

DESIGN AND ACCESS STATEMENT

**Outline Planning Application
(Means of Access and Layout Only)**

**Land Adjacent to 161 Reinwood Road
Reinwood
Huddersfield
HD3 4DS**

ADDENDUM

July 2026

The entirety of the site is allocated as Urban Green Space in the adopted Kirklees Local Plan (part of site ref. UG117). The portion of land to which this application relates was identified in the Kirklees Open Space Study (KOSS) (2016) to form part of a 'park and recreation ground' (OLS 609, CLASS 713). However, as set out in the Council's pre-application enquiry response, the land is clearly separate from the recreation ground, and instead forms part of an enclosed natural/semi-natural greenspace (NSNG) site, which is in private ownership (it is no longer owned by Kirklees Council) and which has no public access.

Local Plan policy LP61 (Urban Green Space) does not allow for development proposals that would result in the loss of Urban Green Space unless specific exceptions can be met. The policy states that:

Development proposals which would result in the loss of urban green space (as identified on the Policies Map) will only be permitted where:

- a. an assessment shows the open space is clearly 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; or*
- b. 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; or*
- c. 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.*

The protection set out in this policy also applies to smaller valuable green spaces not identified on the Policies Map.

Sections LP61b) and c) are not relevant in this case. However, in regard to LP61a), while the portion of land to which this proposal relates was assessed as a park and recreation ground in the 2016 KOSS (OLS 609, CLASS 713), it is apparent that the site is a separate, enclosed area of natural/semi natural greenspace. Lindley Ward, where this site is located, was considered to be deficient in natural/semi-natural greenspace in quantity terms in the 2016 KOSS, having 1.74 hectares per NSNG per 1,000 population compared to the minimum standard of 2.0 hectares per 1,000 population. Therefore, whilst it may be argued that this area of NSNG is not surplus to requirements, this small shortfall in the ward is likely to have been reduced over the ten years since the 2016 KOSS, given the amount of residential development within the ward in the last ten years and the subsequent open space that will have been provided on such developments.

In terms of the second part of policy LP61a), careful consideration has been given to the contribution of this site in terms of visual amenity and biodiversity value.

The site offers little in terms of visual amenity and appears as scrubland when viewed from Reinwood Avenue. This is exacerbated by the well-kept appearance of the formal playing fields to the east of the site.

Had this site been within the Green Belt, then there would be a very strong argument for this site to be considered as grey belt. It should be noted that para 108 of the NPPF considers that Local Green Space (the current equivalent of Urban Green Space in policy terms) states that –

Policies and decisions for managing development within a Local Green Space should be consistent with national policy for Green Belts set out in chapter 13 of this Framework.

(Excluding provisions relating to grey belt and previously developed land set out in chapter 13).

In this respect, para 155 of the NPPF states that –

155. The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

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;

(Which, in the case of applications involving the provision of housing, means 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)

c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework;

....

It is held that, in terms of the above, the development would not “fundamentally undermine” the reasons for including this small parcel of land within a much wider Urban Green Space designation, as there is considerable Urban Green Space both adjacent to this site and within the wider area. Critically, there is an unmet need for the development proposed, as the Council cannot demonstrate a five-year land supply for housing. Finally, the site is held to be in a very sustainable location in a

well-established residential area, with schools, services, facilities, and shops within easy walking distance.

In terms of the presumption in favour of sustainable development, the five-year housing land supply position for Kirklees shows 3.2 years supply of housing land (which is still reducing). As the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement, it is necessary to consider planning applications for housing development in the context of NPPF paragraph 11 which triggers a presumption in favour of sustainable development. This means that for decision making

Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (NPPF Footnote 8), granting permission unless:

- (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (NPPF Footnote 7) ; or*
- (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

This weighs strongly in favour of residential development – however, it must be balanced against any adverse impacts of granting the proposal, which in this case, includes a loss of urban green space, which is now considered to be sufficient in the Lindley Ward. Whilst the open setting that this particular portion of urban green space provides to Douglas Avenue Recreation Ground would be lost should development occur, it is

considered that the loss of this scrubland is outweighed by the need to provide housing in the district.

The Preliminary Ecological Appraisal submitted with the application states –

Given that the proposals are confined to the Site boundary, and that habitats present on the Site are common and widespread in the local landscape, it is anticipated that the loss of habitat at the Site is of importance to nature conservation at no greater than the site level.

As such, it is clear that, in terms of the “tilted balance”, residential development on this site outweighs the loss of a small area of Urban Green Space that adds little visually nor quantitatively to the overall area and that any loss of habitat on this site is of importance at no greater than site level. The fact is that the Council is currently unable to demonstrate anywhere near its five-year land supply requirements for housing and therefore now has a Local Plan that is out of date, means that the “tilted balance” is now engaged and, for the reasons set out above, the requirement to meet an unmet need for housing in the district outweighs any limited harm to the loss of a small area of Urban Green Space in this instance.

Andy Rushby

July 2026