

## DC Admin

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**From:**  
**Sent:** 19 March 2026 10:06  
**To:** DC Admin  
**Subject:** 2025/60/93572/E - objection to application

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This submission is made as a further addendum to my original objection to planning application 2025/60/93572/E at Upper Cumberworth, off Barnsley Road.

In addition to the concerns previously raised, I wish to explicitly reference relevant policies within the Kirklees Local Plan, alongside national policy, to demonstrate the clear and significant conflict between this proposal and the adopted development plan.

### **1. Conflict with Green Belt Policy (Kirklees Local Plan Policy LP12)**

Policy LP12 of the Kirklees Local Plan sets out that the Green Belt will be protected from inappropriate development, in line with national policy. The application site lies within designated Green Belt, where the overriding objective is to preserve openness and prevent encroachment into the countryside.

The proposed development constitutes inappropriate development in the Green Belt and therefore causes definitional harm. It would:

- Reduce openness through the introduction of built form;
- Extend development into an undeveloped rural area; and
- Undermine the permanence of the Green Belt boundary.

This is in direct conflict with Policy LP12 and Paragraphs 142–153 of the NPPF. No very special circumstances have been demonstrated that would outweigh this harm.

### **2. Harm to Landscape Character (Policy LP29 – Landscape)**

Policy LP29 requires that development proposals respect and enhance the character of the landscape, including its scenic quality, local distinctiveness, and visual amenity.

The site forms part of an open rural landscape that contributes positively to the character of Upper Cumberworth and its setting. The proposed development would introduce an urbanising form of development into this landscape, resulting in:

- A loss of rural character and tranquillity;
- A visually intrusive form of development; and

- A degradation of the area's intrinsic landscape value.

The site is particularly sensitive due to its visibility from elevated vantage points, including the Dearne Way footpath and areas adjacent to ancient woodland. These locations act as important visual receptors, offering wide and valued views across the countryside.

The development would interrupt these views, break the skyline, and erode the sense of openness, resulting in significant adverse effects on visual amenity. This is clearly contrary to Policy LP29 and Paragraph 180 of the NPPF.

### **3. Impact on Heritage and Key Views (Policy LP30 – Historic Environment)**

Policy LP30 seeks to protect heritage assets and their settings, including important views that contribute to their significance.

The view of the local church spire is a defining and valued feature within the landscape, contributing to the identity and historic character of the area. The proposed development would intrude into and disrupt these important sightlines, particularly from elevated public viewpoints such as the Dearne Way.

This would result in harm to the setting of the church and the wider historic landscape, contrary to Policy LP30 and Paragraph 197 of the NPPF.

### **4. Biodiversity and Ancient Woodland (Policy LP31 – Biodiversity and Geodiversity)**

Policy LP31 requires that development protects and enhances biodiversity, safeguards ecological networks, and avoids harm to irreplaceable habitats such as ancient woodland.

The proximity of the site to ancient woodland significantly increases its sensitivity. The current undeveloped Green Belt land provides an important buffer and contributes to ecological connectivity.

Development would lead to:

- Disturbance to existing habitats;
- Fragmentation of ecological corridors; and
- Harm to the setting and function of nearby ancient woodland.

Such impacts are inconsistent with Policy LP31 and Paragraphs 180 and 186 of the NPPF, which afford strong protection to biodiversity assets.

### **6. Response to Any Claim that the Site Constitutes “Grey Belt”**

In anticipation of any argument that the application site should be considered “Grey Belt”, I strongly dispute that such a classification is applicable or justified in this case.

The term “Grey Belt” is not a formal policy designation within the adopted Kirklees Local Plan and is not defined within the National Planning Policy Framework (NPPF). While it is sometimes used informally to describe previously developed or visually degraded land within the Green Belt, its use does not override or dilute the statutory and policy protections afforded to designated Green Belt land.

Even where land may be described as “Grey Belt”, this does not automatically render it suitable for development, nor does it negate the requirement to assess harm to openness, landscape character, and Green Belt purposes in accordance with NPPF Paragraphs 142–153 and Policy LP12.

In this instance, the site clearly does not meet any reasonable interpretation of “Grey Belt” for the following reasons:

- **It is not previously developed land (PDL):** The site forms part of an open, undeveloped greenfield landscape. It contributes positively to the rural character of the area and cannot reasonably be described as brownfield or degraded land.

- **It makes a strong contribution to Green Belt purposes:** The land plays an important role in safeguarding the countryside from encroachment and maintaining the open setting of Upper Cumberworth. Development here would clearly erode the gap between built form and open countryside.
- **It has high landscape and visual value:** As set out above, the site is highly visible from elevated public vantage points, including the Dearne Way footpath and areas near ancient woodland. It forms part of valued long-distance views and contributes to the scenic quality of the area.
- **It contributes to important views and local identity:** The site lies within the foreground and wider setting of views toward the church spire, a key landmark feature. Development would intrude into these views, diminishing their quality and significance.
- **It has ecological value and function:** The land contributes to the wider ecological network, including acting as a buffer and connective landscape near ancient woodland. This further reinforces its sensitivity and unsuitability for development.

To characterise this site as “Grey Belt” would therefore be inaccurate and misleading. It is, in reality, an integral part of the open Green Belt, with clear and demonstrable landscape, visual, and ecological value.

Even if the term were to be considered, the fundamental tests of Green Belt policy would still apply. The proposal would result in loss of openness, encroachment into the countryside, and substantial harm to the purposes of the Green Belt. As such, it remains inappropriate development, and the requirement to demonstrate very special circumstances still applies.

No such circumstances have been demonstrated.

### **Conclusion on Grey Belt Argument**

Any attempt to justify the development on the basis that the site is “Grey Belt” should be afforded very limited weight. The site is functionally, visually, and ecologically part of the open Green Belt and should be protected accordingly in line with Policy LP12 and the NPPF.

### **5. Overall Planning Balance and Conclusion**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

In this case, the proposal is in clear conflict with multiple key policies of the Kirklees Local Plan, including LP12 (Green Belt), LP29 (Landscape), LP30 (Historic Environment), and LP31 (Biodiversity), as well as national policy within the NPPF.

The development would result in:

- Inappropriate development in the Green Belt, causing substantial harm;
- Loss of openness and encroachment into the countryside;
- Significant adverse impacts on landscape character and visual amenity;
- Harm to important long-distance views, including those of the church spire; and
- Negative effects on biodiversity and the setting of ancient woodland.

When taken together, these harms are considerable and must be given substantial weight. No very special circumstances have been demonstrated that would clearly outweigh this harm.

Accordingly, the proposal is contrary to both the development plan and national planning policy and should be refused.

I therefore strongly reiterate my objection to this application.

