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Planning Development

Planning Statement – Permission in Principle

Land adj. to Hunters Lodge, Cemetery Road, Holmfirth, HD9 2RH

Introduction

This application is submitted in connection with the Town and Country Planning (Permission in Principle) (Amendment) Order 2017.

Government Guidance states: “The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second (‘technical details consent’) stage is when the detailed development proposals are assessed.”¹

This application relates to the first stage or ‘permission in principle’ for the erection of one dwelling.



Application site

¹ Paragraph 001

Site Description

The site currently contains a stable block and areas of outdoor storage of building materials, firewood etc.

The land is associated with the property Hunter's Lodge, which lies just north east of the application site. Access to the property (and application site) is via Cemetery Road. The property is positioned close to the south-western edge of the town of Holmfirth.

There are neighbouring residential properties located to the north-east of the property with a cemetery to the west and agricultural land surrounding other sides to the site.



Satellite imagery dated 5th June 2016

Relevant Planning History

90/04419 - Conversion and extension of barn to form dwelling. Granted.

97/92668 - Change of use of land to extend domestic curtilage and landscaping works. Granted.

2004/90472 - Erection of agricultural storage shed. Granted.

2015/90751 – Extension to agricultural building. Granted.

2023/93088 - Erection of two storey side extension (to Hunters Lodge). Granted.

2024/90214 - Certificate of lawfulness for existing attached external shelf with lean to roof. Granted.

2024/92947 - alterations to attach shelter to form garden room. Granted.

NOTE: Although, no planning records can be identified online for the application site stable block and associated drive and hardstanding, the building has existed from at least as far back as June 2016 according to the World Imagery Wayback website – see image above ². This significantly pre-dates the change in enforcement immunity laws (4 years to 10) that were introduced in 2024. The building and hardstanding areas would therefore be lawful by virtue of the passage of time.

Policy Designation

The application site is located in the Green Belt in accordance with the Kirklees Local Plan Policies map. The site also lies within the Holme Valley Neighbourhood Development Plan Area and is within the 'River Holme Settled Valley Floor' character area.

The Proposals – Permission in Principle

This application seeks permission in principle for the erection of one dwelling.

The proposal fulfils the criteria in Article 5B of the Town and Country Planning (Permission in Principle) Order 2017 (as amended) for the following reasons:

- It is not a major development
- It is not a habitats development
- It is not a householder development
- It is not a Schedule 1 development requiring an Environmental Impact Assessment

A Location Plan, Existing and Proposed Site accompany the application, as required by the Regulations.

Assessment of the Proposals

Government Guidance states: “The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these ‘in principle’ matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage.” ³

Principle – 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.’*

² <https://livingatlas.arcgis.com/wayback/#mapCenter=1.78988%2C53.56648%2C19&mode=explore&active=15212>

³ Paragraph 012

Nationally, the Government ⁴ 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.’*

The Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% Housing Delivery Test (HDT) requirement.⁵ Furthermore, recent annual dwelling completion totals within the borough have been heavily reliant on windfall sites.

Indeed, recent BBC research has shown that housing delivery across the region has dropped in the first year of the Labour Government ⁶, with the number of houses delivered in Kirklees down from 989 to 840 between April 2024 and April 2025.

As such, NPPF Paragraph 11 states that decisions should apply a presumption in favour of sustainable development, where the policies most important for determining the application are out of date ⁷, unless policies in the framework protecting areas or assets of particular importance (including Green Belt) provides a strong reason for refusing the development.

However, as detailed below, it will be submitted to the application site comprises Grey Belt land and is therefore within a category of ‘appropriate 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.

Location and Land-Use – Green / 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:

⁴ Government News Story “Chancellor unveils a new era for economic growth 8th July 2024”

⁵ As per the last published figures 12th December 2024

⁶ <https://www.bbc.co.uk/news/articles/cwy2wn09n26o>

⁷ Footnote 8 confirms this includes situations where the LPA cannot demonstrate a five year supply of deliverable housing sites, or where the housing delivery test is below 75%.

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

The site comprises a stable block, access and hardstanding and is therefore classed as previously development land. Nonetheless, the brownfield / greenfield status of a site is somewhat academic in the context of Grey Belt policy, because the definition above includes brownfield or 'any other land'. Appeal decisions nationwide ⁸ 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:

- 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. ⁹

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 adjacent to a *reasonably* large built-up area (Holmfirth). In accordance with Green Belt Government guidance at Paragraph 005, the site would at most make a *moderate* contribution to this Green Belt purpose because the site contains existing development, and the new development (particularly if single storey as envisaged), would not result in an incongruous pattern of development.

Furthermore, the application site is immediately adjacent to physical features on the ground that help restrict/contain development - i.e. the application site only covers the existing area of stables / hardstanding. The site is also in close proximity to other urbanising influences, such as: the host property (Hunters Lodge) and other associated buildings; dwellings immediately to the north-east; and the cemetery immediately to the south-west.

As such, the proposed site does not make a *strong* contribution to **Purpose A**.

Referring to **Purpose B**, the application site also makes a 'weak or none' contribution as it does not form a gap between towns because there is no other town after Holmfirth in a trajectory to the south from this site (again as per the assessment criteria at Paragraph 005 of the Guidance).

⁸ See for example APP/D3640/W/24/3347530 paragraph 11, or APP/P1805/W/24/3356219 paragraph 5.

⁹ Government Guidance 'Green Belt' Paragraph 005.

For **Purpose D** (to preserve the setting and special character of historic towns), although the site is close to the outer edge of Holmfirth, which is a historic town, the application site does not make a strong contribution to this purpose for the following reasons in accordance with the Government's Practice Guidance on Green Belt:

- 1) This is an application for a single dwelling, as opposed to a major development on the edge of a historic town, for which impacts would be much more significant.
 - 2) The site is already developed.
 - 3) The site is not part of the historic setting of Holmfirth because the nearest edge of the Conservation Area is 270 metres away to the north-east (junctions of Rotcher Road / Goose Green / Cartworth Road / Cemetery Road), and the intervening development along Cemetery Road is largely late C20th modern development that makes no contribution to the setting/special character of Holmfirth.
 - 4) The site has little or no visual, physical, or experiential connection to the historic aspects of the town.
- 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:

'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 an equestrian building 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).

As such, this proposal is at the very lower end of the scale in terms of **Purpose C**, because the site already contains an existing building and hardstanding. 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 addressed¹⁰ 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, being beyond the edge of the Holmfirth settlement as designated in the Local Plan (i.e. the site is in the Green Belt and the nearest continuous built form is the ribbon development on Cemetery Road to the north-east – which is without notation on the Local Plan Proposals Map). As such, **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.*

¹⁰ Our emphasis

Indeed, within an appeal (since the introduction of Grey Belt policy) for 400+ homes on wholly greenfield land ¹¹, 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 one dwelling 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 Test 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 is sustainably located has the following facilities and public transport accessibility.

- 1) The site is within 20m of the aforementioned built-up edge of Holmfirth and just 420m to the edge of the town centre on Hollowgate (a 7 minute walk).
- 2) The main bus station for the area is located a minute’s walk further, off Towngate, with dozens of frequent bus services allowing users to access all the surrounding villages and towns, including the principal town in Kirklees: Huddersfield.
- 3) Holmfirth also serves as one of four town centres in the borough (second tier in the town centre hierarchy behind the principal centres of Huddersfield and Dewsbury). As such, the Local Plan (Table 11 – Page 74) - states that such town centres: “provide for the shopping needs of residents across Kirklees mainly in the convenience (food) goods sector”, and are “the focus for the local provision of financial services, offices, entertainment and leisure facilities, arts, culture and tourism facilities, further education and health services.” All these facilities can be found in Holmfirth, which is a vibrant town centre.
- 4) The town also includes Holmfirth Junior, Infant and Nursery School (a 400 m walk away on Cartworth Road) and Holmfirth High School located 2kms to the north (pupils either walk to school along New Mill Road or catch a bus from Holmfirth town centre).
- 5) The proposal site also provides immediate proximity to a wide and useful network of public footpaths and bridleways, which would encourage walking and cycling.

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.

¹¹ Appeal decision ref: APP/A1910/W/24/3345435

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

Amount of Development

Local Plan Policy LP7 states:

‘Housing density should ensure efficient use of land, in keeping with the character of the area and the design of the scheme:

a. developments should achieve a net density of at least 35 dwellings per hectare, where appropriate.

c. lower densities will only be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs.’

The site is of sufficient size for one house only in terms of the area of land available (0.05 ha) and its narrow rectangular shape. Also, given the size and spacing of surrounding plots on this road, a single house is considered to be appropriate for the development to remain in keeping with the character of the area.

Other Matters (not strictly relevant to PIP assessment but for information purposes)

Highway / parking matters

The proposed dwelling would utilise the existing access currently used for the applicant’s existing property Hunters Lodge.

Parking provision for the new dwelling would be provided on site. The proposed indicative hardstanding area on the enclosed plans would accommodate two car parking spaces, with room for manoeuvring and turning: cars would therefore be able to exit the site in a forward gear. It is also considered that the addition of one dwelling would not result in a material increase in traffic volumes in the vicinity of the site.

However, as this application is for permission in principle, all highway matters are to be considered at the Technical Details Stage. Should permission in principle be approved, more detailed plans and information would be provided to demonstrate the development is acceptable in highway terms.

BNG

The applicant will address Biodiversity Net Gain (BNG) matters at the Technical Details Stage.

Conclusion

This application seeks permission in principle for the demolition of the existing stables and the erection of one dwelling.

As discussed in the preceding paragraphs of this report, the proposals are considered to be appropriate development in the Green Belt in accordance with paragraph 155 in the NPPF.

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 ‘in principle’ material planning adverse impacts arising from the development in accordance with the criteria upon which Permission in Principle applications are assessed

It is therefore respectfully requested that Permission in Principle is granted accordingly.

Robert Halstead Chartered Surveyors & Town Planners

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