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Planning Development

Planning Statement

Meltham Grange Farm, Slaithwaite Road, Meltham, HD9 5PT

Demolition of 2 no. existing agricultural buildings and erection of 3 no. detached dwellings with parking and landscaping.

Introduction

Class Q prior approval for the conversion of the two agricultural buildings in the photo below to three dwellings was approved through application 2025/91403.

This approval represents a legitimate implementable fallback position for the establishment of three dwellings on this site. The principle of residential development will largely be focused on NPPF Grey Belt policies and the presumption in favour of development under NPPF Paragraph 11d, triggered by the absence of five year housing land supply.



Application Site – Meltham Grange Farm

Site Description

The application site comprises two agricultural buildings constructed of concrete block and corrugated metal sheeting. The wider site of Meltham Grange Farm also contains the farmhouse, one barn building, an additional outbuilding and surrounding land. There are no other neighbouring dwellings within close proximity.

The site is accessed via an existing track (the eastern section of Deer Hill End Road) and is surrounded by open fields and countryside, with Deer Hill reservoir located approximately 1 km west of the site. The nearest town centre is Meltham, located approximately 1.8 km south-east of the site, whilst Slaithwaite lies 2.4km to the north.

Planning History

2025/91403 – Prior notification for change of use of 2 agricultural buildings to 3 dwellings – Approved

2023/91267 – Partial demolition of existing outbuilding and alterations to form office / gym / garage / trailer store / stables / tack room / feed store and change of use of agricultural building for horse schooling arena - Approved

Policy Designation

The application site is located in the Green Belt in accordance with the Kirklees Local Plan. The bridleway adjoining the site also forms part of the Council's core cycle/walk network in relation to Policy LP9 of the Local Plan.

This Potential Site Constraints

In terms of the main planning related constraints, the following facts are confirmed through desk top research:

- A) Flood risk (none)
- B) Protected trees (none)
- C) Coal mining legacy (none)
- D) Heritage records (none).
- E) Public Rights of Way – a bridleway (MEL/68/30) runs along Deer Hill Road adjacent to the site (see further details below).

The Proposals

This application seeks planning permission for the demolition of existing buildings and the erection of three dwellings with associated parking, landscaping and on-site biodiversity net gain (BNG).

The proposed development would incorporate the following works in detail:

- Demolition of 2 no. of portal framed former agricultural buildings.
- Erection of 3 no. new dwellings with integral double garages, designed in a 'farmyard' style setting between the three dwellings.
- Dwellings to be constructed of a coursed natural stone plinth, with standing seam wall and roof cladding (colours to be confirmed / agreed) and propriety rooflights. Aluminium doors and windows would be installed, together with seamless metal rainwater goods.

- All dwellings proposed to be detached four bed (Plot 3 slightly larger than Plots 1 and 2 which are of equal size), and include standard areas of living space plus utility rooms and study / home office rooms.
- Single-storey snug rooms with open ceiling and garden access for each dwelling.
- Stone enclosing wall to courtyard ('farm yard') with gated access points to private garden areas.
- Paved perimeter footpath and seating areas linked to courtyard.
- Areas of soft and hard landscaping to the front of all dwellings, together with other soft landscaped areas of garden/amenity space for each plot.
- Timber post and rail fencing together with indigenous hedging to define plot boundaries.
- Utilise the existing access to the site from Deer Hill End Road.
- 4 no. parking spaces per dwelling (two inside double garage). One visitor space for the development, to the north of Plot 3.
- Formation of new outdoor amenity spaces / garden areas.
- Drainage via drainage field and package treatment plant.
- Refuse and recycling storage points.
- EV charging points for each dwelling.
- Integrated PV modules incorporated into the roofing linked to battery storage.

Assessment of the Proposals

Principle of Development - Grey Belt

The starting point with any Grey Belt assessment is the NPPF glossary definition which states:

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

Addressing each of the relevant points in turn:

- a) *'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land*

The site is a former agricultural site and is therefore not classed as previously development land. Nonetheless, the brownfield / greenfield status of sites is somewhat academic in the context of Grey Belt policy, because the definition above includes brownfield or 'any other land' and appeal decisions nationwide ¹ have accepted that greenfield land also falls within the glossary definition – i.e. as 'other land'.

- b) *that, in either case, does not strongly contribute to any of purposes (a), (b) or (d) in paragraph 143*

Paragraph 143 in the NPPF states:

'Green Belt serves five purposes:

¹ See for example APP/D3640/W/24/3347530 paragraph 11, or APP/P1805/W/24/3356219 paragraph 5.

- a) *To check the unrestricted sprawl of large built-up areas;*
- b) *To prevent neighbouring towns merging into one another;*
- c) *To assist in safeguarding the countryside from encroachment;*
- d) *To preserve the setting and special character of historic towns; and*
- e) *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.'*

Government Guidance 'Green Belt' provides categories of assessment for assessing these purposes and sets out categories: strong, moderate, and weak or none. ²

Sites that make a weak or moderate contribution to purposes a, b and d are therefore acceptable (i.e. those that do not 'strongly contribute' to the relevant purposes).

Referring to Purpose A, the application site is not directly adjacent to a large built-up area ³ and therefore makes a 'weak or none' contribution as per the Green Belt Government guidance at Paragraph 005 – i.e. Purpose A is not engaged by this proposal.

Referring to Purpose B), the application site also makes a 'weak or none' contribution as it does not form a gap between towns (again as per the assessment criteria at Paragraph 005 of the Guidance). Again, Purpose B is not engaged by the current proposals.

Similarly, the application site does not "form part of the setting of a historic town" (as per the Guidance wording) and therefore makes no contribution to Purpose D.

- c) *'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.'*

In terms of footnote 7, the application site is not located within any of the following relevant areas / assets listed:

- Habitat sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest
- Local Green Space
- A National Landscape
- A National Park (or within the Broads Authority)
- Heritage Coast
- Irreplaceable habitats
- Designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75)
- Areas at risk of flooding or coastal change

It is therefore concluded that the site falls within the definition of Grey Belt.

Turning then to Paragraph 155 in the NPPF:

² Government Guidance 'Green Belt' Paragraph 005.

³ The nearest large built-up area is Meltham which is approximately 1km away to its edge.

'The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

- 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.'*

Referring to **155(a)**, this requires an assessment of the two remaining purposes (i.e. the remaining purposes not covered within the glossary definition of Grey Belt):

- c) To assist in safeguarding the countryside from encroachment;
- e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.'

Importantly, as confirmed by paragraph 155 (a), the assessment must assess the five purposes 'taken together', not individually. In other words, even if a proposal failed on one purpose, the assessment of appropriateness must be made against all five purposes of Green Belt as a whole.

The application site currently comprises agricultural buildings and curtilage / hardstanding areas situated east / north-east of these buildings. The development would be contained entirely within this area and would not encroach into surrounding agricultural fields (countryside).

Two of the dwellings would be entirely within the footprint of the existing agricultural buildings (see blue annotation on proposed site plan). Plot 3 would be located within the 'Grey Belt' area as the former farmyard and curtilage area for these buildings and Meltham Grange farmhouse to the east – in effect, the 'infill' previously developed area between the agricultural building and the remainder of the buildings at Meltham Grange.

The proposed development also does not result in a material increase in building footprint areas (431 sq.m as existing vs 422 sq.m proposed) and has been designed to be a compact development form surrounding a courtyard / 'farmyard' arrangement, evocative of a collection of agricultural buildings when viewed in the wider landscape.

As such, this proposal is at the very lower end of the scale in terms of Purpose C, because (a) the site already contains existing buildings, and the development would be approximately the same in floor area to that of the existing barns. This contrasts with a considerable number of appeals (including major developments) that have been allowed nationwide on wholly greenfield sites, or on sites where encroachment into the countryside has been considerably greater (see below comments re: Hemel Hempstead appeal for 400+ homes).

As a result, the proposals are not considered to conflict with Purpose C of Paragraph 143.

However, it is also important to note from Paragraph 014 of the Government's Guidance 'Green Belt' that:

...if development is considered to be not inappropriate development on previously development land or grey belt land, then it is excluded from the policy requirement to give substantial weight to any harm to the Green Belt, including to its openness.

This is consistent with rulings from the courts on these matters that, where development (of any kind, now including development on grey belt or previously developed land) is not considered to be inappropriate in the Green Belt, it follows that the test of impacts to openness or to Green Belt purposes are addressed⁴ and that therefore a proposal does not have to be justified by “very special circumstances”.

As a result, the proposals are not considered to conflict with Purpose C of paragraph 143 – to assist in safeguarding the countryside from encroachment.

The application site is not located within an urban area and therefore Purpose E of paragraph 143 – to assist in urban regeneration, by encouraging the recycling of derelict and other urban land is not engaged in this case.

The proposals also comply with Green Belt Purposes A, B and D as discussed above.

In summary therefore, on Paragraph **155(a)**, taken together as the policy requires, the proposals *would not fundamentally undermine the purposes of the remaining Green Belt across the area of the plan.*

Indeed, within a recent appeal for 400+ homes on wholly greenfield land⁵, the Inspector stated at Paragraph 153:

“I have found that the appeal site comprises other land that does not strongly contribute to purposes (a), (b), or (d). Even though there is moderate harm to purpose (c), the evidence before this Inquiry does not indicate that the appeal site has a wider strategic role in the functioning of the Borough’s Green Belt as a whole. Therefore, in utilising ‘Grey Belt’ land, the appeal proposal would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the Borough’s development plan. This is in line with paragraph 155 (a) of the Framework.”

Referring to **155 (b)** the proposed development is for three dwellings and as explained in Footnote 56 in the NPPF, the lack of a five year supply of deliverable housing sites, including the relevant buffer where applicable, or where the Housing Delivery Tests was below 75% of the housing requirement over the previous three years, is considered to be a demonstrable unmet need for housing.

The confirmed position for Kirklees Council is that there is no current five-year supply of specific deliverable sites. Housing delivery in Kirklees has also fallen below 95% of the Local Authority’s housing requirement over the previous three years and is at 54% when last reported at the end of 2024.

The proposed development therefore complies with Paragraph **155 (b)**.

Regarding **155 (c)**, the application site, the site is within 700m of the edge of Meltham and is considered to be sustainably located, particularly when judged against NPPF paragraph 110 (i.e. opportunities to maximise sustainable transport solutions between urban and rural areas should be taken into account). The application site has the following facilities and public transport accessibility:

⁴ Our emphasis

⁵ Appeal decision ref: APP/A1910/W/24/3345435

- 1) The nearest bus stops (for both directions) are 340m away (4 - 5 min walk) at the junction between Deer Hill End Hill Road and Slaithwaite Road. The 335 service runs hourly between Holmfirth and Slaithwaite, via Meltham and Marsden (Monday to Saturday).
- 2) For more frequent services, it is a 20 min walk (1.6km) to the junction of Slaithwaite Road / Helme Lane for the 323/324 service – 15 minute (4 per hour) service between Meltham and Huddersfield.
- 3) Meltham includes two primary schools, two supermarkets, a range of smaller shops and local amenities, and a number of public houses. Meltham Moor Primary School is within a 16 minute walk of the site – 1.3km away to the south-east. The Wills O’ Nats and the Travellers Rest pubs are both 11 mins walking distance away (1km).
- 4) The nearest convenience store is a 22 minute walk to Helme Lane (1.8km) and a large Morrisons supermarket is within the centre of Meltham 25 mins walk (2km) or a 5 minute drive. Aldi in Slaithwaite is 3km away (7min drive).
- 5) Importantly, all these convenience stores and supermarkets would be accessible through the 335 bus service, as would the train services from Marsden and Slaithwaite, linking the site to Huddersfield, Leeds and Manchester through other public transport links.
- 6) The proposal site also provides immediate proximity to a wide and useful network of public footpaths and bridleways, which would encourage walking and cycling. In particular, the site is immediately adjacent to the core walk/cycle network as designated in the Local Plan. Policy LP19 (strategic transport infrastructure) states: - “Development will be strategically placed along core networks where available and the developing core cycle network, all of which will be improved and maintained where possible to reduce congestion and reliance on the private car.”

Therefore, although it is put forward that the appeal site is sustainably located and offers realistic non-car transport mode accessibility, it is also noted that Grey Belt appeal decisions within rural areas in Kirklees have allowed flexibility in terms of private vehicle use. In addition, a recent appeal decision⁶ for two detached dwellings also concluded the location was sustainable for the purposes of Paragraph 155, stating at Paragraph 29: “Future occupants would therefore be dependent on use of a private car to meet their day-to-day needs. However, paragraph 110 of the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.”

Overall, the proposals are therefore considered to comply with Paragraph **155(c)**.

Paragraph **155 (d)** relates to major planning applications, and it is therefore not applicable in this case.

The proposed development is therefore considered to be appropriate development in the Green Belt in principle, in accordance with Paragraph 155 in the NPPF.

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⁶ Appeal Decision APP/M3645/W/24/3347328

Principle of Development - Housing Supply and Delivery

Paragraph 61 in the NPPF states, *'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.'*

Nationally, the recently elected Government⁷ has acknowledged the housing crisis with the immediate decision to re-introduce compulsory house targets and the "urgent steps" pledge to build 1.5 million homes within this parliamentary term.

Paragraph 73 in the NPPF goes on to state that, *'Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes and are often built-out relatively quickly.'*

As stated above, the confirmed position for Kirklees Council⁸ is that there is no longer a five-year supply of specific deliverable sites. In addition to the confirmed inadequate housing supply position, housing delivery in Kirklees has also fallen below 95%.

As such, because the development site is judged to constitute Grey Belt, it is not 'inappropriate development' in the Green Belt, and there is no strong reason to refuse such an application under Green Belt policy NPPF Paragraph 11(d)(i) and Footnote 7. As such, the tilted balance in favour of granting permission applies, meaning that the application must be approved unless any adverse impacts would significantly and demonstrably outweigh the benefits of the scheme.

Within a recent appeal decision⁹, the Inspector afforded significant weight to a small number of dwellings being proposed, given the Council's housing supply shortfall stating: "The proposal would deliver additional housing in an area where there is significant housing supply shortfall compared to the level required by national policy. Although the number of dwellings proposed is small, it would still provide benefits towards meeting the Framework objectives for the delivery of housing, **which I provide significant weight to.**"

The proposed development is therefore considered to be acceptable with regard to Paragraphs 61 and 73 of the NPPF, and in particular with regard to paragraph 11d, there are considered to be no adverse impacts that would significantly and demonstrably outweigh the benefits of this scheme (as detailed further below).

Design and Visual Amenity

Local Plan Policy LP24 states:

'Proposals should promote good design by ensuring: a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape.'

⁷ Government News Story "Chancellor unveils a new era for economic growth 8th July 2024"

⁸ Kirklees Housing Position Statement to Boost Supply February 2024

⁹ Appeal Ref: APP/H1840/W/24/3350993 Para 23

Paragraph 135 in the NPPF sets out various design objectives, including the need to ensure developments will function well and add to the overall quality of an area, are visually attractive, are sympathetic to local character, and establish or maintain a strong sense of place.

The Housebuilders Design Guide SPD also sets out what the Council considers to be high-quality residential design through a number of principles. The relevant Principles in relation to this application in terms of design and visual amenity are as follows (with responses attached to each Principle):

Principle 2: *Respect and enhance the local character of the area.*

Principle 13: *Materials*

Principle 15: *Windows and Doors*

Principle 15: *Rooflines*

The proposals will replace somewhat utilitarian former agricultural buildings, with a high quality development which will help comprehensively redevelop and positively transform this former farm site.

The site was the subject of a successful Class Q application in 2025 (App no. 2025/ 91403) which created three dwellings within the existing structures. However, the restrictive nature of Class Q permitted development rights limited the outstanding outlook, and thus encouraged the applicant to re-visit the scheme.

The design philosophy has been prompted by the local vernacular, with the proposed buildings tightly grouped together to create an enclosed entrance yard mitigating the prevailing winds and protecting the building entrances. Where the building envelopes are separated, a stone wall continues the enclosure, softened with areas of low level indigenous planting. Outside the wall areas of planted gardens are proposed divided by indigenous hedging. The dwellings have been designed to relate to the scale of the existing and surrounding buildings.

The materials and form of development, including the standing seam metal walls and roofs, grounded in a natural stone plinth, would result in a sustainable contemporary development based on a traditional agricultural typology.

The proposed dwellings are part single storey / part two-storey to reflect traditional groupings of agricultural buildings that vary in scale and form, centred around a 'farmyard' which produces a compact enclosed form of development that would sit comfortably within the wider rural landscape (and consistent with the aims of Policy LP32 - Landscape).

The simple gable roof styles are in keeping with traditional roof forms of existing buildings on this site and in the surrounding area. The style, shape and size of the proposed window and door openings also reflect the agricultural building design approach, and would also ensure both maximum daylight and privacy for future occupants.

The development utilises both locally prevalent materials (natural stone) and includes more modern, contrasting materials that support the intended 'contemporary barn' design ethic.

The proposed development is therefore considered to be acceptable with regard to design and visual amenity and complies with Local Plan Policy LP24, paragraph 135 in the NPPF, and Principles 2, 13, 14 & 15 of the Housebuilders Design Guide SPD.

Residential Amenity

Local Plan Policy LP24 states:

'Proposals should promote good design by ensuring: b. they provide a high standard of amenity for future and neighbouring occupiers.'

This is echoed in paragraph 135 f) in the NPPF.

The relevant principles in the Housebuilders Design Guide in relation to residential amenity are as follows:

Principle 6: Maintaining high standards of residential amenity. The position, orientation and separation distances of the various plots would be policy compliant as follows:

- a) Plot 1 – Plot 2: A gap of 14.4m is proposed between nearest part of southern elevation of Plot 1 (the single storey snug) and the northern elevation of Plot 2 (garage), therefore exceeding the 12 metre habitable to non-habitable standard. The same applies at first floor level between the bedroom windows on the northern elevation of Plot 2 and the blank side wall of Plot 1 (14.5 m).
- b) Plot 1 – Plot 3: A gap of 13.5 m is proposed between the nearest bedroom window on the eastern elevation and the blank elevation on Plot 3. At ground level, the nearest relationship is between the two respective snug areas, however the combined distance and very oblique angles would not result in any overlooking issues.
- c) Plot 2 - Plot 3: At ground floor level, the only potential point of overlooking would be between the kitchen area of Plot 2 and the snug area of Plot 3, however the distance (14.6m) combined again with the very oblique angle would mean that no overlooking matters arise. Furthermore, as a kitchen would be categorised as a non-habitable room, the distance exceeds the minimum standard anyway. There would be no overlooking issues at first floor level because the eastern side elevation of Plot 2 would not contain any windows.

Principle 16: Internal Space Standards. The three new dwellings would provide adequate storage in accordance with the nationally described space standards, and other storage is also likely to be available elsewhere within the dwelling (e.g. within the generous garages). The overall sizes of the new dwellings also exceed the nationally prescribed floorspace standard required for four bedroomed homes.

Principle 17: Outdoor space. The proposed development would result in high levels of amenity for future occupants in relation to outdoor amenity space, providing generous garden / amenity areas, all within the envelope of the existing / former farm complex curtilage areas and hardstanding to the east.

The proposed development is therefore considered to be acceptable in relation to residential amenity and complies with Local Plan Policy LP24, paragraphs 135 f) and 198 in the NPPF and Principles 6, 16 and 17 in the Housebuilders Design Guide.

Highway Considerations

Local Plan Policy LP21 states:

'New development will normally be permitted where safe and suitable access to the site can be achieved for all people and where the residual cumulative impacts of the development are not severe.'

The proposed dwellings would be accessed via an existing track from Slaithwaite Road. There is ample space for cars to pass one another along the track. It is also considered that the addition of three dwellings would not result in a material increase in traffic volumes in the vicinity of the site, particularly given that the site has previously been working farm, and as a result of the legitimate fallback position of the extant Class Q consent for three dwellings (for which Kirklees Highways raised no objections) – ref: 2025/91403, that this development would replace. The LPA previously concluded on the Class Q case: “Overall, subject to the recommended conditions, it is considered that the proposal would not adversely impact the highway network.”

Four parking spaces are proposed for each of the plots comprising a mix of garages and parking bays. The amount of parking provision is therefore considered to be ample for the scale of development proposed and accords with the Kirklees Highways Design Guide.

The proposals are therefore considered to be acceptable in respect of highway matters and accord with Local Plan Policy LP21 and the aims of Chapter 9 in the NPPF.

Waste and recycling

The Highways consultation response in connection with the recent Class Q approval supported the development on these grounds stating: “As it is assumed that a refuse collection takes place for the existing farm dwelling and the two dwellings at Shooting Box then these details can be provided by condition.”¹⁰

It is indeed the case that refuse vehicles currently travel up and down Deer Hill End Road, and turning facilities are available at the western end enabling refuse vehicles to travel up and down the road in a forward gear, past the application site. Waste/recycling collections therefore currently occur at the side of Deer Hill End Road for each of the properties. The proposed development would therefore do the same, with the new residents wheeling their bins to the edge of the road for collection.

Ecology – Bats / Birds

A Preliminary Roost Assessment for bats and an Investigative Field Survey (Stage II) for barn owls was conducted for this application in connection with the two agricultural buildings on the site. The key findings are as follows:

- There are no statutory designated sites within 2km of the property whereby bats are a Reason for Designation or a species of note/interest within the site's citation.
- The two agricultural buildings are of negligible suitability to support a bat roost(s). The single skin corrugated metal sheets and asbestos roof were not conducive to support features that would be favourable to a bat roost(s).
- No evidence of bats was recorded but barn owl pellets, splashing and a single feather was recorded. It is likely barn owl only use the buildings for short periods of time throughout an evening when they are foraging/resting within the locality of the farm.

¹⁰ This is correct, the bin / recycling wagons travel up and down Deer Hill End Road past the application site in a forward gear in both directions, presumably turning at a place further west.

- However, barn owl are only protected when they are breeding and there was no suitable features within either barn that would be used by breeding barn owl.
- There is no requirement for any further surveys or assessments regarding bats or owls.
- In all cases illumination of adjacent habitats should be avoided. Where lighting is required, this must be low level, low intensity and directed downwards.
- It is recommended that artificial that boxes/roosts are installed within the development, in order to provide an uplift for bats in relation to their habitat.

It was therefore concluded that the demolition of the existing buildings would have no negative impact on roosting bats and no negative impact on nesting birds.

The proposed development is therefore considered to be acceptable in connection with bats and complies with Local Plan Policy LP30 and the aims of Chapter 15 in the NPPF.

Biodiversity Net Gain

Government Guidance on Biodiversity Net Gain states at Paragraph 002:

“The statutory framework for biodiversity net gain has been designed as a post-permission matter to ensure that the biodiversity gain objective of achieving at least a 10% gain in biodiversity value will be met for development granted planning permission. Once planning permission has been granted, unless exempt, a Biodiversity Gain Plan must be submitted and approved prior to the commencement of that development.”

As the Guidance also confirms (Para 024), “the biodiversity gain condition has its own separate statutory basis, as a planning condition under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990. The condition is deemed to apply to every planning permission granted for the development of land in England.”

In accordance with Article 7 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the minimum information needed to accompany the application is contained within the application form accompanying this application.

In accordance with Local Plan Policy LP30, Principle 9 in the SPD and national planning requirements, Biodiversity Metric Calculations and a Report accompany this planning application.

The on-site baseline score for area habitat units is 0.25 units. The post-intervention score, achieved through on-site native tree planting, would be 0.28 units, thereby representing in excess of the required 10% net gain (15.36%).

Subject to agreeing suitable conditions, the proposals are considered to comply with Paragraph 170 in the NPPF (Conserving and enhancing the natural environment), Local Plan Policy LP30 (Biodiversity and Geodiversity), and Principle 9 in the Housebuilders Design Guide SPD.

Water supply and drainage

The site is supplied by mains water and drainage would be via a drainage field and a package treatment plant of sufficient capacity for the three dwellings. An indicative drainage layout is detailed on the site elevations plan.

The proposed development is therefore considered to be acceptable and complies with Local Plan Policy LP28.

Climate Change

A Climate Change Statement is submitted as part of the application. The following climate change mitigation measures form part of the development proposals:

- PV Solar panels incorporated into the roofs of the dwellings.
- Installation of storage batteries.
- High level insulation throughout.
- Materials and labour to be sourced locally where possible.
- High quality aluminium windows and doors.
- Water efficient fixtures and fittings.
- Areas of soft landscaping, permeable paving to minimise surface water run-off.
- EV Charging point for each dwelling.
- Biodiversity net gain as detailed in the section above.

The proposals would therefore have a positive impact on climate change and accord with Local Plan Policies LP24 and LP26 and Principle 18 in the Kirklees Housebuilders Design Guide SPD.

Public Rights of Way

Public bridleway MEL/68/30 (Deer Hill End Road) runs along northern boundary of the site. The bridleway would be unaffected by the proposals given that - as detailed in the highways section above - it is considered there would be no material increase in traffic given that the site has previously been working farm, and as a result of the legitimate fallback position of the extant Class Q consent for three dwellings (which this application would replace / supersede if granted).

The officer's report in connection with the recent class Q approval for three dwellings raised no objections, stating:

Deer Hill Road also carries PROW Bridleway MEL/68/30. KC Prow have been consulted and have stated that they would not allow any change of surface without prior approval from the Rights of Way Team. This will be attached via an informative to notify the applicant of such requirements."

As such, the development would still allow members of the public to access and use the bridleway safely and conveniently, in accordance with NPPF Paragraph 105.

Finally, as detailed above, the site is immediately adjacent to the core walk/cycle network as designated in the Local Plan, so the Council says it plans to "improve and maintain" such paths "where possible to reduce congestion and reliance on the private car."

Noise

With reference to the extant Class Q permission granted last year, the LPA raised no objections on this basis, stating in the officer's report:

"The site is situated in a relatively isolated position, with only the existing farm house located north-west of the buildings. As the proposal introduces residential dwellings into an area

where there are other properties of residential use, it is not considered that the development would result in noise levels significantly above those currently experienced. There are no known sources of noise pollution that would harm the amenity of future residents.”

The proposals are therefore considered to be acceptable and in compliance in Local Plan Policy LP52 and NPPF Paragraph 185.

Land Contamination and Coal Mining Risk

In respect of the extant Class Q permission granted last year, the LPA were content to condition these matters, stating in the officer’s report:

“The site is not identified as within Potentially Contaminated Land, however as the existing use of the site was for agricultural purposes, which may have introduced contamination in the form of chemicals associated with farming, machinery and farm wastes, a Phase 1 Preliminary Risk Assessment and Phase 2 Ground Investigation Report, and where necessary Phase 3 Remediation Strategy will therefore be conditioned.”

The site is not within a coal mining risk area.

The proposed development is therefore considered to be acceptable and in accordance with Local Plan Policy LP53 and paragraph 196 in the NPPF subject to the inclusion of relevant land contamination conditions.

Conclusion

This application seeks planning permission for the demolition of existing buildings and the erection of three dwellings with associated parking and landscaping.

The proposed site is considered to constitute ‘Grey Belt’ land and when considered against other permitted cases across the country – including major developments on greenfield sites - this development is considered to be very much at upper end of acceptability / lower end of harm, being a site containing existing agricultural buildings and not encroaching into the wider countryside.

Other material circumstances in favour of the development exist in the form of a legitimate and realistic fallback position through the permission to develop the site for three dwellings under Class Q.

The proposed development is also considered to be acceptable in respect of design and visual amenity, residential amenity, highway safety, biodiversity, PROW, noise, ecology, BNG, drainage and climate change.

In accordance with NPPF paragraph 73, the development represents a “small / medium sized site” that can make “an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes and are often built-out relatively quickly.”

The development would also contribute to the borough’s housing supply at a time when no five year supply of deliverable sites can be demonstrated by the Council. As a result, the Council is obliged grant planning permission unless there are any adverse impacts that would significantly and demonstrably outweigh the benefits, in accordance with NPPF Paragraph 11d.

In this regard, there are considered to be no material planning adverse impacts arising from the development.

It is therefore respectfully requested that planning permission is granted accordingly.

Robert Halstead Chartered Surveyors & Town Planners

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