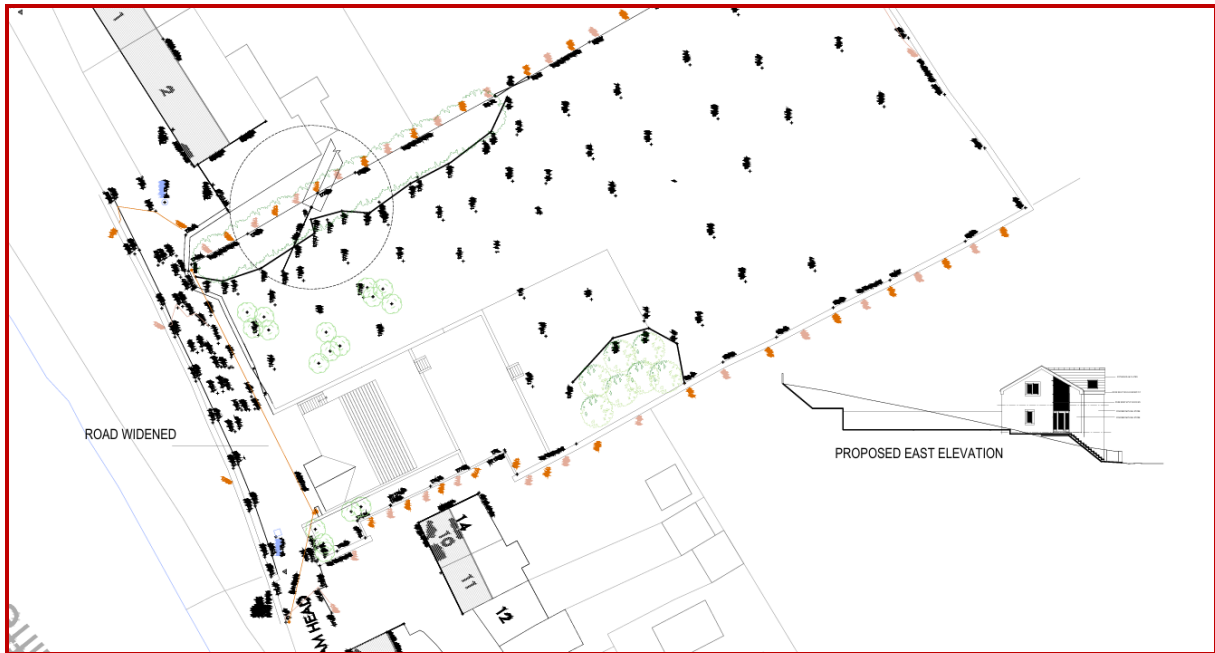
3. The application provides insufficient ecological information to determine whether the development could be undertaken without causing unacceptable harm to protected species and safeguard the Strategic Green Infrastructure Network. It would therefore conflict with Policies LP30 and LP31 of the Kirklees Local Plan, Policy 13 of the Holme Valley Neighbourhood Development Plan and Chapter 15 of the National Planning Policy Framework.

This was followed by another application for a single dwelling. This was refused for similar reasons, and this decision was subject to an appeal. The appeal was lost because of harm to the character of the area and on green belt grounds.

It is intended that this statement addresses the two matters identified as issues. A separate heritage impact assessment deals with this matter.

The Proposal

It is proposed to erect a new single dwelling as shown on the plan below. It is also intended to enhance the ecology of the rest of the site.



The application is in outline and any elevations etc. are shown for information purposes.

Relevant Planning Policy

National Policy

Green Belt

This has changed since the appeal, it now states: -

155. The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b. There is a demonstrable unmet need for the type of development proposed [56](#);*
- c. The development would be in a sustainable location, with particular reference to [paragraphs 110 and 115 of this Framework] [57](#);*

Grey belt is defined as: -

For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

Consideration of Green Belt Policy

In this section we will examine the requirements of paragraph 155.

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*

This is a small site within an existing village, this was concluded at appeal where the Inspector stated: -

6. The Framework does not define a 'village', and nor have I been provided with a definition from the development plan. The appeal site is located along Spring Lane/Dam Head which has a number of dwellings in the vicinity of the site. Although the site forms part of a field that extends to the south, in views along Spring Lane/Dam Head, it is seen amidst the linear form of development that extends towards Hinchcliffe Mill1. Whilst recognising that development can become more dispersed towards the edge of settlements, in this instance, due to the relationship of the site with built form either side, I consider the appeal site to be within the village.

Such a small development within an existing village cannot fundamentally undermine the purposes of the green belt.

We therefore can consider if the land is grey belt.

For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143

The land is an open field an unlikely to be considered previously developed. However, it does not "strongly contribute to any of purposes (a), (b), or (d) in paragraph 143" for the following reasons: -

Paragraph 143 states: -

143. Green Belt serves 5 purposes:

- (a) to check the unrestricted sprawl of large built-up areas;*
- (b) to prevent neighbouring towns merging into one another;*
- (c) to assist in safeguarding the countryside from encroachment;*
- (d) to preserve the setting and special character of historic towns; and*
- (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

Our comments are: -

- (a) to check the unrestricted sprawl of large built-up areas;*

The site is within an existing village, there is no sprawl

- (b) to prevent neighbouring towns merging into one another.*

Again, it within an existing village so there is no merging

- (d) to preserve the setting and special character of historic towns;*

There is no detrimental effect on any historic town.

We therefore believe that the site qualifies as grey belt and complies with paragraph 155 part (a).

Paragraph 155 part (b) states: -

b. There is a demonstrable unmet need for the type of development proposed

The February 2024 update of the five-year housing land supply position for Kirklees shows 3.96 years supply of housing land, and the 2022 Housing Delivery Test (HDT) measurement which was published on 19th December 2023 demonstrated that Kirklees had achieved a 67% measurement against the required level of housing delivery over a rolling 3-year period (against a pass threshold of 75%).

The Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement.

It is our conclusion that there is an unmet need for housing in Kirklees.

Paragraph 155 part c states: -

c. The development would be in a sustainable location, with particular reference to [paragraphs 110 and 115 of this Framework]

Paragraph 110 states: -

110. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

Paragraph 110 only applies to significant development, this is an application for a single dwelling.

Paragraph 115 considers, in more detail, transport and design of streets; it states: -

115. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

(a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;

(b) safe and suitable access to the site can be achieved for all users;

(c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code [48](#); and

(d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

The site is within an existing village and has ready access, via public transport on Woodhead Road, into Holmfirth. There are also sporadic shops, cafes and restaurants on Woodhead Road.

There is a safe and suitable access and no significant impact on the transport network.

It is our conclusion that the proposal complies with paragraph 155 of the NPPF and can be considered an exception and granted planning permission.

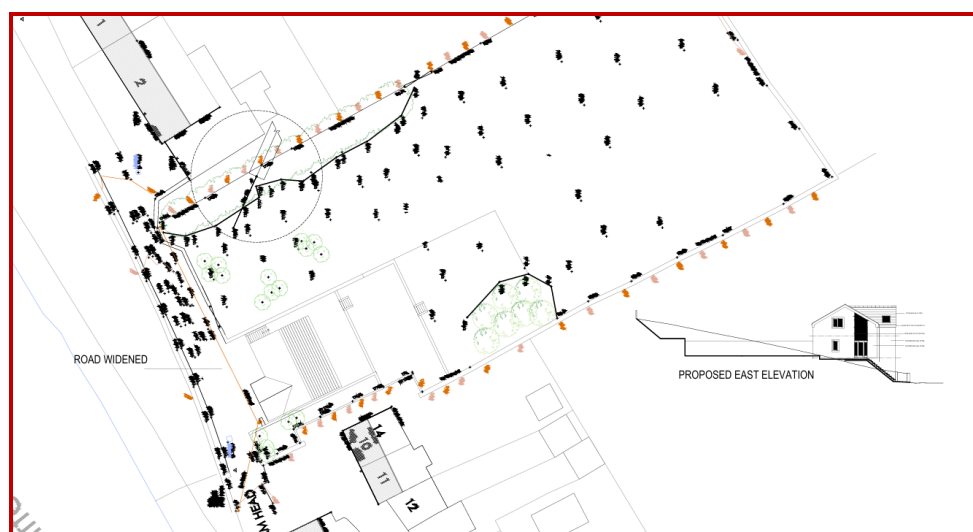
Design

The appeal Inspector stated the following on character and design: -

10. The appeal site is situated in a rural village where narrow lanes, the siting of properties to the edge of the highway, or a short distance back from it, as well as the traditional stone-built form of properties all contribute positively to the area's character.

11. The layout of the proposal would see the proposed dwelling set back significantly from the highway behind a parking area. This would not reflect the predominant built form where buildings are sited close to the highway, and the layout would therefore detract from the character of the area.

To address this issue the proposal has been re-sited in line with the dwellings adjacent that are near the highway, this now complies with the Inspector's assessment.



Conclusions

The site is within the village and is grey belt and can be granted as an exception under paragraph 155. This proposal has been re-sited to comply with the Inspectors comments. All matters have been dealt with and planning permission can be granted.

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RTPI

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