

# Urban Greenspace Review.

## Land off Sunny View Batley.

On behalf of Jones Homes (Yorkshire) Ltd.

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## Document Management.

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V2	30.01.26	KCH	KC	Minor amends to Figure 3
V3	02.02.26	KC	DL	Minor text modifications.

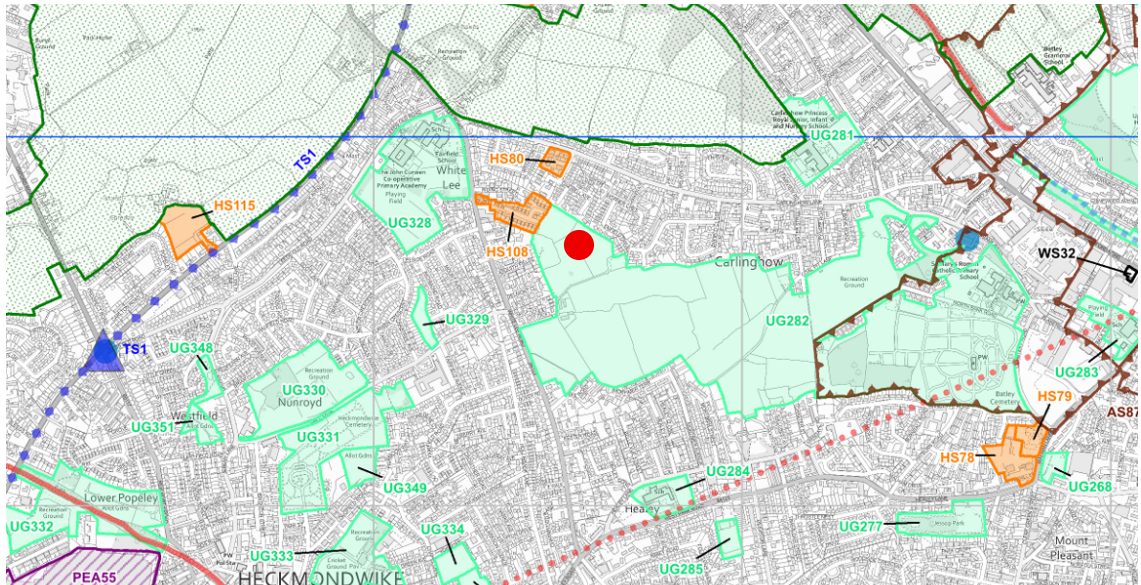


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# 1. Introduction

- 1.1. The site at Land off Sunny View, Batley, is designated as 'Urban Greenspace' (UGS) within the Kirklees Local Plan (2019) under Policy 61, ID:UG282 *Field Head Farm, Batley Cemetery, Carters Fields, St Mary's Primary School, North Bank Road allotments*, See **Figure 1** below. and falls within the Natural and Semi- Natural (N&SN) Greenspace typology.



**Figure 1** Extract of Kirklees Council Local Plan Map (2019), showing site area with red dot.

- 1.2. This Study considers the manner in which areas of 'Urban Greenspace' have been identified within the area around the site and whether the development of the site would result in any deficiency of 'Urban Greenspace' for those residents of the Wards in and around the site.

# 2. Background and Policy Context

- 2.1. The Statutory Development Plan for Kirklees consists of the Kirklees Strategy and Policies Document (2019) and the Allocations and Designations Document (2019). The site's Urban Greenspace allocation has been carried forward from the UDP into the 2019 Local Plan. Associated **Policy LP61 Urban green space** permits development that results in the loss of UGS only if at least one of the following criteria is met:

- ***An assessment shows the open space is no longer required to meet local needs for open space, sport or recreational facilities and does not make an important contribution in terms of visual amenity, landscape or biodiversity value;***

- ***Replacement open space, sport or recreation facilities which are equivalent or better in size and quality are provided elsewhere within an easily accessible location for existing and potential new users;***
- ***The proposal is for an alternative open space, sport or recreation use that is needed to help address identified deficiencies and clearly outweighs the loss of the existing green space.***

2.2. In April 2017 Kirklees Council published an updated 'Urban Greenspace and Local Green Space Technical Paper' as part of its evidence base to the now adopted Local Plan. This identified at paragraph 1.5 that ***'Urban green space sites were first allocated in the council's Unitary Development Plan (1999) as areas of urban open land of 0.4 hectares or above in size identified as being particularly valuable for sport, recreation, amenity or wildlife'***.

2.3. Paragraph 1.7 of the Technical Paper identifies that:

***'The Local Plan protects and allocates 500 open spaces, sport and recreation sites as urban green space...The total area allocated as urban green space amounts to over 1631 hectares and represents an overall increase in the amount of urban green space compared to the total area shown as urban green space in the Kirklees Unitary Development Plan (1577 hectares). This increase is largely a result of new open space, sport and recreation facilities developed since the UDP requiring protection as urban green space and the protection of valuable open space, sport and recreational facilities removed from the green belt in the Local Plan as a consequence of accepting development options in the green belt'***.

2.4. Paragraph 1.8 of the Technical Paper identifies that a more detailed explanation of the open space types which make up Urban Greenspace is set out in the Kirklees Council 'Open Space Study Assessment Report', 2015 (Revised 2016).

2.5. The Open Space Report identifies seven types of open space which make up Urban Greenspace in Table 4.1, as follows:

- **Parks and Recreation Grounds:** Accessible, high quality opportunities for informal recreation and community events. Includes country parks, urban parks, recreation grounds, formal gardens and pocket parks.
- **Natural and Semi-Natural Greenspace:** Wildlife conservation, biodiversity and environmental education and awareness. Includes woodlands, local nature reserves, scrubland, grassland, heath or moor, wetlands, wastelands and bare rock habitats, as well as unmanaged and unused sites.
- **Amenity Greenspace:** Opportunities for informal activities close to home or work or enhancement of the appearance of residential or other areas. Includes grassed areas in housing estates and village greens.
- **Allotments and community food growing:** Opportunities for people to grow their own produce as part of the long term promotion of sustainability, health and social inclusion. Includes allotments, community gardens and community orchards
- **Provision for children and young people:** Areas designed primarily for play and social interaction involving young people, such as equipped play areas, ball courts, multi-use-games areas, skateboard areas and teen shelters.
- **Cemeteries and Churchyards:** Quiet contemplation and burial, often linked to wildlife conservation and biodiversity.
- **Green Corridors:** Walking, cycling or horse riding, whether for leisure purposes or travel, and opportunities for wildlife migration. Includes greenways, cycleways and pedestrian routes, towpaths along canals and riverbanks, bridleways and rights of way.

2.6. Table 3 of the Technical Paper summarises the findings of the Open Space Report with regard to the '***Provision of Open Spaces Compared to the Minimum District-Wide Quantity Standards***'. This identifies on a Ward by ward basis, those areas which are noted to be deficient in four of the open space types which make up Urban Greenspace (Parks and Recreation Grounds; Natural and Semi-Natural Greenspace; Allotments; and Amenity Greenspace).

2.7. The Sunny View, Batley, site lies partly within the Batley West Ward and partly within the Heckmondwike Ward. The Batley West Ward was identified to be deficient in two of the identified open space types (Natural and Semi-Natural Greenspace and Allotments). The Heckmondwike Ward was identified to be deficient in three of the types (Parks and Recreation Grounds, Natural and Semi-Natural Greenspace and Allotments).

2.8. The adopted Local Plan (2019) sets out at paragraph 19.42 that:

***'Green spaces of identifiable open space value within the towns and villages of Kirklees are allocated as urban green space on the Policies Map where they are 0.4 hectares or above in size. This includes sites in public and private ownership and includes parks, recreation grounds, school grounds with playing fields, allotments, woodlands, natural and semi-natural greenspaces, public and private playing fields, other outdoor sports facilities, such as bowling greens and tennis courts, children's play areas, amenity green space, cemeteries and churchyards.'***

### 3. Land off Sunny View, Batley, Site

3.1. The land off Sunny View, Batley, site forms part of Urban Greenspace Area Local Plan Reference UGS282. This area was referenced as USG973 'Field Head Farm, Batley Cemetery, Carters Fields, St Marys Primary School, North Bank Rd Allotments' in the Kirklees Council 'Urban Greenspace and Local Green Space Technical Paper', April 2017. It was identified in the paper that this area included the following types of Open Space:

- Natural and Semi Natural Greenspace
- Amenity Green Space
- Allotments
- Outdoor Sports
- Play
- Education
- Churchyard/Cemeteries
- Woodland

- 3.2. However, as the site only covers part of area UGS973, it is not considered that it includes all the types of open space identified. Rather it is considered that the only form of Open Space which occurs within the site is Natural and Semi Natural Greenspace on the basis that the site is formed of agricultural fields to which there is no public access.
- 3.3. This was confirmed with the publication of the January 2018 'Information on Natural/Semi-Natural Greenspaces' document, prepared by Kirklees Council following a request by the Local Plan Inspector in November 2017. This identified that the part of area UGS973, (Local Plan ID 282) in which the site is located lies within Natural and Semi Natural Greenspace area '1542'. This area was described as follows:

***'This site is a strategically important high quality urban greenspace that performs the function of a green wedge within the urban area of Batley. It forms part of larger UGS973 that includes Batley Cemetery, North Bank Road Playing Fields and St Mary's Primary School. The site merits urban green space allocation based on its significant visual qualities being important for its attractive semi-rural character, views and openness in a densely developed area and its use for informal recreation along the public footpath network that crosses the site'.***

- 3.4. The extent of the area identified as Natural and Semi Natural Greenspace, the wider context and other types of Open Space are identified in the Kirklees Open Space Study 2015 Revised 2016, as shown at **Figure 2** below extracted from Appendix 1.1 Open Space Assessments and Plans Batley & Spen.

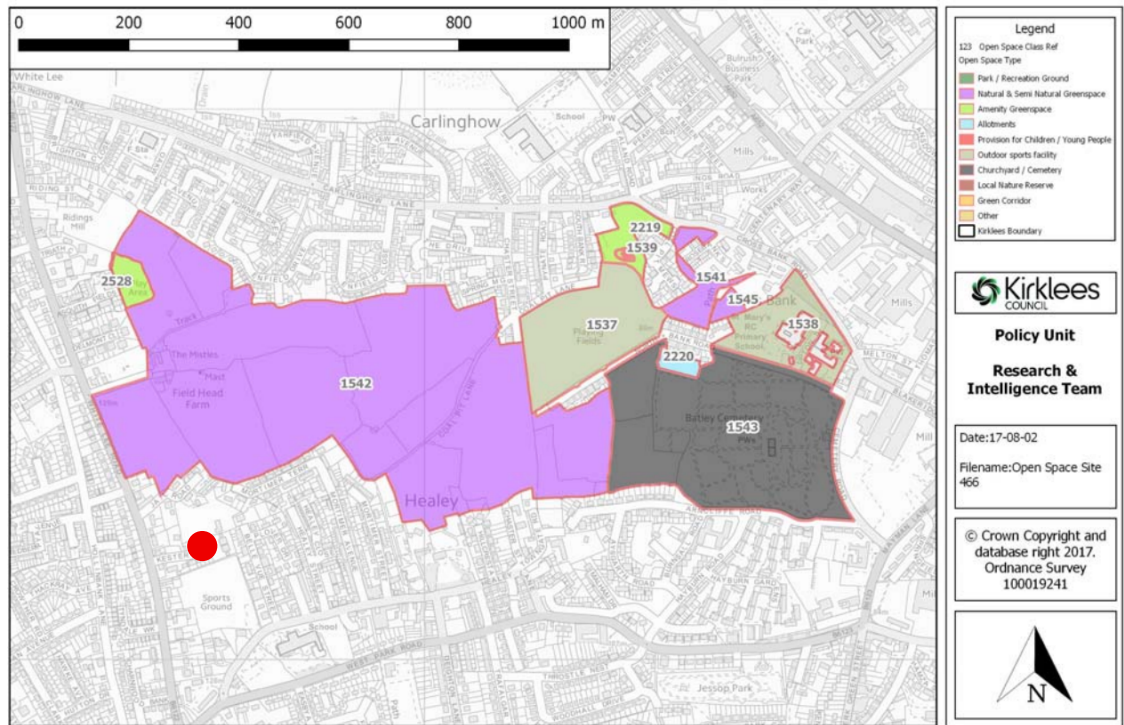


Figure 2 Extract of Plan at Appendix 1.1 Kirklees Open Space Study Assessments and Plans, with site area identified with a red dot.

## 4. Consideration of the methodology used to determine the deficiency of 'Natural and Semi Natural Greenspace' in the Batley West and Heckmondwike Wards and the exclusion of areas of Green Belt

- 4.1. The April 2017 'Urban Green Space and Local Green Space Technical Paper', identified a deficiency of 'Natural and Semi Natural Greenspace' in both the two Wards in which the site is located Batley West and Heckmondwike.
- 4.2. However, it is noted that the methodology used to establish this deficiency did not include numerous areas of Green Belt within these Wards, despite many of these areas offering an equivalent or greater degree of Natural and Semi Natural Greenspace, when compared to the Sunny View site. **Figure 3** included with this Study illustrates the extent of the Green Belt within the locality of the site.
- 4.3. It is not explicit in the methodology used to produce the Technical Paper why areas of Green Belt were excluded. Paragraph 6.2 of the revised 2016 Open Space Report which informed the Technical Paper simply notes that **'natural and semi-natural greenspaces within the green belt have not been included within the study, except for local nature reserves and a small number of woodlands with formal public access arrangements'**.
- 4.4. It may have been thought by the Council that areas of green belt are located at the edge of settlements and would therefore not have sufficient accessibility from the urban area to make a meaningful contribution. However, that is not the case for the locality of the Sunny View site, where the Green Belt is a common feature in views from the urban area and extends to within 200m of the site.
- 4.5. Had the Green Belt areas been included in the calculation of the provision of 'Natural and Semi Natural Greenspace' in the Batley West and Heckmondwike Wards no such deficiency would have been established.

- 4.6. It is a false distinction to exclude land from an assessment of Natural and Semi Natural Greenspace on the basis that it has been included in another policy area with additional policy objectives. It is also interesting to note that land within the Green Belt has been included where it has public access. The inclusion of some Green Belt land in Urban Green Space demonstrates that Green Belt land can meet this Policy objective and can make an appropriate contribution.
- 4.7. The identified deficiencies of Natural and Semi Natural Green Space in the Batley West and Heckmondwike Wards is set out in the Technical Paper. The requirement is 2 hectares per 1,000 population. For Batley West this would be 39.67 hectares, if the requirement target was going to be met. The Technical Paper identifies a deficiency as there is only 33.7 hectares of Natural and Semi Natural Green Space identified, and this equates to 1.7 hectares per 1,000 population. There is an identified shortfall therefore of 5.97 hectares.
- 4.8. For Heckmondwike the Natural and Semi Natural Green Space requirement would be 34.12 hectares, if the requirement target was going to be met. The Technical Paper identifies a deficiency as there is only 11.46 hectares of Natural and Semi Natural Green Space identified, and this equates to 0.67 hectares per 1,000 population. There is an identified shortfall therefore of 22.68 hectares.
- 4.9. The Green Belt within Batley West covers an area of 72 hectares and the Green Belt in Heckmondwike covers an area of 128 hectares, much of it in close proximity to the Urban area and centres of population and does meet the definition of Natural or Semi Natural Space used by the Council. The contribution this land makes to local amenity and as open space and Urban Greenspace should be taken into account.
- 4.10. Sites of Semi-natural Greenspace and the Green Belt within Batley West and Heckmondwike, are shown on **Figure 3**. Areas of the Green Belt which fulfil the criteria for being identified as Natural and Semi Natural Greenspace are identified on this plan. These include areas of woodland, rough open grassland, pasture and some of the Wildlife Habitat Network. These areas, lying close to and in some cases within the Urban area, amount to approximately 63 hectares of land within Batley West Ward and 113 hectares of land within Heckmondwike.

4.11. Green Belt beyond the two Ward boundaries has not been included, although it is noted that large areas of Green Belt which lie within the Gomersal Ward also lie within 2km of the site and would also contribute to the local Urban Greenspace provision.

4.12. Table 1 below sets out the areas of land within the Green Belt which meet the criteria for Natural and Semi Natural Greenspace, but have not been included in the Urban Greenspace.

**Table 1 – Sites in the Green Belt within the Batley West and Heckmondwike Wards which would qualify as Natural/Semi Natural Greenspace.**

Site No.	Location	Description	Approx. Area
<b>Batley West Ward</b>			
1.	Land north of Carlinghow Lane and East of Smithies Moor Lane	<p>Pasture fields with well-established hedgerows and hedgerow trees and a small area of scrubby woodland on steeper ground around a high point towards the west of the area.</p> <p>The land faces south and relates closely to the urban area around Carlinghow Lane and is visible from other more elevated urban areas to the south such as the northern edge of Healey.</p> <p>There are no public rights of way across the area but the land appears to be used informally for dog walking etc.</p> <p>The eastern field forms part of the Kirklees Wildlife Habitat Network</p>	17 ha
2.	Land south of Laurel Drive	<p>Part of the Kirklees Wildlife Habitat Network.</p> <p>A mosaic of habitats including semi-improved grassland, scrubland and woodland on north east facing land.</p> <p>The area is well used by local people through a network of informal paths and tracks.</p> <p>A cricket ground lies adjacent to the west and school sports grounds lie to the east (both outside of the area identified as Natural /Semi-natural Greenspace).</p>	8 ha
3.	Woodland north of A652	Part of the Kirklees Wildlife Habitat Network.	17 ha

Site No.	Location	Description	Approx. Area
		<p>Almost entirely woodland with public access throughout.</p> <p>Comprises part of Wilton Park and a linear walkway along the disused railway line.</p> <p>Adjacent to park facilities including gardens, lake, tennis, bowling, children's play and MUGA (outside the area identified as Natural /Semi-natural Greenspace).</p> <p>On sloping ground with a south westerly aspect and visible from a large area of Batley and Heckmondwike to the south west.</p>	
4.	Land south of Upper Batley Lane	<p>Pasture land on sloping ground with a south westerly aspect.</p> <p>Inter-visibility with large areas of Batley and Heckmondwike to the south west.</p> <p>Medium scale fields with close trimmed hedges create an open character.</p> <p>The only physical access is a public footpath (BAT/18/10) which runs along the eastern boundary of the area at the edge of the Ward.</p> <p>The three steeper, southern fields have more trees around field boundaries and are part of the Kirklees Wildlife Habitat Network.</p>	22 ha
		<b>TOTAL</b>	<b>64 ha</b>
<b>Heckmondwike Ward</b>			
5.	Land south and east of Norristhorpe Lane	<p>Large Area of pasture land, which has inter-visibility with Heckmondwike to the north. Medium scale fields with close trimmed hedges create an open character.</p> <p>Physical access is provided by numerous PROW which cross the area running out from the urban area of Heckmondwike. Some of the fields towards the north and east of the area have more trees around field boundaries and form part of the Kirklees Wildlife Habitat Network.</p>	113 ha
		<b>TOTAL</b>	<b>113 ha</b>

- 4.13. If this Green Belt land which displays the characteristics of Natural and Semi Natural Greenspace was included in the calculations, then there would clearly be no deficiency in either Ward. Indeed, this would be the case if only half of the land identified were to be included.
- 4.14. The extent of the application site which lies within undeveloped urban greenspace (i.e. excluding the access road through the Phase 1 development) is around 2.46 hectares, of which 0.96 ha lies within the Batley West ward and 1.50 ha in the Heckmondwike Ward. However, due to the extent of proposed open space within the development, the proposed built area would only reduce the undeveloped urban greenspace by 0.25 ha in Batley West and 1.0 ha in Heckmondwike wards (1.25 ha overall). The proposed public open space at the south of the site would remain as UGS, but could potentially be considered to be 'parks and recreation grounds' or 'amenity greenspace' (both of which are alternative forms of UGS) rather than 'natural and semi natural greenspace'. Even if the 0.96 ha and 1.50 ha areas were deducted from the identified natural and semi natural greenspace requirement for each Ward, it is clear that the land included in Green Belt which also fulfils the role of Natural and Semi Natural Greenspace more than makes up for any identified deficiency, indeed it far exceeds this.
- 4.15. If no false distinctions are drawn between land on the basis of one policy designation or another, and the availability of Natural and Semi Natural Greenspace for the people of Batley West and Heckmondwike is measured objectively, properly accounting for the amenity provided by areas of Green Belt, then no deficiency currently exists.
- 4.16. On this basis it is clear that there is more than sufficient land within the two Wards which fulfils the role of Urban Greenspace to offset the development of the site at Sunny View.
- 4.17. It is noted that at the appeal in relation to the previous scheme at the site (APP/Z4718/W/16/3162164) the Inspector acknowledged in their decision at paragraph 15 that the Council had not sufficiently explained why the Open Space Study Assessment Report did not include Green Belt sites, and that they saw no obvious reason why it could not and should not have taken a wider and more rounded assessment of all such sites within the area.
- 4.18. The matter of the exclusion of Green Belt from Urban Greenspace was also considered by the Inspector in their decision in relation to the scheme at Rumble Road, Dewsbury



(APP/Z4718/W/17/3174217). This site lies within the Dewsbury East Ward [DEW] of Kirklees. The Inspector provided the following observations at Paragraph 26:

***'DEW contains 186ha of Green Belt land and is essentially an urban fringe area with a close relationship with the Green Belt curtilage of both Kirklees and the adjoining Council area of Wakefield to the east. Visible connections with open land and countryside to the east and south are evident from a number of vantage points in the vicinity of the appeal site. As such the contribution of these areas to visual amenity and specifically the sense of openness for the residents of DEW is a valid consideration. This suggests that the significance of the quantitative deficiencies of NSNGS [Natural and Semi-Natural Greenspace] within DEW is not as great as the Council's assessment would indicate' (our underlining).***

- 4.19. This observation was taken forward by the Inspector in their conclusions at paragraph 57 which included ***'the fact that the quantitative deficiencies of such provision in DEW is not as great as the Council suggests'*** within their planning balance exercise that determined that the proposals were acceptable.
- 4.20. Furthermore, it is noted that in an October 2017 request to Kirklees Council, the Local Plan Inquiry Inspector identified that ***'I have some concerns about the Council's approach to protecting natural/semi-natural green spaces as UGS'***. Included within their concerns was the observation that the Council's consideration of Urban Greenspace ***'does not appear, on the whole, to have taken account of the surrounding countryside or the existence of other natural/semi-natural green spaces within nearby settlements'***.
- 4.21. It is understood from the analysis set out within this study that the same conclusion regarding the limited extent of any deficiency in Natural and Semi-Natural Greenspace that was identified by the Rumble Road scheme Inspector would apply equally in relation to the Sunny View site. Indeed, this analysis would suggest that the conclusion could be extended further, to note that no such deficiency exists in practical terms, once areas of Green Belt in close proximity to residential areas are properly considered.

## 5. Conclusions

- 5.1. The site forms the north western portion of a wider area of land identified as Urban Greenspace (Ref UD282). This section of the Urban Greenspace is identified as being of a

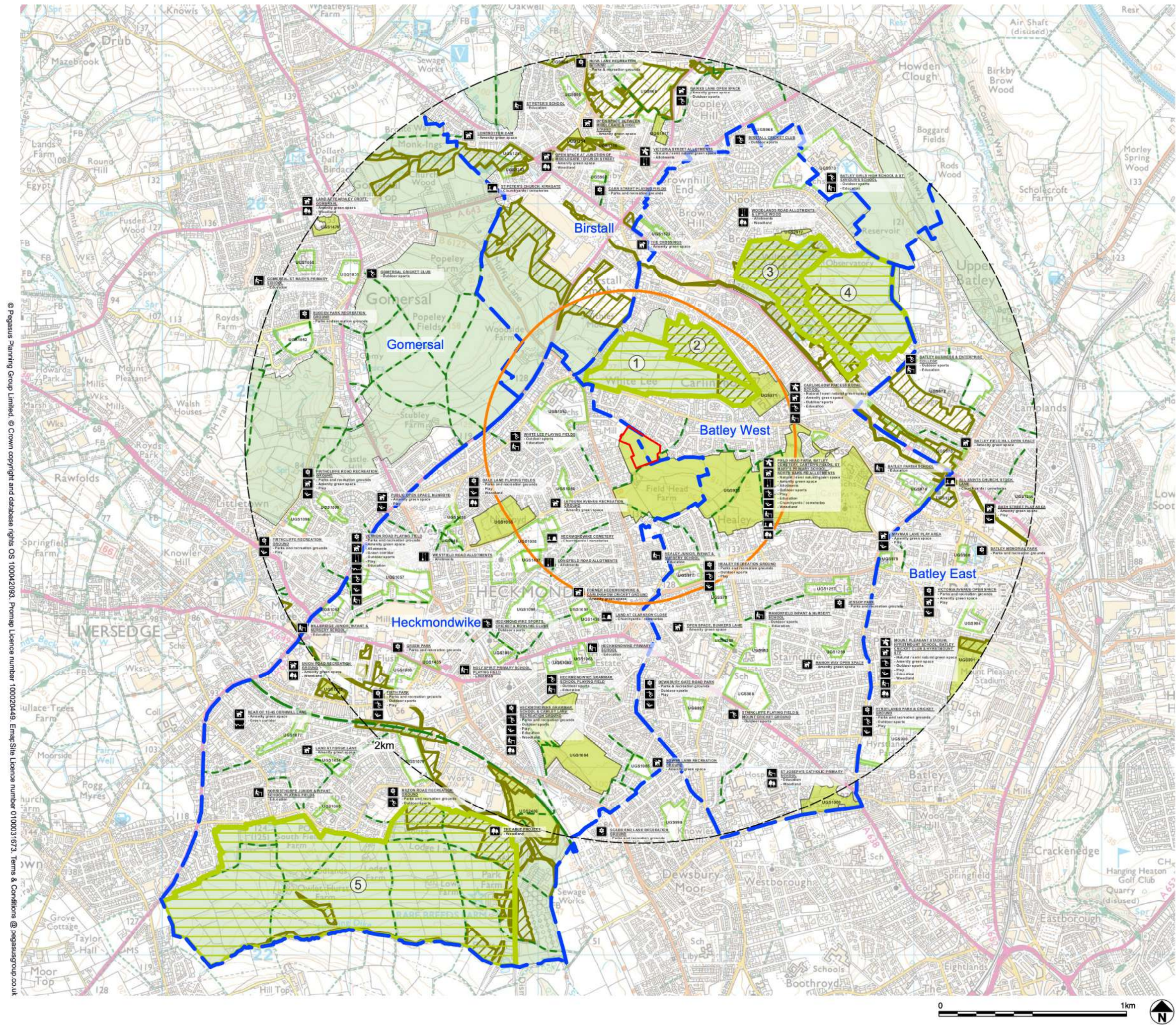
Natural & Semi Natural Greenspace of which the site area forms a small part in the north western portion of the Open Space Type. In terms of Local Plan Policy 61 Urban Greenspace, this Urban Greenspace Review sets out that there is not a local deficiency in Natural and Semi-Natural Greenspace in the locality. This assessment provides a quantitative review of the Urban Greenspace context in relation to the site. Policy 61 also requires an qualitative assessment to demonstrate that the open space does not make a contribution in terms of visual amenity, landscape or biodiversity value.

- 5.2. The contribution the site currently makes in terms of landscape and visual amenity, is set out in the Landscape & Visual Assessment that accompanies the application. In terms of the landscape fabric of the site, the Landscape & Visual Assessment notes that the site area is not publicly accessible and was previously used for the grazing of horses. More recently, the north western parts have been used as a construction compound for the houses built adjacent to the north west boundary. The field currently comprises of rough, unmanaged grassland surrounded on three sides by the existing residential edge.
- 5.3. In landscape character terms the Landscape & Visual Assessment notes that the land would experience some changes, in that a portion of the site would comprise of residential development. However, the southern portion of the site would become publicly accessible from the adjacent public footpath and would form a new area of recreational open space. The Landscape Masterplan sets out the proposals for the site which have a strong emphasis on habitat creation and enhanced natural greenspace including species rich grassland, new tree planting, and wetland areas, plus productive landscape areas, play and fitness provision, new footpaths and a wetland.
- 5.4. In terms of visual amenity, the Landscape & Visual Assessment notes that the actual visual envelope of the site is very limited and generally contained to the extents of the current area of Urban Greenspace. Where wider visibility is indicated on the Screened Zone of Theoretical Visibility, views towards the site are largely screened out by a combination of intervening built form and vegetation. The key visual receptors are residents in properties immediately surrounding the site area and users of the footpath immediately adjacent to the southern boundary. As noted above, the northern part of the site would be developed for housing, bringing built form forward, in views across an area of not particularly notable rough grassland, particularly from the adjacent footpath. The southern section of the site would become



publicly accessible and form an area of enhanced greenspace with a natural and ecological emphasis.

- 5.5. Overall, the Landscape & Visual Assessment demonstrates that as an area of rough grassland, with no public access, the site does not make an important contribution in landscape, visual (nor biodiversity) value terms. Whilst the area would be reduced in size, (though not resulting in a local deficiency overall as set out in this Urban Greenspace Review) the limited level of contribution the greenspace currently makes in qualitative terms could continue to be provided and further enhanced as part of the proposal, as set out on the Landscape Masterplan, in the proposed area of public open space in the southern section of the site.



- KEY**
- Site Boundary
  - 2km offset from site boundary
  - Ward boundaries
  - Green Belt  
(Total area in Batley West ward: 72.91ha  
Total area in Heckmondwike ward: 127.85ha)
  - Urban green space  
(as set out in the Kirklees Local Plan 2019.  
Types of open space as identified in Kirklees  
Council Urban Green Space and Local Green  
Space Technical Paper)
  - Urban green space identified as  
including natural / semi natural  
green space (as identified in the 'Urban  
Green Space and Local Green Space Technical  
Paper', or in the January 2018 'Information on  
Natural/Semi-Natural Greenspaces' document  
prepared by Kirklees Council)
  - Kirklees Wildlife Habitat Network  
(Kirklees Local Plan designation)
  - Spen Valley Greenway  
(NCN Route 66)
  - Access to Natural and Semi-Natural  
Greenspace offset (720m from the  
Site Boundary) Set out in Table 4.5 of the  
Kirklees Open Space Assessment Report 2015  
(revised 2016)
  - Areas within the Green Belt in Batley West  
and Heckmondwike wards which would meet  
the criteria for Natural / Semi-Natural  
Greenspace
- ① Land north of Carlinghow Lane and east of Smithies Moor Lane (16.97ha)
  - ② Land south of Laurel Drive (7.64ha)
  - ③ Woodland north of A652 (16.57ha)
  - ④ Land south of Upper Batley Lane (22.19ha)
  - ⑤ Land south and east of Norristhorpe Lane (112.52ha)

**Figure 3 - Green Belt and Urban Green Space Areas**

Land off Sunny View, Batley

Client: Jones Homes (Yorkshire) Limited  
 Drwg No: P24-1606\_01 Rev: B  
 Drawn: SE/TH Approved: KC  
 Date: 27/01/2026  
 Scale: 1:20,000@ A3



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