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3rd April 2026

For the attention of Kerri Simpson, Case Officer, Planning & Development

Planning application number 2026/59/90318/W - Application for Permission in Principle

Land adjacent to Delves Gate, Slaithwaite, HD7 5AD - objection

I am writing with reference to the above planning application for Permission in Principle to formally lodge my objection following the planning notice displayed opposite the site.

There are a number of concerns I would like to raise, as follows;

The application also raises significant concerns in respect of visibility and highway safety. It is understood that a minimum visibility splay of approximately 2.4 metres is typically required at the site access in order to ensure safe egress onto the public highway. However, the planning submission does not provide any clear or robust evidence to demonstrate that such visibility splays can be achieved for the level of development proposed.

Of particular concern is the presence of a derelict building on adjacent land, which appears to obstruct the required sight lines. This structure is outside the applicant's control and, importantly, benefits from planning permission requiring its rebuilding (given as part of the planning permission for the old Whitehouse pub building), albeit without a defined timescale. As such, there is no possibility that the obstruction will

be removed, and it must therefore be assumed that it will remain in place. In these circumstances, it has not been demonstrated that safe and suitable access can be achieved for three dwellings.

While detailed highway matters are ordinarily considered at the technical details stage, the Local Planning Authority must still be satisfied at the Permission in Principle stage that the site is capable of being safely developed. Given the uncertainty regarding visibility splays and the constraints posed by third-party land, it is not evident that this requirement can be met. On this basis, the proposal fails to demonstrate that the site is suitable for residential development in principle.

1. Inappropriate Development in the Green Belt

The application site lies within the Green Belt as defined by the development plan. The proposal seeks to rely on the concept of “Grey Belt” to argue that the development constitutes appropriate development under Paragraph 155 of the National Planning Policy Framework (NPPF).

However, the applicant has failed to demonstrate that the site meets the definition of Grey Belt. The planning statement relies on broad assertions that the site makes a “weak or none” contribution to Green Belt purposes, but provides no robust, site-specific assessment to support this conclusion.

In particular:

- The site comprises undeveloped greenfield land and therefore contributes to openness
- The proposal would result in clear encroachment into the countryside, contrary to Green Belt purpose (c)
- The site’s relationship to surrounding development has not been objectively assessed

Accordingly, the site should not be regarded as Grey Belt, and the proposal therefore constitutes inappropriate development in the Green Belt.

The reference to “west of the site is a haulage yard” in Under Supporting Information (1 General [id 1127184] is not correct, the Slate Pitts Farm is operating an illegal haulage business without a licence and therefore cannot be used in planning application 2026/59/90318/W as argument that the site is Grey Belt.

2. Failure to Satisfy NPPF Paragraph 155

Even if the site were to be considered Grey Belt (which is disputed), the proposal fails to meet the criteria set out in Paragraph 155 of the NPPF.

a) Impact on Green Belt purposes

The development would result in encroachment into the countryside and harm to openness. The planning statement understates this impact and incorrectly suggests that such harm can be disregarded.

b) Demonstrable unmet need

The applicant incorrectly equates the absence of a five-year housing land supply with “demonstrable unmet need.” This is a misinterpretation of national policy. The NPPF requires a more specific and evidenced need for the type and location of development proposed.

c) Sustainable location

The site is located over 1 mile from nearby settlements and would be heavily reliant on private car use. The limited public transport provision described does not constitute a genuinely sustainable location in policy terms. This contravenes Kirklees position of planning approved if accessible via public transport.

In the Planning Statement – Permission in Principle, the description of the public transport provision is incorrect and misleading; there is not “an hourly bus service runs from Chain Road to Meltham and Holmfirth”. E.Stott & Sons Ltd operates a network of local buses, via Varley Road (not Chain Road) and whilst part of the West Yorkshire Combined Authority bus network are not the main provision by Aviva Yorkshire and First Huddersfield.

The E.Stott bus service runs from the top of Varley Road to Meltham and Holmfirth but only between approximately 07:30 and 17:00 Monday to Friday, 08:40 to 16:00 on Saturday and no service on a Sunday. Walking on Chain Road from Delves Gate to the top of Varley Road is not a safe stretch of road for pedestrians.

There is no pavement, no street lights, several blind bends, and it has a derestricted speed limit. There is no provision of accessible public transport as required by Kirklees for planning approval.

3. Misapplication of the Presumption in Favour of Sustainable Development

The Council’s Housing Delivery Test position (54%) is acknowledged, and it is accepted that Paragraph 11 of the NPPF is engaged.

However, national policy is clear that the presumption in favour of sustainable development does not apply where policies protecting areas such as the Green Belt provide a clear reason for refusal.

Given that the proposal conflicts with Green Belt policy, the tilted balance should not be applied in favour of the development.

4. Previous Refusal Not Addressed

A previous application for residential development on this site (or overlapping land) was refused. The current submission fails to meaningfully address the reasons for that refusal or demonstrate how the proposal overcomes those concerns.

5. Premature Use of Permission in Principle

The use of the Permission in Principle route in this case is inappropriate given the site's sensitive Green Belt location and appears to limit proper scrutiny of key issues such as access, highway safety, and environmental impacts. These matters are fundamental to the acceptability of the site and should not be deferred.

While it is acknowledged that detailed matters are reserved, the absence of sufficient information regarding access, highway safety, drainage, and environmental impacts, it has not been demonstrated that the site can be developed without harm. As such, the application is premature and should be refused at this stage.

6. Access

There is insufficient evidence that safe and suitable access can be achieved. The planning statement suggests that "visibility at the site entrance is good in both directions".

However, the single-track road is narrow, has no footpaths, offers poor visibility on approach past the cottages at the former Whitehouse pub building and is regularly used by horseriders and dog walkers. Additional dwellings would intensify use of a substandard access.

Further, the applicant has failed to demonstrate that the site "would not result in a material increase in traffic volumes in the vicinity of the site". This broad assertion, for a planning application with a minimum of 6 parking spaces before visitors and deliveries volume, provides no evidence or site-specific assessment on how the new properties "would not result in material increase in traffic".

Conclusion

For the reasons set out above, the proposal:

- Constitutes inappropriate development in the Green Belt
- Fails to meet the requirements of Paragraph 155 of the NPPF
- Is not located in a sustainable location

- Conflicts with the development plan and national policy

Allowing for the misleading position that the Grey Belt assessment is the NPPF glossary definition can be applied to the land, despite N.C. Willock of Robert Halstead planners himself stating in the statement the land as a “grassed field”, it is surprising that such a proposal, very similar to those dismissed on Appeal in Dec 2014 and May 2024, should now once again be put forward.

The application site lies within the Green Belt on which the Kirklees Local Plan, approved Feb 2019, lays great emphasis (Para 19.2 and 3), and there is nothing in the current application that would serve to render the Inspector’s conclusion in 2014 and May 2024 obsolete.

The “special circumstances” required for any intrusion into the Green Belt as stated in the National Planning Policy Framework (updated 2023) simply do not exist. It should be noted furthermore that grassed field located beyond which is four cottages situated on the corner of Delves Gate / Chain Road” referred to in the current application were not new build but a conversion of an existing structure (the former White House pub) long established in the landscape. Any argument that a new development would consolidate this group of new housing is therefore entirely misleading.

Further, the description of located “grassed field directly south of the site is a former car park” is again misleading, it has not been a car park since pre-2013 and therefore cannot form part of the argument that this classifies the field as Grey Belt. The “former car park” and the land in question under the planning application are both grassed fields.

I submit that the proposed development would in no way serve to further the objectives of the National Planning Policy para 89 which states that “local planning authorities should plan positively to enhance the beneficial use of the Green Belt”. The current proposal would instead promote urban sprawl and undermine the Local Authority’s policies establishing clear boundaries between existing and distinct settlements to the benefit of all.

The application should therefore be refused.

Yours sincerely,