



Appeal Statement

Stocks Moor Road

Stocks Moor

Huddersfield

HD4 6XQ

Introduction

This statement has been prepared by AKPlanning in support of a planning appeal against the refusal of an outline planning application for the election of a single dwelling on land off Stocks Moor Road, Huddersfield.

The application was refused on the 1st July 2025 for the following reasons: -

1. The proposed development constitutes inappropriate development in the Green Belt, as it does not fall within any of the exceptions set out in Paragraph 154 and 155 of the National Planning Policy Framework (2024). The proposal would erode a sensitive rural edge, lacking containment, and would undermine the Green Belt's function in this location. The siting of the proposal would fundamentally undermine the purposes of the remaining Green Belt across the area of the plan in this case due to resultant encroachment into open countryside, thereby undermining the purpose of including land within the Green Belt to assist in safeguarding the countryside from encroachment set out in Paragraph 143(c). No very special circumstances have been demonstrated that would clearly outweigh the harm to the Green Belt and any other harm, and the development is therefore contrary to policies contained within Chapter 13 of the National Planning Policy Framework.

2. The proposed development, by reason of the siting and the introduction of built form into an undeveloped and prominent parcel of land, would result in undue harm to the open and rural character of the area. The proposal would fail to conserve and enhance the visual amenity and landscape character of the area, contrary to Policy LP24 and Chapter 12 of the National Planning Policy Framework 2024.

This statement will address these reasons.

We will be specific to the matters raised in the refusal so we would ask that the Inspector reads the supporting information provided with the application for all other matters.

The Appellant's Case

Reason Number 1

1. The proposed development constitutes inappropriate development in the Green Belt, as it does not fall within any of the exceptions set out in Paragraph 154 and 155 of the National Planning Policy Framework (2024). The proposal would erode a sensitive rural edge, lacking containment, and would undermine the Green Belt's function in this location. The siting of the proposal would fundamentally undermine the purposes of the remaining Green Belt across the area of the plan in this case due to resultant encroachment into open countryside, thereby undermining the purpose of including land within the Green Belt to assist in safeguarding the countryside from encroachment set out in Paragraph 143(c). No very special circumstances have been demonstrated that would clearly outweigh the harm to the Green Belt and any other harm, and the development is therefore contrary to policies contained within Chapter 13 of the National Planning Policy Framework.

This reason refers solely to a single element of Green Belt Planning Policy, namely paragraph 155 (a) which 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;

It is also clear from the reason that the LPA considers that the proposal only conflict with a single purpose of the Green Bely, namely paragraph 143 (c) which states: -

143. Green Belt serves five 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.

The LPA have accepted that the proposal complies with 4 out of the 5 purposes of the Green Belt, but have concluded that a new dwelling would encroach and therefore should be refused.

To some extent we agree that there would be encroachment. There always will be encroachment on any greenfield site that is approved under grey belt.

The policy test to be applied to any decision is not whether there is encroachment or not.

The policy test is this: -

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](#)*

It is agreed that parts b and c are complied with, part a states: -

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

It is also agreed that the site is grey belt as the definition of grey belt requires compliance with Green Belt purposes (a),(b) and (d). Thus the test that remains to be considered is that does this proposal encroach into the Green Belt so much so as to **fundamentally undermine the purposes taken together of the remaining green belt across the plan.**

It is our case that such a small site located adjacent to an existing settlement cannot fundamentally undermine the purposes taken together when the only issue is minor encroachment.

In support of this position, we cite three appeal examples on much bigger greenfield sites that encroach but do not fundamentally undermine.

1. Appeal Ref: APP/P1805/W/24/3356219 Land at south side of Houndsfield Lane, Hollywood B47 5QY (Appendix A) 50 dwellings, green field site
2. Appeal Ref: APP/M1520/W/24/3351658 Land adjoining 451-469 Daws Heath Road, Hadleigh, Essex SS7 2UG (Appendix B) 173 dwellings, green field site
3. Appeal Ref: APP/K3605/W/24/3352866 Former Weylands Treatment Works, Lyon Road, Walton-on-Thames, Surrey KT12 3PB (Appendix C) mixed development on part previously developed site.

These are 3 appeals for major developments that significantly encroach into the green belt but that do not fundamentally undermine the purposes when taken as a

whole. The Inspectors conclusions on the relevant matter are below (numbered as above): -

- 1. The erection of dwellings and a community building may have some impact on the purposes of the Green Belt, including the encroachment of development into the countryside. However, given the small scale of the appeal site and proposed development in relation to the Green Belt as a whole, it would not fundamentally undermine the purposes (taken together) of the remaining Green Belt within the plan area. The proposal therefore complies with requirement (a) of Framework Paragraph 155.*
- 2. It is common ground between the main parties that the proposal would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. The proposal relates to a small section of the much larger Green Belt.*
- 3. The Green Belt comprises approximately 57% of Elmbridge Borough Council. The development of the part of the Green Belt land that comprises the appeal site would not affect the ability of all the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way. I concur with EBC that the proposed development would have a moderate impact on Green Belt purpose c) regarding assisting in safeguarding the countryside from encroachment, and that no harm would arise to purpose e) regarding regeneration. I find that the proposed development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.*

The appeal Inspector has, in each of these cases, considered that much larger sites than this appeal, that are on the edge of settlements do not, because of their scale, undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.

It is therefore our conclusion that the site constitutes grey belt and complies with paragraph 143 and is therefore appropriate development and this appeal, on this ground, should be allowed.

Reason Number 2

2. The proposed development, by reason of the siting and the introduction of built form into an undeveloped and prominent parcel of land, would result in undue harm to the open and rural character of the area. The proposal would fail to conserve and enhance the visual amenity and landscape character of the area, contrary to Policy LP24 and Chapter 12 of the National Planning Policy Framework 2024.

The land is undeveloped, but then so are all greenfield sites that are then developed. The site is not particularly prominent, it has no special characteristics that make it stand out. It is on the edge of the Green Belt, but all the appeals we have cited are also on the edge and are of a much larger scale.

There is no undue harm to the character of the area as fields remain adjacent and dominate the character of the area. There are dwellings nearby and these have a similar setting to the proposal.

Conclusion

The site is grey belt and complies with the relevant Green Belt Policy. It is not particularly prominent, and the character of the area as a whole remains unchanged. We therefore request that this appeal is allowed.

*AKPlanning
147 Lane Top
Linthwaite
Huddersfield HD7 5SG*

*Contact: Andrew Keeling
E-mail: andrew@akplanning.co.uk
Mobile: 07500965645*



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Chartered Town Planner