

Wednesday, 02 July 2025

**Objection to Application 2025/60/91541/W**

**Site Address: Land off New Hey Road, Scammonden, Huddersfield, HD3 3FW.**

**Description: Outline application for erection of residential development (one dwelling)**

**Introduction:**

This objection letter relates to application 2025/60/91541/W, which is an outline planning application for 1no. new dwelling at Land off New Hey Road, Scammonden, Huddersfield, HD3 3FW.

This objection has been submitted on behalf of

The application site sits within the open countryside, within the Green Belt.

**Discussion of Scheme:**

**Green Belt:**

The application site lies within the Green Belt. The National Planning Policy Framework (NPPF, 2024) confirms that the construction of new buildings in the Green Belt is generally considered inappropriate development unless it falls within certain strict exceptions. Inappropriate development is, by definition, harmful to the Green Belt and “should not be approved except in very special circumstances”.

Paragraph 154 of the NPPF sets out limited exceptions, such as buildings for agriculture or forestry; appropriate outdoor recreation facilities; proportionate building extensions or replacements; limited infilling in villages; affordable housing for local needs; or the redevelopment of previously developed ‘brownfield’ sites that would not harm openness.

The 2024 NPPF also introduces the concept of ‘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 purposes (a), (b), or (d) in paragraph 143. However, Grey Belt policy does not create a general presumption in favour of development; it simply clarifies that such land may be less critical to Green Belt objectives. Development proposals on Grey Belt sites remain subject to the Green Belt policies in Chapter 13, including the requirement to demonstrate that development is not inappropriate or that very special circumstances exist to justify it.

In this case, the site does not qualify as Grey Belt land. It performs an important Green Belt role under purpose (b) – preventing neighbouring towns from merging into one another. The site lies within the relatively narrow Green Belt gap between Huddersfield and Newhey, and development here would erode this physical and visual separation, undermining the essential Green Belt function of maintaining distinct settlement identities and preventing coalescence.

Furthermore, the proposal is for a new open-market dwelling that does not meet any of the NPPF 154 exceptions. It is not for agriculture or forestry, not an outdoor leisure facility, not a limited infill within a village, nor a redevelopment of a previously developed site. It is simply a new house on open Green Belt land, which the NPPF considers inappropriate by default. No evidence has been provided of any very special circumstances (VSC) that could remotely outweigh the substantial Green Belt harm. The NPPF is clear that VSC will not exist unless the harm to the Green Belt (by reason of inappropriateness and any other harm) is “clearly outweighed by other considerations”.

The Kirklees Local Plan further reinforces this national policy position through Policy LP59 (‘Brownfield sites in the Green Belt’), which confirms that infilling within existing brownfield sites or partial/complete redevelopment will normally be acceptable only if, for infilling, it is a small gap within existing built form on the brownfield site, and for redevelopment, the extent of the existing footprint is not exceeded and there is no loss of land of high environmental value which cannot be mitigated or compensated. All proposals must respect design policies to ensure development does not materially detract from the Green Belt setting and must avoid intensification of use that would harm local road networks.

This proposal does not comply with Policy LP59 because it is not infill within existing built form nor redevelopment of an existing brownfield footprint. It represents a wholly new residential intrusion into open Green Belt land with no justification under local or national policy.

In this case, there are no overriding considerations – no identified local need or public benefit – that would clearly outweigh the Green Belt harm. Allowing an unjustified dwelling here would undermine national policy and the Kirklees Local Plan’s Green Belt strategy. The proposal therefore conflicts with paragraphs 153-157 of the NPPF, Policy LP59 of the Kirklees Local Plan, and the fundamental purpose of Green Belt policy to maintain openness and prevent towns from merging.

In summary, the development constitutes inappropriate development in the Green Belt, no very special circumstances have been demonstrated, and although the 2024 NPPF recognises the concept of Grey Belt land, this site does not meet that definition due to its clear contribution to purpose (b). This alone is grounds for refusal.

**Principle of Development:**

The proposed application site is located within open countryside, far removed from any defined settlement boundary. It does not form part of an established village, town, or any recognised cluster of buildings. As such, approval of this application for isolated housing in such a location would directly contradict both national and local policies aimed at promoting sustainable, planned growth. The National Planning Policy Framework (NPPF) (2024) in Paragraph 84 strongly discourages the development of isolated homes in the countryside, unless specific exceptions apply. These exceptions are generally limited to cases such as housing for a rural worker with an essential need to live on-site, the reuse of an existing building, the subdivision of an existing dwelling, or a design of exceptional quality that stands out from the surrounding environment.

The proposed dwelling clearly does not meet any of these criteria. It is neither intended to accommodate a rural worker nor involves the reuse of a redundant building, nor does it present any unique or innovative architectural design. Instead, this is a speculative proposal for residential development in a rural location, which national policy seeks to avoid. Furthermore, the Kirklees Local Plan also directs development towards existing settlements, in line with the need for sustainable growth patterns that balance development with the preservation of the countryside.

Policy LP1 promotes sustainable development, and Policy LP2 requires that development reflect the size, function, and character of the settlement in which it is located.

Introducing a new dwelling on this undeveloped site, which is located in a rural setting far from any settlement, is wholly inconsistent with these policies. It does not respond to the character or function of any nearby settlement but rather represents urban sprawl encroaching into the open countryside. The Local Plan's spatial strategy prioritises development on previously-developed (brownfield) sites and within existing settlements, with the lowest priority given to sites that are isolated or detached from these settlements, unless compelling circumstances are demonstrated.

This proposal reflects the type of unplanned, dispersed growth that the Local Plan actively seeks to prevent. The application site is not allocated for development in the Local Plan, nor is it classified as "safeguarded land" for future development (Policy LP6). It is simply an undeveloped area within the Green Belt, where new housing is neither anticipated nor supported by the plan's spatial strategy. Approving this proposal would undermine Local Plan Policies LP1, LP2, and LP6 and the plan-led approach as outlined in NPPF Paragraph 15, which emphasises the need for development to adhere to a spatial strategy that fosters sustainable growth.

The location of the site is demonstrably unsustainable, further reinforcing the case against this proposal. It is located a significant distance from essential services and facilities. There are no shops, schools, healthcare facilities, or employment opportunities within reasonable walking distance. Furthermore, public transport options are virtually non-existent in this rural area. As a result, future residents of the proposed dwelling would be heavily reliant on private car travel for their day-to-day needs, which contradicts the core principles of sustainable planning and transport.

NPPF Paragraph 110 (2024) outlines that developments should be concentrated in locations that are or can be made sustainable. These locations should provide opportunities to limit the need for travel and offer a range of transport choices. The proposal, located in this isolated rural area, fails to comply with these objectives. It would exacerbate reliance on private car usage, creating a pattern of unsustainable travel. Policy LP20 of the Kirklees Local Plan, which addresses sustainable travel, stipulates that new development must be located in a manner that reduces the demand for travel, ensuring that essential services and amenities can be accessed through sustainable modes of transport rather than by private car.

This proposal does not meet the requirements of this policy. It is neither close to any local amenities nor served by public transport, and there are no provisions included in the application to enhance its sustainability credentials. Approving this isolated dwelling would conflict with both the national policy objectives in NPPF Paragraphs 84 and 105, which advocate for sustainable rural development and transport, as well as the objectives of the Kirklees Local Plan, particularly Policies LP1 and LP20, which aim to reduce car dependency and promote sustainable living.

In conclusion, the location of the proposed site is inherently unsustainable, and its approval would significantly undermine the principles of sustainable development as set out in both national and local policy. The future residents would have no option but to rely on private car travel for almost all their daily needs, a situation that runs counter to the broader objectives of sustainable development. This is a critical factor in the refusal of the application.

#### **Landscape:**

The proposed dwelling would have a substantial and detrimental impact on the landscape character and visual amenity of this area. The site is located within an attractive and relatively unspoiled

stretch of open countryside in Scammonden, characterised by extensive green fields and far-reaching views that contribute to the rural charm of the region. This part of the landscape, devoid of significant development, provides a scenic and tranquil environment that is integral to the area's character. Introducing a new building, along with associated features such as a driveway, domestic curtilage, and other paraphernalia, would irreversibly alter this rural landscape, transforming it into an urbanised, domesticated space.

The development would fundamentally erode the open character of the Green Belt in this location, disturbing the visual continuity and scenic value of the landscape. The National Planning Policy Framework (NPPF) places a strong emphasis on protecting the intrinsic character and beauty of the countryside. Specifically, NPPF 174(b) (2024) highlights the importance of safeguarding "the intrinsic character and beauty of the countryside," while NPPF 187(a) calls for the protection and enhancement of valued landscapes. While the site may not fall within a formally designated landscape, it nonetheless plays a crucial role in maintaining the aesthetic quality of the countryside that exists between settlements. This is an area that the Local Plan specifically seeks to protect from intrusive development, as it contributes to the overall scenic quality of the landscape.

In accordance with Local Plan Policy LP32 ("Landscape"), development proposals should be designed with careful regard to the landscape character of the area, and efforts should be made to enhance the existing landscape where possible. The policy also requires that developments respect the setting of settlements and integrate harmoniously with their surroundings. In contrast, this proposal would introduce a stark and intrusive built form within a currently undeveloped landscape. The introduction of a dwelling in this location would disrupt the visual unity of the surrounding countryside, diminishing the rural setting of nearby properties such as Hind Hill. Rather than enhancing or even maintaining the existing landscape character, this development would result in a significant, out-of-place encroachment, alien to its surroundings.

Moreover, the development would result in a tangible and irreversible reduction in the openness of the Green Belt in this area. The construction of even a single dwelling, with its associated garden, driveway, and parking areas, would represent a significant intrusion into the previously open land, eroding its undeveloped nature. The NPPF attaches great importance to maintaining the openness of the Green Belt, emphasising that any harm to its openness must carry substantial weight. The harm caused by this proposal would be significant, as the currently undeveloped hillside, visible from public footpaths, local viewpoints, and from New Hey Road, would be replaced with a domestic property and its paraphernalia. The introduction of such built development would be a marked contrast to the surrounding open land, undermining the area's inherent openness.

The proposal also conflicts with key paragraphs in the NPPF, including paragraph 152, which stresses the importance of protecting the countryside environment, and paragraph 158, which highlights the need for significant weight to be given to improving landscapes and green spaces when Green Belt land is considered for development. This development would, therefore, contradict the NPPF's strategic objectives for the protection of Green Belt land and rural landscapes. Furthermore, the proposal directly contravenes Kirklees Local Plan policies LP24(a) and LP32, both of which call for development to respect and enhance the townscape and landscape character. Policy LP24(a) specifically requires proposals to respect the form, scale, and details of the surrounding environment, ensuring that new development is sympathetic to its context. This proposal fails to meet these requirements, causing unacceptable harm to the landscape and visual amenity of the area.

In conclusion, this development would undermine the intrinsic rural character and openness of the site, diminishing the visual amenities enjoyed by local residents and the wider public, including those using nearby footpaths and roads. The visual intrusion of a discordant new dwelling would have a significant adverse effect on the local landscape. This harm to both the landscape and visual amenity further strengthens the case for refusal, in line with NPPF paragraphs 130, 174, and 152, as well as Local Plan policies LP24, LP32, and LP35, the latter of which seeks to protect heritage and landscape features.

### **Highways and Access Safety Concerns**

The proposed development raises significant concerns regarding highways and access, which have not been adequately addressed by the applicant. Safe access to the site appears to be problematic, particularly given the characteristics of the surrounding road infrastructure. The land in question is accessed from New Hey Road (the A640), which is a rural highway with sections subject to national speed limits, limited street lighting, and potential visibility issues caused by the road's curvature and gradient. These features raise serious questions about whether a new access point or junction can be safely established.

The applicant has not provided any detailed plans or assessments regarding how a new access point or junction would be constructed, nor have they demonstrated that the required visibility splays can be achieved. The absence of this critical information leaves significant uncertainty about whether safe access for vehicles can be provided, both for residents entering and exiting the site and for fast-moving through traffic on New Hey Road. Creating a driveway access in this location could introduce risks of collision and pose a danger to both residents and other road users.

Local Plan Policy LP21 ("Highways and Access") requires that development proposals demonstrate safe and suitable access for all users, stating explicitly that "new development will normally be permitted only where safe and suitable access to the site can be achieved for all people." The policy also stipulates that any proposed development must not result in "residual cumulative impacts on the network that are severe," and any potential adverse impacts on highway safety must be mitigated. These provisions reflect the broader guidance provided by the National Planning Policy Framework (NPPF), particularly paragraph 115, which requires that "safe and suitable access to the site can be achieved for all users" when assessing development proposals.

However, in this case, the applicant has failed to provide the necessary technical information to demonstrate that a safe and suitable access can be achieved. There is no professional Highways statement, no visibility splay drawing, and no traffic speed survey included in the application. These omissions prevent the Council from being able to assess whether the proposal would allow for safe entry and exit to the site, or whether it could create unacceptable safety risks. Without this information, the application cannot be considered in line with the NPPF or Local Plan policies that emphasise road safety.

Furthermore, the introduction of new dwellings at this location could increase turning movements on an already fast stretch of New Hey Road, thereby increasing the potential for traffic accidents. The NPPF (paragraphs 115 and 116) makes it clear that developments should be refused if they result in an unacceptable impact on road safety, and this development, as proposed, has not demonstrated that such an impact can be avoided or mitigated.

Additionally, the steep gradient and rural nature of the access may create accessibility issues for emergency vehicles, as well as for pedestrians and cyclists, especially given the likely absence of footways along New Hey Road. This raises further concerns about the ability of the proposed

development to meet the needs of all users, including vulnerable road users and emergency services.

In conclusion, the application fails to demonstrate compliance with NPPF paragraphs 115-116 and Kirklees Local Plan Policy LP21. Approving the development in the absence of appropriate highways evidence would be contrary to the Council's duty to ensure highway safety and would put both residents and other road users at significant risk.

### **Ecology and Biodiversity Net Gain:**

The application is significantly deficient in terms of ecological assessment and fails to provide the necessary information to evaluate its potential impact on local biodiversity. The site in question is greenfield land, likely comprising a range of semi-natural habitats such as grassland, hedgerows, trees, and other vegetation types. These features have the potential to support a variety of local wildlife, including birds, bats, small mammals, and invertebrates. Despite the clear ecological value of the site, the applicant has failed to submit any ecological report, habitat survey, or assessment regarding the potential impacts of the development on biodiversity. This omission is critical, as both the National Planning Policy Framework (NPPF) paragraph 186 (2024) and Local Plan Policy LP30 require planning decisions to minimise adverse effects on biodiversity and, where possible, deliver net gains for biodiversity.

Local Plan Policy LP30, which focuses specifically on Biodiversity & Geodiversity, mandates that development proposals must assess and avoid harm to biodiversity. Furthermore, it emphasises the need to minimise impacts and promote biodiversity net gain through good design, including opportunities for habitat creation and enhancements. In this instance, there is no evidence to suggest that the applicant has given any consideration to biodiversity in the design of the proposed development. The application does not include an ecological survey to identify the species or habitats present on the site, nor has it assessed the potential harm that the development may cause to these ecological assets. This failure to address the potential risks, such as the removal of mature vegetation or disturbance to local wildlife, demonstrates a disregard for both local and national policies aimed at protecting and enhancing biodiversity.

Furthermore, as of November 2023, the Environment Act 2021 imposes a mandatory requirement for new development to deliver Biodiversity Net Gain (BNG), stipulating a minimum of 10% net gain in habitat value. The NPPF (2024) reinforces this requirement by stating that planning should "provide net gains for biodiversity" and "identify and pursue opportunities for securing measurable net gains." However, this application lacks a Biodiversity Net Gain assessment or proposal. Without a baseline ecological survey, it is impossible to calculate the net gain in biodiversity, let alone demonstrate compliance with the statutory 10% enhancement. As such, the application fails to meet the BNG requirements, which is a fundamental policy failure.

Additionally, Local Plan Policy LP31 (Strategic Green Infrastructure Network) stipulates that development should not only protect but also enhance and integrate with green infrastructure networks. The application provides no information on how it might preserve or improve ecological corridors or integrate with the surrounding green infrastructure. This lack of consideration for green infrastructure further exacerbates the proposal's failure to meet local planning expectations.

In conclusion, the application is fundamentally flawed due to the absence of critical ecological information. Without an ecological survey or assessment of biodiversity impacts, it is impossible to make an informed decision regarding the potential harm to local wildlife and habitats. Approving the application in its current form would be inconsistent with both local and national policies, which

prioritise the protection of biodiversity and the delivery of measurable net gains. As such, the failure to adequately address ecological concerns constitutes a clear and justifiable reason for refusal.

### **Residential Amenity:**

The proposed dwelling would be situated in close proximity to the existing residential property known as Hind Hill. This raises significant concerns regarding overbearing impact, overlooking, and the potential loss of privacy for the occupiers of Hind Hill. Although the proposal is in outline form and lacks detailed plans, the addition of a new two-storey dwelling in this location is likely to create an imposing presence, with a direct line-of-sight into Hind Hill's living spaces or garden.

In line with Kirklees Policy LP24(b), which mandates that developments should "provide a high standard of amenity for future and neighbouring occupiers, including maintaining appropriate distances between buildings," it is evident that the proposed dwelling would struggle to meet this requirement. The separation distance to Hind Hill is likely inadequate to prevent overlooking, particularly if the new dwelling is situated on higher ground, as the topography in this area is sloping. Furthermore, the massing of the new building and the intended use of the site would likely result in an overbearing impact on Hind Hill, which currently enjoys an open aspect.

There is a substantial risk of overshadowing or loss of light, and at the very least, a loss of the sense of openness that the property currently benefits from. No evidence has been provided to demonstrate that acceptable separation distances can be achieved or that the amenity of Hind Hill would be preserved. In the absence of such information, it must be assumed that the proposal would cause significant harm to residential amenity.

This directly conflicts with Local Plan Policy LP24(b) and paragraph 130 of the NPPF, which calls for developments to create environments with a high standard of amenity for both existing and future users. The Council has a duty to protect residents from oppressive developments that invade privacy. Based on these concerns, the proposal fails to safeguard the amenity of the neighbouring resident and is therefore unacceptable.

### **Conclusion:**

In conclusion, the proposed development fails to meet a number of critical national and local planning policies, and as such, should be refused.

Firstly, the site is located within the Green Belt, and the proposal constitutes inappropriate development that would harm the Green Belt's openness and function. It does not meet any of the NPPF's strict exceptions for development in the Green Belt, and no very special circumstances have been demonstrated to outweigh the substantial harm. The proposal also does not comply with the Kirklees Local Plan's policies on Green Belt protection, further reinforcing the unsuitability of the location for this type of development.

Secondly, the development is located in a highly unsustainable position, isolated from essential services and public transport, which would create significant reliance on private car travel. This is in direct contradiction to the principles of sustainable development outlined in the NPPF and the Kirklees Local Plan. The proposal is inconsistent with national and local policies designed to promote sustainable growth and reduce the environmental impact of car dependency.

In terms of landscape and visual amenity, the proposed dwelling would have a detrimental impact on the local countryside, eroding the open and scenic character of the area. The development would introduce a built form that is entirely out of character with the surrounding rural landscape, and it

would reduce the openness of the Green Belt, contrary to national and local policies aimed at preserving such environments.

The application also raises significant concerns about highways and access safety. The absence of detailed plans and assessments regarding the access point and visibility splays raises serious questions about the safety of the development. The lack of this crucial information means the proposal cannot be assessed in line with safety standards outlined in both national and local policies.

Moreover, the application fails to address critical ecological concerns. Without an ecological survey or assessment, the potential impact on local biodiversity cannot be properly evaluated. The absence of a Biodiversity Net Gain proposal further compounds this failure, as the development does not demonstrate any efforts to mitigate or enhance the ecological value of the site, contrary to both national and local policy requirements.

Finally, the proposal would have a significant adverse impact on the residential amenity of the nearby property, Hind Hill, through overlooking, overbearing impact, and potential loss of privacy. The lack of detailed information on separation distances and design means the development cannot be considered to protect the amenity of neighbouring residents, in conflict with Kirklees Local Plan Policy LP24(b) and national guidance.

Given these multiple, significant policy conflicts and the absence of mitigating factors, the application should be refused on the grounds of harm to the Green Belt, the unsustainable location, negative landscape impact, highways safety concerns, ecological harm, and detrimental effects on residential amenity.