

Permission in Principle application for one dwelling

Land to rear of 220 Raikes Lane
East Bierley
BD4 6RD

Planning Statement

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1. Application Site

- 1.1 The application site is an area of garden to the rear of 220 Raikes Lane extending to 0.05 ha and includes an area of hardstanding, a garden building constructed under permitted development rights in 2019; and a grassed garden area with trees and shrubs. There is existing tree planting along the eastern, southern and western boundaries of 200 Raikes Lane. Beyond the northern boundary is a woodland area. The site is within Kirklees Council area.
- 1.2 The application site is 30 metres to the south of the boundary of Bradford Metropolitan Council with Kirklees Council, the position of which is along the centre of Toftshaw Lane.

2. Proposed Development

- 2.1 Permission in Principle is sought for the construction of one dwelling on the application site. A site location plan is provided to demonstrate the location of the proposed dwelling, which would be served by the existing access to 220 Raikes Lane off Raikes Lane.

3. Planning History

- 3.1 2017/62/90347/E: Erection of detached dwelling. Refused 05/07/18.
- 3.2 2008/90376: Erection of 2 bedroom dormer bungalow. Refused.

4. Planning Policy and Principle of Development

Permission in Principle Route

- 4.1 This application is made under the Permission in Principle (PIP) route. A PIP application has two stages; the first is the Permission in Principle application which seeks to establish whether the principle of development on a site is acceptable. A successful PIP application can then be followed by the second stage; a 'technical details consent' when details of the development proposals are submitted and assessed, including matters such as highways, design and landscaping.

Planning Policy Position

- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that local planning authorities must determine planning applications in accordance with the planning policies contained within the Development Plan unless material considerations indicate otherwise. The Kirklees Local Plan Strategy and Policies was adopted in February 2019.
- 4.3 The Kirklees Local Plan is unable to demonstrate a five-year supply of housing, and therefore paragraph 11(d) of the NPPF is engaged. Paragraph 11(d) states that permission should be granted unless the application of policies in the Framework that protect areas or assets (including Green Belt designation) of particular importance provides a strong reason for refusing development or where any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework.

Green Belt and Grey Belt

- 4.4 Where it refers to Green Belt, paragraphs 19.4 to 19.8 of the Kirklees adopted Local Plan 2019 refer to the National Planning Policy Framework (NPPF) and the five purposes it serves. The revised NPPF, published in December 2024 includes updated Grey Belt circumstances that were not published at the time the Kirklees Local Plan was adopted. This application would therefore fall to be determined against section 13 of the NPPF 'Protecting Green Belt land'.

- 4.5 Paragraph 153 at section 13 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Exceptions to definition of harmful development in the Green Belt are set out at paragraphs 154 and 155 of the NPPF.
- 4.6 Paragraph 155 of the NPPF sets out that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate development 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;*
 - c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
 - d. Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157.*

Paragraph 155a – Green Belt Purposes

- 4.7 In accordance with paragraph 155a of the NPPF “*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*”.

- 4.8 Grey Belt is defined in the NPPF (under the Glossary definition at Annex 2) as follows;

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 policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

- 4.9 Paragraph 005 of the Planning Practice Guidance (PPG) on Green Belt provides guidance on making judgements as to whether land is grey belt, stating that authorities should consider the contribution that assessment areas make to Green Belt purposes a, b and d. For development on the application site not to fundamentally undermine the purposes (taken together) of the remaining Green Belt across the plan area the definition of ‘grey belt’ requires that the land to be developed does not strongly contribute to any of purposes (a), (b) or (d) in paragraph 143 of the NPPF.

Green Belt purpose A:

- 4.10 Green Belt purpose A is “*to check the unrestricted sprawl of large built up areas*”. Paragraph 005 of the Planning Practice Guidance (PPG) on Green Belt states that this purpose relates to the sprawl of large built up areas. The PPG goes on to describe a “strong contribution” to Green Belt under purpose A as follows;

“Assessment areas that contribute strongly are likely to be free of existing development, and lack physical feature(s) in reasonable proximity that could restrict and contain development. They are also likely to include all of the following features:

- *Be adjacent or near to a large built up area*
- *If developed, result in an incongruous pattern of development (such as an extended “finger” of development into the Green Belt)”*

- 4.11 The application site is not free from existing development – it is a garden area with a garden building and hardstanding. The site has physical features that would restrict and contain development in the form of a public highway to the east, the driveway to 220 Raikes Lane to the north and boundary with the neighbouring property to the south. The site if developed would not result in an incongruous pattern of development (such as an extended “finger” of development in the Green Belt) as it would be set within an existing residential garden area, to the north of another residential property, contained by the existing boundaries. The site does not therefore strongly contribute to Green Belt purpose A.

Green Belt purpose B:

- 4.12 Green Belt purpose B is *“to prevent neighbouring towns merging into one another”*. Paragraph 005 of the PPG on Green Belt states that this purpose relates to the merging of towns, not villages. The PPG goes on describe a “strong contribution” to Green Belt under purpose B as follows;

“Assessment areas that contribute strongly are likely to be free of existing development and include all of the following features;

- Forming a substantial part of a gap between towns*
- The development of which would be likely to result in the loss of visual separation of towns”*

- 4.13 The application site is not free of existing development as the site contains a garden building and an area of hardstanding. The application site is small and therefore does not form a substantial part of a gap between towns. The site is north of the village of East Bierley, and south of Bradford. The small amount of development that would be provided on the site would not result in the loss of visual separation of towns. The site does not therefore strongly contribute to purpose B of the Green Belt.

Green Belt purpose D:

- 4.14 Green Belt purpose D is *“to preserve the setting and special character of historic towns”*. The PPG on Green Belt states that this purpose relates to historic towns, not villages. The PPG goes on to describe a “strong contribution” to Green Belt under Purpose D as follows;

“Assessment areas that contribute strongly are likely to be free of existing development and to include all of the following features:

- Form part of the setting of the historic town*
- Make a considerable contribution to the special character of a historic town. This could be (but is not limited to) as a result of being within, adjacent to, or of significant visual importance to the historic aspects of the town.”*

- 4.15 The application site is not free of existing development as the site contains a garden building and hardstanding. The application site is to the south of the city of Bradford and north of the village of East Bierley, neither of which is a historic town. There are no conservation areas in close proximity in either Bradford or East Bierley. The application site does not therefore form part of the setting of a historic town, or make a considerable contribution to a historic town. It is therefore the case that the application site does not strongly contribute to purpose D of the Green Belt.
- 4.16 Although the PPG directs consideration of Grey Belt to purposes A, B and D, paragraph 155a of the NPPF refers to development not fundamentally undermining the purposes (taken together) of the remaining Green Belt across the area of the plan. The very small scale of the application site, it not being free of development, and its firm boundaries that would contain development and prevent sprawl beyond those boundaries, is such that development on this site would not fundamentally undermine the purposes of the remaining Green Belt across the area of the plan, both within Kirklees and the neighbouring Bradford. In conclusion the development would utilise grey belt land and would not fundamentally undermine the purposes of the Green Belt, complying with paragraph 155a of the NPPF.

Paragraph 155b – Demonstrable unmet need

- 4.17 In accordance with paragraph 155b of the NPPF *“There is a demonstrable unmet need for the type of development proposed”*.
- 4.18 The following wording taken from page 8 of the Officer Report for application reference 2025/92491 dated 8th October 2025 confirms the Council’s position with regard to the provision of housing within Kirklees, and that there is a demonstrable unmet need for the type of development proposed;
- 4.19 *“It is appropriate to consider the Local Planning Authority’s overall housing position. The 2023 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%).*
- 4.20 *As 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 necessary to consider planning applications for housing development in the context of NPPF paragraph 11 which triggers a presumption in favour of sustainable development.....”*
- 4.21 This proposal is for housing and there is a demonstrable unmet need for housing in Kirklees. The development would contribute, albeit on a small scale, to the provision of housing in the authority, therefore complying with paragraph 155b of the NPPF.

Paragraph 155c – Sustainable Location

- 4.22 In accordance with paragraph 155c of the NPPF; *“The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework.”*

- 4.23 Paragraph 011 of the Planning Practice Guidance (PPG) ‘Proposals on Grey Belt Land’ sets out that when making decisions regarding planning applications on grey belt land, authorities should ensure that the development would be in a sustainable location. The PPG goes on to note that whether locations are sustainable should be determined in light of local context and site or development-specific considerations. However, in reaching these judgements the PPG states that national policy is clear that authorities should consider opportunities to maximise sustainable transport solutions, as set out in paragraphs 110 and 115 of the NPPF.
- 4.24 Paragraph 110 of the NPPF sets out that 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. In this case the proposal is for one dwelling and is not a ‘significant development’ however the objectives of a sustainable location are nevertheless a consideration under paragraph 155c. Paragraph 110 also notes that the 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.
- 4.25 Paragraph 115 of the NPPF sets out that in assessing specific applications for development it should be ensured that, amongst other things, sustainable transport modes are prioritised and safe and suitable access to the site can be achieved for all users.
- 4.26 The application site is in a sustainable location. The site is just 0.1 miles from ‘Tong Street Toftshaw Moorside’ bus stops to the North sited in the Bradford Council area; and 0.3 miles from the ‘East Bierley Raikes Wood Drive’ bus stops outside 202 Raikes Lane to the south. Regular bus services 256, 263, 283 and 283A run between Dewsbury and Bradford. In Bradford there are two railway stations where regular trains run to Ilkley, Leeds, Skipton with forward links onto train services to locations beyond.
- 4.27 In addition to the sustainable transport links, the application site is close to a wide variety of shops and services. Examples are the Avenue Retail Park only 0.3 miles

away along a pedestrian footpath. Shops, takeaways, a chemist, pubs and cafes on Tong Street and Bradford Road, both locations are accessible on foot, by public transport or private car. There is a popular secondary school, Trinity Academy, just 0.3 miles to the north and a thriving primary school at East Bierley to the south.

- 4.28 There are opportunities for pedestrians to walk into the City of Bradford or the village of East Bierley along existing pavements on all roadsides providing safe access for pedestrians. There is a public right of way leading from the existing dwelling at 220 Raikes Lane east through the woods and then opening out onto East Bierley Golf Club where you can walk to the cricket club and local pub.
- 4.29 It is less than a ten minute drive to Low Moor Railway Station, where there are direct trains to London with car parking to leave your vehicle if necessary. There is easy access to the M62 which connect to the M1.
- 4.30 The proposal is for a small development within close walking distance of bus services and a range of services, facilities and further public transport connections available in Bradford. The application site is therefore in a sustainable location and accords with paragraph 155c of the NPPF.

Paragraph 155d – ‘Golden Rules’

- 4.31 Paragraph 155d relates to ‘Golden Rules’ and states that; *“Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.”*
- 4.32 Paragraph 156 of the NPPF states that where major development involving the provision of housing is proposed on land released from Green Belt, certain contributions (‘Golden Rules’) should be made. Major housing development consists of 10 houses or more. The proposed development is for the construction of 1 house, therefore falling below the major threshold and therefore not requiring compliance with the ‘Golden Rules’. Paragraph 155d is therefore not relevant to this application.

5. Heritage Assessment

- 5.1 As set out at paragraph 4.4 of this document, paragraph 11(d) of the NPPF is engaged in this application. Paragraph 11(d) states that permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provide a strong reason for refusing development or where any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework. Footnote 7 to paragraph 11(d) sets out those policies in the framework that provide a strong reason for refusing the development proposed, referencing *“designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75)”*. Footnote 7 relates to *“Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets”*.
- 5.2 There are no heritage assets within close proximity of the development site.

6. Highways

- 6.1 The technical details stage 2 application will include detail about the access, parking and turning. Access to the new dwelling will be from the existing access off Raikes Lane where the speed limit is 30mph. Raikes Lane connects South View Road to Toftshaw Lane and in addition to the 30mph speed limit there is traffic calming along its length. Comments made in the Highways Consultation response dated 08/03/17 about previously submitted application 2017/90347 have been noted and will be addressed.

7. Other matters

- 7.1 Matters relating to design, materials, landscaping, highways and neighbouring privacy and amenity are subject to consideration at technical details stage.

8. Conclusion

- 8.1 The proposal is for formation of a single dwelling in a sustainable location. Development in this location would contribute to the supply of housing in an area that does not have a five year housing supply of deliverable sites. There are no adverse impacts that would significantly and demonstrably outweigh the benefits of providing residential development on this site; the proposal therefore accords with paragraph 11(d) of the NPPF and planning permission should be granted.