

GREY BELT ASSESSMENT

Land off Fenay Lane, Almondbury

Assessment of the Site Against the Grey Belt Definition in the National Planning Policy Framework (December 2024) and Planning Practice Guidance on Green Belt (February 2025)

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1. Introduction

1.1 Purpose and Scope

1.1.1 This Grey Belt Assessment has been prepared by Studio 413 Limited on behalf of Vesta Property Group (Fenay Lane) Ltd. in support of a proposed residential development on land off Fenay Lane, Almondbury, within the administrative area of Kirklees Council.

1.1.2 The purpose of this assessment is to determine whether the site meets the definition of ‘grey belt’ as set out in the National Planning Policy Framework (NPPF), published in December 2024, and the associated Planning Practice Guidance (PPG) on Green Belt, published on 27 February 2025.

1.1.3 The concept of grey belt was introduced through the revised NPPF as part of the Government’s strategy to address the national housing crisis and deliver 1.5 million new homes during this Parliament. Grey belt is defined in Annex 2 of the NPPF 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.”

1.1.4 Where development on grey belt land satisfies the criteria set out in paragraph 155 of the NPPF, it is deemed to be ‘not inappropriate’ development in the Green Belt. This is a significant policy shift: development that is not inappropriate does not need to demonstrate ‘very special circumstances’ to justify approval, and decision-makers are not required to give substantial weight to any harm to the Green Belt, including to its openness.

1.1.5 This assessment applies the five-step methodology set out in the PPG to evaluate the site’s performance against the relevant Green Belt purposes, consider any footnote 7 constraints, and reach a conclusion on whether the site constitutes grey belt land. It also considers whether the wider criteria of paragraph 155 can be satisfied, including demonstrable unmet need and sustainability of location. The assessment of the ‘Golden Rules’ will be undertaken during the application period.

1.1.6 This assessment is not a Landscape and Visual Impact Assessment, nor does it constitute a Heritage Impact Assessment.

1.2 The Site

1.2.1 The site comprises approximately 0.9 hectares of greenfield agricultural land situated on the southern edge of Almondbury, a well-established settlement forming part of the wider Huddersfield urban area within the borough of Kirklees (Appendix 1 – Figure 1). The site is currently designated as Green Belt in the adopted Kirklees Local Plan (February 2019).

1.2.2 The site occupies a position at the interface between the built-up residential area of Almondbury to the north and the more open, undulating countryside that extends southward. The

land is broadly rectangular in form, with its longer axis oriented approximately east–west. The proposed development comprises 6 detached dwellings.

1.3 The Surrounding Area

1.3.1 Almondbury is a suburban district centre within the wider Huddersfield urban area. It benefits from a range of local services and facilities, including a primary school, an academy (King James’s School), local shops, places of worship, and community facilities. The settlement is well connected to Huddersfield town centre, approximately 3 kilometres to the north-west, by regular bus services and road connections.

1.3.2 The wider area to the south and south-west is characterised by open countryside, forming part of the extensive Green Belt landscape south of Huddersfield. Fenay Hall, a Grade II* listed building of considerable heritage significance, lies approximately 385 metres to the south-east of the site on Fenay Lane.

1.3.3 To the east, the settlement of Fenay Bridge lies within approximately 500 metres. Fenay Bridge functions as a small residential area rather than an independent town. Beyond Fenay Bridge, the A629 (Penistone Road) provides a strategic road corridor running broadly north-south through this part of Kirklees.

1.3.4 The Green Belt in this part of Kirklees forms part of the extensive West Yorkshire Green Belt, which covers approximately 70% of the Kirklees district (some 25,450 hectares excluding the Peak District National Park). The strategic function of the Green Belt in this area is primarily to maintain the openness of the countryside south of Huddersfield and to preserve separation between the urban area and the dispersed settlements in the Kirkburton and Denby Dale areas further to the south-east.

1.4 The Kirklees Planning Context

1.4.1 The Kirklees Local Plan was adopted in February 2019 and covers the period 2013–2031. It sets a housing requirement of 1,730 dwellings per annum. Since adoption, housing delivery has fallen below the required trajectory, with significant consequences for the planning policy position in the district.

1.4.2 Kirklees Council is currently unable to demonstrate a five-year supply of deliverable housing sites. The Council’s Authority Monitoring Report 2024/25 records a five-year housing land supply position of 4.18 years. In addition, the 2023 Housing Delivery Test result for Kirklees was 54%, which is below the 75% threshold. In those circumstances, the presumption in favour of sustainable development is engaged for decision-taking under paragraph 11(d) of the NPPF. These are material considerations of substantial weight in the determination of planning applications for housing.

1.4.3 On 24 March 2026, Kirklees Council approved the commencement of a full update of the Kirklees Local Plan in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2026. The Council’s published report explains that the Local Plan update will proceed under the new 2026 plan-making system and associated timetable. The content of the updated plan will be developed through that statutory process.

1.4.4 In the context of grey belt policy, Kirklees' current housing land supply shortfall and Housing Delivery Test performance are directly relevant to the question of demonstrable unmet need at paragraph 155(b) of the NPPF. For applications involving the provision of housing, footnote 56 confirms that demonstrable unmet need includes circumstances where a local planning authority cannot demonstrate a five-year supply of deliverable housing sites or where the Housing Delivery Test has been below 75% over the previous three years.

1.5 Existing Green Belt Evidence

1.5.1 The Kirklees Local Plan was supported by a Green Belt Review (November 2016, updated April 2017), which assessed the edge of the Green Belt across the district. The Review adopted a methodology that assessed the degree to which land at the Green Belt edge performs a Green Belt role, as well as the degree of constraint along each edge.

1.5.2 The Review assessed parcels of land adjacent to the Green Belt boundary using references corresponding to their settlement area. In closest proximity to the site, parcels designated **AL5** and **AL6** were assessed. While the site subject to this assessment was not individually assessed, it falls adjacent to the area covered by these assessments. The findings for parcel AL5 is considered where relevant in this assessment.

1.5.3 It is important to note that the Kirklees Green Belt Review predates the introduction of grey belt policy in December 2024 and the associated PPG guidance published in February 2025. The Review was undertaken against the earlier NPPF framework and used a different assessment methodology. While its findings provide useful contextual evidence, this assessment applies the current five-step PPG methodology, which represents the appropriate framework for determining grey belt status for decision-taking purposes.

1.5.4 The Kirklees Green Belt Review made a strategically significant observation regarding Purpose (d) of the Green Belt. It confirmed that "although Kirklees does not have any historic towns, it does contain a significant number of designated heritage assets, including listed buildings, whose setting and special character can be preserved by the green belt." This acknowledgement is directly relevant to the assessment of Purpose (d) in the context of the current PPG methodology.

1.6 Structure of this Report

1.6.1 The remainder of this report is structured as follows:

Section 2 sets out the relevant policy framework, including the NPPF 2024, the February 2025 PPG, and the adopted Kirklees Local Plan;

Section 3 describes the assessment methodology, aligned to the five-step approach set out in the PPG;

Section 4 defines the assessment area (Step 1);

Section 5 assesses the site's contribution to Green Belt purposes (a), (b) and (d) (Step 2);

Section 6 considers the application of footnote 7 constraints (Step 3);

Section 7 draws together Steps 2 and 3 to determine whether the site constitutes grey belt (Step 4);

Section 8 assesses whether development would fundamentally undermine the remaining Green Belt (Step 5);

Section 9 considers the wider paragraph 155 tests, including demonstrable unmet need and sustainable location, and notes that the assessment of the Golden Rules will be undertaken during the application period;

Section 10 sets out the overall conclusions of the assessment.

2. Policy Framework

2.0.1 This section sets out the national and local planning policy framework against which this Grey Belt Assessment has been prepared. It addresses the relevant provisions of the NPPF (December 2024), the Planning Practice Guidance on Green Belt (February 2025), and the adopted Kirklees Local Plan (February 2019).

2.1 National Planning Policy Framework (December 2024)

The Presumption in Favour of Sustainable Development

2.1.1 Paragraph 11 of the NPPF establishes the presumption in favour of sustainable development. For decision-taking, this means that where a local planning authority cannot demonstrate a five-year supply of deliverable housing sites, or where the Housing Delivery Test indicates that delivery has been substantially below the housing requirement, the policies most important for determining the application should be considered out-of-date. In such circumstances, permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance (identified in footnote 7) provides a clear reason for refusing the development, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (the ‘tilted balance’).

2.1.2 Both triggers for the tilted balance are engaged in Kirklees: the Council cannot demonstrate a five-year housing land supply, and the Housing Delivery Test results have indicated substantial under-delivery. This is a material consideration of considerable weight.

Green Belt Policy: Paragraphs 142–157

2.1.3 Paragraph 142 confirms that the Government attaches great importance to Green Belts, the fundamental aim of which is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.

2.1.4 Paragraph 143 sets out the five purposes of the Green Belt:

- (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.

2.1.5 Of these five purposes, only three, (a), (b) and (d) are relevant to the identification of grey belt land. Purposes (c) and (e) are not part of the grey belt definition but remain relevant to the wider assessment of whether development would fundamentally undermine the remaining Green Belt (Step 5 of the assessment methodology).

2.1.6 Paragraph 145 confirms that, once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans.

2.1.7 Paragraph 148 introduces a sequencing approach for plan-making where Green Belt release is necessary, requiring authorities to give priority to previously developed land, then grey belt land that is not previously developed, and then other Green Belt locations. This sequential approach underscores the policy intention that grey belt land should be considered for release ahead of higher-performing Green Belt.

2.1.8 Paragraph 153 confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

2.1.9 Paragraph 154 sets out forms of development that are not inappropriate in the Green Belt, including buildings for agriculture or forestry, limited infilling, and the partial or complete redevelopment of previously developed land. Paragraph 155 establishes a further, distinct category of ‘not inappropriate’ development, that of grey belt development meeting the four criteria - operating alongside paragraph 154 rather than as a subset of it. The grey belt route does not require the development to fall within any of the forms listed in paragraph 154.

Grey Belt: Paragraph 155

2.1.10 Paragraph 155 is the central policy provision for grey belt. It establishes that development in the Green Belt should *also* not be regarded as inappropriate where **all** of the following criteria are met:

- (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 the Framework; and
- (d) Where applicable, the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156–157.

2.1.11 Where development meets all four criteria and is therefore ‘not inappropriate’, two consequences follow. First, it does not need to be justified by very special circumstances. Second, footnote 55 of the NPPF confirms that the policy requirement to give substantial weight to any harm to the Green Belt (including to its openness) does not apply. These consequences flow directly from ‘not inappropriate’ status and are distinct from the tilted balance at paragraph 11(d)(ii), which is a separate policy mechanism triggered by a housing land supply shortfall or Housing Delivery Test failure. Both mechanisms may operate simultaneously, as they do in Kirklees, but they arise from different policy provisions and should not be conflated.

The Grey Belt Definition: Annex 2

2.1.12 Annex 2 of the NPPF defines grey belt 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.”

2.1.13 It is important to note that the definition requires the site to ‘not strongly contribute’ to **any** of the three relevant purposes. This means that if the site does not make a strong contribution to purpose (a), *and* does not make a strong contribution to purpose (b), *and* does not make a strong contribution to purpose (d), it meets the first limb of the grey belt test. A moderate or weak contribution to one or more purposes does not prevent a site from qualifying as grey belt.

2.1.14 The second limb of the definition excludes land where footnote 7 designations (other than Green Belt itself) would provide a ‘strong reason’ for refusing or restricting development. Footnote 7 identifies the following areas or assets of particular importance: habitat sites and those listed in paragraph 194 of the NPPF; Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest); and areas at risk of flooding or coastal change.

The Golden Rules: Paragraphs 156–157

2.1.15 Paragraph 156 sets out the ‘Golden Rules’ that apply where major development involving the provision of housing is proposed on land released from the Green Belt, or on Green Belt sites. The required contributions are:

- **Affordable housing** - reflecting either development plan policies produced in accordance with paragraphs 67–68, or until such policies are in place, the policy at paragraph 157;
- **Infrastructure** - necessary improvements to local or national infrastructure; and
- **Green space** - the provision of new, or improvements to existing, green spaces accessible to the public, with new residents able to access good quality green spaces within a short walk of their home.

2.1.16 Paragraph 157 provides that where there is no development plan policy setting out an affordable housing requirement for Green Belt or former Green Belt land, the requirement is 15% above the highest existing affordable housing requirement that would otherwise apply, subject to a cap of 50%. Where there is no pre-existing requirement, 50% affordable housing applies by default.

2.1.17 Developments that comply with the Golden Rules should be given ‘significant weight in favour of the grant of permission’ (paragraph 156). This represents a strong policy presumption in favour of compliant schemes.

2.1.18 The Golden Rules apply ‘where applicable’ to major development involving the provision of housing (paragraph 155(d)). The definition of ‘major development’ for housing in Annex 2 of the NPPF differs from the procedural definition in article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The applicability of the Golden Rules to the proposed development turns on that definitional question. The assessment of the Golden Rules will be undertaken during the application period (see Section 9.3).

2.2 Planning Practice Guidance on Green Belt (February 2025)

2.2.1 The PPG on Green Belt was updated on 27 February 2025 to provide detailed guidance on how to identify grey belt land and apply the relevant NPPF policies. The PPG is a material consideration

to which significant weight should ordinarily be given and is a relevant factor in interpreting NPPF policy.

The Five-Step Assessment Methodology

2.2.2 The PPG sets out a five-step methodology for assessing Green Belt to identify grey belt land (Paragraph 003, Reference ID: 64-003-20250225):

- **Step 1:** Identify the location and appropriate scale of areas to be assessed;
- **Step 2:** Evaluate the contribution each assessment area makes to Green Belt purposes (a), (b) and (d);
- **Step 3:** Consider whether the policies relating to footnote 7 areas or assets would provide a strong reason for refusing or restricting development;
- **Step 4:** Identify grey belt land (combining Steps 2 and 3); and
- **Step 5:** Identify whether release or development would fundamentally undermine the five Green Belt purposes (taken together) of the remaining Green Belt across the plan area.

2.2.3 The PPG confirms that this process applies equally to plan-making and decision-taking, but that for decision-taking the assessment area will be the application site, which may or may not reflect an existing or proposed Green Belt assessment area (Paragraph 009).

Assessing Contribution to Green Belt Purposes

2.2.4 The PPG provides illustrative features for each of the three relevant purposes, using a ‘strong’, ‘moderate’ and ‘weak or none’ framework (Paragraph 005). This represents a significant advance in consistency of assessment compared to the position before February 2025. The detailed criteria are set out in Section 3 (Methodology) of this report and applied in Section 5 (Step 2: Assessment Against Green Belt Purposes).

2.2.5 Critically, the PPG confirms the scale of settlement to which the relevant purposes relate. **Purpose (a) relates to the sprawl of large built-up areas**, villages should not be considered large built-up areas. **Purpose (b) relates to the merging of towns**, not villages. **Purpose (d) relates to the setting and special character of historic towns**, not villages, and where there are no historic towns in the plan area, it may not be necessary to provide detailed assessments against this purpose.

2.2.6 These clarifications are material to the assessment of the site at Almondbury. As confirmed in the Kirklees Green Belt Review, Kirklees does not contain any historic towns for the purposes of Purpose (d).

Footnote 7 and the Provisional Identification of Grey Belt

2.2.7 The PPG acknowledges that it may only be possible to provisionally identify land as grey belt ahead of more detailed proposals, particularly in relation to footnote 7 designations. This recognises that the application of heritage, ecological or flood risk policies may depend on the nature, scale and design of the specific development proposed (Paragraph 006).

2.2.8 This is a relevant consideration for this assessment. The Grade II* listed Fenay Hall lies approximately 385 metres to the south-east of the site. The question of whether heritage policies

would provide a ‘strong reason’ for refusing development will depend in part on the nature of the relationship between the site and the heritage asset, and on the detailed design of any development proposed.

Openness and ‘Not Inappropriate’ Development

2.2.9 The PPG confirms that where development on grey belt land is ‘not inappropriate’, the usual requirement to give substantial weight to harm to the Green Belt (including openness) does not apply. This flows directly from footnote 55 of the NPPF, which is unambiguous on this point: once development satisfies all four criteria of paragraph 155, the substantial weight ordinarily attached to Green Belt harm, including to its openness, is disappplied. This represents a significant element of the policy shift introduced by grey belt.

2.3 Kirklees Local Plan (February 2019)

2.3.1 The statutory development plan for the area is the Kirklees Local Plan, adopted on 27 February 2019. The site is designated as Green Belt on the Policies Map (Appendix 1 – Figure 4). The key Local Plan policies of relevance to this assessment are:

- **Policy LP1** Presumption in favour of sustainable development;
- **Policy LP3** Location of new development;
- **Policy LP7** Efficient and effective use of land and buildings;
- **Policy LP11** Housing Mix and Affordable Housing;
- **Policy LP20** Sustainable travel;
- **Policy LP32** Landscape;
- **Policy LP35** Historic environment;
- **The Green Belt policies** at Section 19 of the Local Plan, which reflect the NPPF’s approach to Green Belt protection.

2.3.2 The Local Plan was adopted under the previous NPPF framework and does not contain any policies relating to grey belt, which was introduced subsequently in December 2024. The Local Plan’s Green Belt policies are therefore to be read alongside, and in the context of, the current NPPF and PPG, which take precedence where there is any conflict or gap.

2.3.3 As noted in Section 1, the Local Plan is now more than five years old, is currently undergoing a full review, and the Council cannot demonstrate a five-year housing land supply. In these circumstances, the policies most important for determining housing applications (including the Green Belt policies) are to be considered out-of-date for the purposes of paragraph 11(d) of the NPPF. However, this does not diminish the importance of applying the grey belt assessment methodology rigorously, as grey belt status provides a separate and additional route through which development may be found to be ‘not inappropriate’.

2.4 Other Material Considerations

2.4.1 The following are also material to this assessment:

- **Written Ministerial Statement: Building the Homes We Need** (12 December 2024) - accompanying the publication of the revised NPPF, this statement underscored the Government's commitment to delivering 1.5 million new homes and confirmed that grey belt policy is a key mechanism for achieving this;
- **Kirklees Interim Housing Position Statement** - published by the Council in response to the housing land supply shortfall, acknowledging the need to boost delivery and setting out interim measures;
- **Kirklees Green Belt Review** (November 2016, updated April 2017) - providing contextual evidence on the performance of the Green Belt in the Almondbury area, while noting that this predates the current assessment framework; and

2.4.2 Taken together, the policy framework establishes a clear basis for assessing whether the site constitutes grey belt land and whether residential development would be 'not inappropriate' in Green Belt terms. The following section sets out the methodology by which this assessment has been undertaken.

3. Methodology

3.1 Overview of Approach

3.1.1 This assessment follows the five-step methodology set out in the Planning Practice Guidance on Green Belt (February 2025), as summarised in Section 2 of this report. The PPG confirms that this process applies to both plan-making and decision-taking, and that for the purposes of decision-taking, the assessment area is the application site itself (Paragraph 009, Reference ID: 64-009-20250225).

3.1.2 The assessment has been informed by:

- A desktop review of the site and its context, including aerial photography, Ordnance Survey mapping, and publicly available environmental and heritage data;
- The NPPF (December 2024) and PPG on Green Belt (February 2025);
- The adopted Kirklees Local Plan (February 2019) and associated Policies Map;
- The Kirklees Green Belt Review (November 2016, updated April 2017), including the assessment of nearby parcels AL5 and AL6; and
- Publicly available data on environmental designations, heritage assets, and flood risk.

3.1.3 The assessment is a planning policy assessment. It is not a Landscape and Visual Impact Assessment, Heritage Impact Assessment, Flood Risk Assessment, or Ecological Assessment.

3.2 Step-by-Step Methodology

Step 1: Defining the Assessment Area

3.2.1 The PPG states that authorities should divide their Green Belt into separate assessment areas for the purpose of identifying grey belt, and that these should be sufficiently granular to enable the assessment of their variable contribution to Green Belt purposes (Paragraph 004). For decision-taking purposes, the PPG confirms that the assessment area is the application site itself.

3.2.2 This assessment therefore uses the proposed development site boundary as the assessment area. The site's physical characteristics, boundaries and relationship to the surrounding area are described in Section 4.

Step 2: Assessment Against Green Belt Purposes (a), (b) and (d)

3.2.3 The PPG provides illustrative features for assessing the contribution of land to each of the three relevant Green Belt purposes, using a three-tier rating of 'strong', 'moderate' and 'weak or none'. The assessment criteria for each purpose are set out below.

Purpose (a): To check the unrestricted sprawl of large built-up areas

3.2.4 This purpose relates to large built-up areas. The PPG confirms that villages should not be considered large built-up areas. The illustrative features are:

Rating	Illustrative Features
Strong	Free of existing development; lacks physical features that could restrict and contain development; adjacent or near to a large built-up area; if developed, would result in an incongruous pattern of development (e.g. an extended 'finger' into the Green Belt).
Moderate	Adjacent or near to a large built-up area, but includes features that weaken the contribution: physical features that could restrict and contain development; partially enclosed by existing development; contains existing development; subject to urbanising influences.
Weak / None	Not adjacent to or near a large built-up area; or adjacent/near to a large built-up area but containing or largely enclosed by significant existing development.

Purpose (b): To prevent neighbouring towns merging into one another

3.2.5 This purpose relates to the merging of towns, not villages. The illustrative features are:

Rating	Illustrative Features
Strong	Free of existing development; forms a substantial part of a gap between towns; development would be likely to result in the loss of visual separation of towns.
Moderate	Located in a gap between towns but includes features that weaken the contribution: forms a small part of the gap; could be developed without loss of visual separation (e.g. due to structures, natural landscape elements or topography preserving separation).
Weak / None	Does not form part of a gap between towns; or forms part of a gap but only a very small part, without making a contribution to visual separation.

Purpose (d): To preserve the setting and special character of historic towns

3.2.6 This purpose relates to the setting and special character of historic towns, not villages. The PPG confirms that where there are no historic towns in the plan area, it may not be necessary to provide detailed assessments against this purpose. The illustrative features are:

Rating	Illustrative Features
Strong	Free of existing development; forms part of the setting of a historic town; makes a considerable contribution to its special character (e.g. within, adjacent to, or of significant visual importance to the historic aspects of the town).
Moderate	Forms part of the setting and/or contributes to the special character of a historic town, but includes features that weaken the contribution: separated from historic aspects by existing development or topography; contains existing development; lacks an important visual, physical or experiential relationship to historic aspects.
Weak / None	Does not form part of the setting of a historic town; has no visual, physical, or experiential connection to the historic aspects of the town.

3.2.7 The threshold for grey belt identification is that the site does not make a **strong** contribution to **any** of purposes (a), (b) or (d). A rating of ‘moderate’ or ‘weak/none’ for any individual purpose does not prevent the site from qualifying as grey belt. It is only where a **strong** contribution is identified against one or more purposes that the first limb of the grey belt definition is not satisfied.

Step 3: Footnote 7 Constraints

3.2.8 The second limb of the grey belt definition requires consideration of whether the policies relating to the areas or assets identified in footnote 7 of the NPPF (other than Green Belt) would provide a ‘strong reason’ for refusing or restricting development. This assessment involves a systematic review of the following designations and constraints in relation to the site:

- Habitat sites (Special Areas of Conservation, Special Protection Areas, Ramsar sites) and those listed in paragraph 194;
- Sites of Special Scientific Interest (SSSIs);
- Local Green Space, National Landscapes, National Parks, the Broads, and Heritage Coast;
- Irreplaceable habitats (including ancient woodland and veteran trees);
- Designated heritage assets (listed buildings, scheduled monuments, conservation areas, registered parks and gardens, registered battlefields) and other heritage assets of archaeological interest; and
- Areas at risk of flooding or coastal change.

3.2.9 The PPG acknowledges that it may only be possible to provisionally identify land as grey belt ahead of more detailed proposals coming forward, enabling the application of footnote 7 policies to be considered in light of the specific development proposed. This is particularly relevant where heritage assets are present in the wider area, as the extent of any impact will depend on the nature, scale, layout and design of development.

Step 4: Grey Belt Identification

3.2.10 Combining the conclusions from Steps 2 and 3, the site can be identified as grey belt land where:

- it does not strongly contribute to any one of purposes (a), (b) or (d) of paragraph 143; **and**
- the application of the policies in footnote 7 (other than Green Belt) does not provide a strong reason for refusing or restricting development.

3.2.11 This is a binary determination: the site either meets the grey belt definition or it does not. If both conditions are satisfied, the site is grey belt. If either condition is not satisfied, the site is not grey belt and the standard Green Belt policy tests apply (including the need to demonstrate very special circumstances for any inappropriate development).

Step 5: Impact on the Remaining Green Belt

3.2.12 Even where land is identified as grey belt, paragraph 155(a) requires that development would not ‘fundamentally undermine’ the purposes (taken together) of the remaining Green Belt across the area of the plan. This assessment considers all five Green Belt purposes, not just the three used in the grey belt identification.

3.2.13 The PPG states that in reaching this judgement, authorities should consider whether, or the extent to which, the release or development of Green Belt land would affect the ability of all the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way (Paragraph 008).

3.2.14 This is a proportionate assessment. For a site of 0.9 hectares within a Green Belt of some 25,450 hectares, the question is whether the loss of this specific parcel would have a material impact on the strategic functioning of the Kirklees Green Belt as a whole.

3.3 Relationship to Existing Evidence

3.3.1 The Kirklees Green Belt Review (2016/2017) assessed the edge of the Green Belt across the district using a methodology that predates the introduction of grey belt policy and the February 2025 PPG. The Review used its own assessment criteria to evaluate the degree to which land performs a Green Belt role and the degree of constraint along each edge.

3.3.2 While this assessment is carried out under the current PPG methodology, the findings of the Kirklees Green Belt Review are referenced as contextual evidence where they relate to the site or its immediate surroundings. In particular, the assessments of nearby parcels AL5 and AL6 provide useful background on how the Council has previously evaluated the Green Belt in the Almondbury area.

3.3.3 It should be noted that the PPG states that local authorities will need to consider whether any existing Green Belt assessment remains up to date (Paragraph 002). Given the change in policy framework since the Kirklees Green Belt Review was prepared, its findings cannot be treated as determinative. However, where the Review's conclusions are consistent with the current methodology, they provide corroborative support.

3.4 Limitations and Caveats

3.4.1 This assessment has been prepared on the basis of desktop analysis, publicly available information and a site visit.

3.4.2 The assessment of the site's contribution to Green Belt purposes involves an element of professional judgement. The PPG's illustrative features framework provides a structured basis for this judgement, but the ultimate determination of grey belt status rests with the decision-maker (whether the local planning authority or, on appeal, the Planning Inspectorate).

3.4.3 This report does not assess the applicability of, or compliance with, the Golden Rules at paragraphs 156–157 of the NPPF. That assessment will be undertaken during the application period (see Section 9.3).

4. Step 1: Assessment Area

4.1 Defining the Assessment Area

4.1.1 As set out in Section 3, for the purposes of decision-taking, the PPG confirms that the assessment area is the application site itself. This is distinct from the plan-making context, where

authorities may divide their Green Belt into larger assessment parcels. The PPG states at Paragraph 009:

“Where grey belt sites are not identified in existing plans or Green Belt assessments, it is expected that authorities should consider evidence, in light of this guidance, on: whether the site strongly contributes to the Green Belt purposes a, b or d...”

4.1.2 The assessment area for this report is therefore the proposed development site. The site boundary is shown on the location plan (Appendix - Figure 1). The red line boundary defines the extent of land assessed.

4.2 Site Description and Physical Characteristics

4.2.1 The site comprises approximately 0.9 hectares of greenfield agricultural land. It is broadly rectangular in form, with its longer axis oriented approximately east–west. The land is currently in pastoral/agricultural use and does not contain any buildings or structures.

4.2.2 The site occupies a transitional position between the established built-up edge of Almondbury to the north and the wider open countryside to the south. Topographically, the land sits on the southern side of the ridge upon which Almondbury is situated, at an approximate elevation of 122–110 metres AOD (Appendix 1 – Figure 3).

4.2.3 Context photographs of the site and its immediate surroundings are shown in Appendix 1 – Figures 7–16.

4.3 Site Boundaries

4.3.1 The physical boundaries of the site are described below,

Northern boundary: The site’s northern edge is defined by a linear block of existing mature trees on either side of a stream. Beyond the tree belt lies a recreational area known as Pony Park, and the grounds of a residential care home, Thorpe House.

Southern boundary: The southern boundary is formed by Fenay Lane, linking the A629 at Fenay Bridge with Almondbury. The road corridor is defined by stone walls on both sides, with a mature tree edge on the southern side and provides a strong element of physical delineation.

Eastern boundary: The site's eastern boundary adjoins an area of open pastoral land, beyond which Fleminghouse Lane provides a physical road corridor running broadly north–south at a distance of approximately 100m from the application red line. While no built structure or significant vegetation currently defines the eastern edge of the red line itself, Fleminghouse Lane is considered capable of forming a defensible long-term Green Belt boundary in the event that development of the site proceeds. The proposed development does not extend to Fleminghouse Lane; the open field between the eastern red line and that road would remain in agricultural use and in the Green Belt.

Western boundary: To the west, the site is partially defined by a linear group of existing mature trees and a footpath linking Fenay Lane to Fenay Crescent along its southern half, with its northern half being formed by the rear boundary of the residential property, 19 Fenay Crescent.

4.4 Relationship to the Settlement

4.4.1 Almondbury is identified as a district centre in the Kirklees Local Plan, providing a range of everyday shopping and service needs. It functions as an integral part of the wider Huddersfield urban area, with continuous built development extending northwards through Moldgreen and Greenside to the town centre. In this respect, Almondbury is not an isolated rural settlement; it is physically and functionally connected to Huddersfield, which is a **large built-up area** for the purposes of Green Belt Purpose (a).

4.4.2 The site is immediately adjacent to this large built-up area, sitting at the point where the continuous urban fabric of Huddersfield/Almondbury gives way to open countryside. This relationship is fundamental to the Step 2 assessment that follows.

4.4.3 The nearest settlements beyond Almondbury are:

- **Fenay Bridge** - approximately 500 metres to the east, a small residential area clustered around the junction of Fenay Lane and Penistone Road (A629). Fenay Bridge functions as a residential suburb rather than an independent town;
- **Lepton** - approximately 1.0 kilometres to the south-east, a village set within the Green Belt;
- **Farnley Tyas** - approximately 2 kilometres to the south-west, a village within the Green Belt; and
- **Kirkburton** - approximately 2.5 kilometres to the south-east, a larger village functioning as a local service centre.

4.4.4 None of these nearby settlements are classified as ‘towns’ for the purposes of Green Belt purpose (b). The nearest settlement that could reasonably be characterised as a town is Huddersfield itself, to which Almondbury is already physically connected. This has important implications for the assessment of purpose (b), which is considered in Section 5.

4.5 Physical Features and Containment

4.5.1 The PPG’s illustrative features for Purpose (a) identify the presence of ‘physical features in reasonable proximity that could restrict and contain development’ as a factor that weakens a site’s contribution to checking sprawl. The following physical features are relevant to the site:

- **Existing Tree Belt:** The existing tree belt with Pony Park recreational area and the grounds of Thorpe House beyond provides a clear containment boundary to the north of the site. Development of the site would extend the settlement edge southward but would be read in the context of elements associated with the existing settlement, rather than as isolated development in open countryside;
- **Topography:** The landform to the south provides a degree of natural containment. Development on the site would sit within the falling topography limiting the visual extent of any southward expansion;
- **Fenay Lane and associated road network:** The road corridor to the immediate south provides a strong physical feature that could assist in containing development and defining a new, defensible Green Belt edge; and

- **Fleminghouse Lane (eastern edge):** Although the application red line does not extend to Fleminghouse Lane, that road corridor, running north–south at approximately 100m to the east of the site, would provide a clear and defensible long-term boundary to any development in this location, consistent with the PPG's guidance that Green Belt boundaries should be capable of enduring in the long term. The open field between the eastern application boundary and Fleminghouse Lane would remain undeveloped and in the Green Belt, limiting the perception of eastward sprawl.

4.5.2 These features suggest that the site benefits from a degree of containment that would limit the perception of unrestricted sprawl, should development come forward. This is considered further in the Purpose (a) assessment at Section 5.

4.6 Relationship to Kirklees Green Belt Review Parcels

4.6.1 As noted in Section 1, the Kirklees Green Belt Review assessed parcels designated AL5 and AL6 in the Almondbury area. The application site falls adjacent to the area assessed as parcel AL5 in the Review (Appendix 1 - Figure 5). The findings for AL5 are considered as contextual evidence in this assessment, as described below.

4.6.2 The PPG is clear that for decision-taking purposes, the relevant assessment area is the application site, not a wider Green Belt parcel that may have been assessed at plan-making stage. Indeed, the PPG states that assessment areas should be ‘sufficiently granular to enable the assessment of their variable contribution to Green Belt purposes’ (Paragraph 004). A site-specific assessment is therefore appropriate, and the findings for AL5 are used as contextual evidence rather than as determinative conclusions.

Kirklees Green Belt Review Methodology and Findings for AL5

4.6.3 The Kirklees Green Belt Review methodology assessed all Green Belt boundaries along settlement edges by dividing them into small sections for assessment. The Review describes this process as follows:

“The green belt boundary was scrutinised to determine the degree of constraint along the edge and its immediate relationship to the green belt land it adjoins. Each length of edge was then subject to a number of tests to determine both the physical ability of the land immediately beyond it to accommodate development, as well as the degree to which that land performed a green belt role.”

4.6.4 The methodology employed two stages. Test 1 identified boundaries which were constrained to the extent that there was no reasonable prospect of development, consisting of topographical, physical and environmental assessments. Test 2 evaluated areas in terms of their contribution to the first four of the five Green Belt purposes in the NPPF, including:

- **Test 2a:** an area’s importance in preventing neighbouring towns from merging, considering the strategic significance of the wider Green Belt, the width of the gap, and whether development would appear to result in merging;
- Tests 2b–2d assessed the remaining purposes.

4.6.5 Each boundary section was scored on a scale of 1 to 5, with 1 being ‘less important’ (to fulfilling the Green Belt purposes) and 5 being ‘an important role’.

Summary of colours and numbers for tests 1 to 2d:

Black	Test 1 indicates that there may be a significant constraint to development, caused by an absolute barrier to development along the edge (railway line for example) or that the land immediately adjacent to the edge is significantly constrained (severe slope, ancient woodland for example)	
Red	Test 2a indicates that the green belt is performing a strategic role such that development may result in the merging of settlements.	
Importance of green belt role based on combination of tests 2b to 2d where the site 'passes' tests 1 and 2a;		
1	Less important	(dark green)
2		(light green)
3		(light yellow)
4		(dark yellow)
5	More important	(pink)

Figure 1 - Scoring summary for Green Belt boundaries test 1 and 2a, taken from the Green Belt Review evidence base document (April 2017).]

4.6.6 The extracted table below from the Green Belt Review shows all of the scoring scenarios for Green Belt boundaries, in terms of how important they are to assisting with fulfilling the five purposes of Green Belt designation. A score of 1 being ‘less important’, up to a score of 5 being ‘an important role’

GREEN BELT ASSESSMENT MATRIX

Degree of importance of green belt role				
Less important role		Moderately important role		Important role
1	2	3	4	5

Green Belt Purpose			Assessment conclusion: green belt role points
Checking unrestricted sprawl of built up areas (test 2b)	Safeguarding countryside from encroachment (test 2c)	Preserving setting & special character of historic assets (test 2d)	
Less important	Less important	Less important	1
Less important	Less important	Moderate	2
Less important	Less important	Important	3
Less important	Moderate	Less important	2
Less important	Moderate	Moderate	3
Less important	Moderate	Important	3
Less important	Important	Less important	3
Less important	Important	Moderate	3
Less important	Important	Important	4
Moderate	Less important	Less important	2
Moderate	Less important	Moderate	3
Moderate	Less important	Important	3
Moderate	Moderate	Moderate	3
Moderate	Moderate	Less important	3
Moderate	Moderate	Important	3
Moderate	Important	Important	4
Moderate	Important	Less important	3
Moderate	Important	Moderate	3
Important	Less important	Less important	4
Important	Less important	Moderate	4
Important	Less important	Important	5
Important	Moderate	Less important	4
Important	Moderate	Moderate	4
Important	Moderate	Important	5
Important	Important	Important	5
Important	Important	Less important	5
Important	Important	Moderate	5

Figure 2 - Green Belt boundary assessment scoring matrix, showing scoring scenarios for Green Belt boundaries in terms of their importance to fulfilling the five purposes of Green Belt designation.

4.6.7 Boundary reference **AL5**, which is relevant to the development site's western boundary and the Green Belt boundary at this point off Fenay Lane, was scored against each test in the Green Belt Review. Overall, AL5 received a score of **3**, indicating **moderate importance**.

Appendix 2a: Outcomes of the Green Belt Edge Review (tests 1 to 2d)

Ref.	TEST 1: CONSTRAINTS			Existing use	TEST 2: GREEN BELT PURPOSES				Conclusion	Test 2 score
	1a Topographical	1b Physical	1c Environmental		2a Prevents merging	2b Checks Sprawl	2c Safeguards from encroachment	2d Preserves setting & character		
AL5	None	Open watercourse runs east/west	Area of protected trees associated with the water course	Grazing land and Finthorpe recreation ground	Extensive gap	Fenay Lane would contain development to the south	Part screened from wider countryside by presence of trees and existing development	Listed buildings in close proximity	Development would have limited impact on the openness of green belt	3

Figure 3 - The scoring for boundary AL5 as assessed in the Kirklees Green Belt Review (April 2017).

4.6.8 The Green Belt Review score of 3 for AL5 is relevant as contextual evidence only. It indicates that, under the Council's earlier methodology, this part of the Green Belt edge was not placed at the highest end of the scoring range. However, that score was derived from a different assessment framework and should not be translated directly into the PPG's strong/moderate/weak approach..

4.6.9 The Review should therefore be used with caution. It is capable of providing background support to the site-specific assessment in this report, but it is not determinative of the current grey belt judgment and should not be presented as showing that the land has no strategic Green Belt

role. The operative assessment remains the site-based analysis undertaken under the current NPPF and PPG framework.

4.7 Summary

4.7.1 The assessment area is the proposed development site: approximately 0.9 hectares of greenfield agricultural land on the southern edge of Almondbury, immediately adjacent to the large built-up area of Huddersfield. The site is partially contained by existing development to the north and west, topography, field boundaries, and the road network. The nearest settlements to the south and east are villages, not towns. Kirklees has confirmed that there are no historic towns within the district.

4.7.2 These characteristics provide the factual basis for the purpose-by-purpose assessment that follows in Section 5.

5. Step 2: Assessment Against Green Belt Purposes

5.0.1 This section assesses the contribution the site makes to each of the three Green Belt purposes relevant to grey belt identification: purpose (a), purpose (b) and purpose (d). The assessment applies the illustrative features framework set out in the PPG (Paragraph 005) and described in Section 3 of this report.

5.1 Purpose (a): To Check the Unrestricted Sprawl of Large Built-Up Areas

Is the Site Adjacent or Near to a Large Built-Up Area?

5.1.1 The site is immediately adjacent to the southern edge of Almondbury, which forms part of the continuous urban area of Huddersfield. Huddersfield is the principal town in Kirklees, with a population of approximately 162,000 (2021 Census), and is unquestionably a **large built-up area** for the purposes of this assessment. Almondbury is physically and functionally connected to Huddersfield through continuous residential development extending northward through Moldgreen and Greenside.

5.1.2 The site therefore satisfies the first of the PPG's illustrative features for a strong contribution: it is adjacent to a large built-up area.

Are There Physical Features That Could Restrict and Contain Development?

5.1.3 However, the site also displays several features that the PPG identifies as weakening the contribution to this purpose, moving the assessment from 'strong' towards 'moderate':

- **Physical features capable of containing development are present.** The site is bounded to the west by the established rear curtilages of existing residential properties, which form a clear settlement edge. To the south the boundary wall and the Fenay Lane road corridor, and the grounds of Fenay Wood and Fenay Hall provide natural containment that could define a new, defensible Green Belt edge. To the north, the mature linear tree belt provides containment, and to the east, Fleminghouse Lane provides definition.
- **The site is partially enclosed by existing development.** The aerial photography shows that the site is flanked by built development to the north and west (residential properties and Thorpe House, with further built form associated with Fenay Wood to the south. Development of the site would not result in an isolated or incongruous 'finger' of development extending into open countryside; rather, it would represent a modest and contained rounding-off of the existing settlement edge.
- **The site is subject to urbanising influences.** The site's immediate context includes residential garden curtilages, Fenay Lane and domestic access points. These features already introduce an urbanising influence that diminishes the open, rural character that the Green Belt seeks to maintain.

Would Development Result in an Incongruous Pattern of Development?

5.1.4 The PPG identifies an 'incongruous pattern of development (such as an extended finger of development into the Green Belt)' as a hallmark of a strong contribution to this purpose.

Development of this site would not create such a pattern. The site sits against an existing settlement edge that is broadly linear in this location. Development would extend the built form southward by a modest depth (the site being approximately 0.9 hectares in total), contained on three sides by existing features. The resulting pattern would be one of a limited and logical extension to the settlement, rather than unrestricted sprawl.

Purpose (a): Conclusion

Purpose	Assessment
(a) Checking sprawl	Moderate. The site is adjacent to a large built-up area but benefits from physical features capable of containing development, is partially enclosed by existing built form, and would not create an incongruous pattern of development. The site does not make a strong contribution to this purpose.

5.2 Purpose (b): To Prevent Neighbouring Towns Merging Into One Another

Does the Site Form Part of a Gap Between Towns?

5.2.1 Purpose (b) is concerned specifically with the merging of **towns**, not villages. The PPG is explicit on this point. The assessment must therefore first identify whether the site lies within a gap between towns, and then consider whether development would result in a loss of visual separation.

5.2.2 The site lies on the southern edge of Almondbury, which is part of the Huddersfield urban area. The settlements in the vicinity to the south and east are:

- **Fenay Bridge** (approximately 500m east) - a small residential settlement, not a town;
- **Lepton** (approximately 1.0km south-east) - a village, not a town;
- **Farnley Tyas** (approximately 2km south-west) - a village, not a town;
- **Kirkburton** (approximately 2.5km south-east) - a larger village functioning as a local service centre, but not a town in the context of this purpose.

5.2.3 The nearest settlement that could be characterised as a town is Huddersfield itself, to which Almondbury is already physically connected. The site does not lie within a gap between two towns. It lies at the edge of one town (Huddersfield), with villages and small settlements beyond.

Would Development Result in Loss of Visual Separation Between Towns?

5.2.4 Given that the settlements to the south and east of the site are not towns, the question of visual separation between towns does not arise in any meaningful sense. Development of the site would not reduce the gap between Huddersfield and any neighbouring town. The extensive Green Belt to the south and south-east and the wider countryside towards Kirkburton and Denby Dale would remain intact and continue to provide substantial separation from the nearest towns in those directions.

5.2.5 It is acknowledged that Fenay Bridge lies approximately 500 metres to the east and that there is some allocated development between the site and Fenay Bridge (including along Fenay Lane). However, Fenay Bridge is not a town, and the PPG is clear that purpose (b) relates to the merging of towns, not the coalescence of a town with a village or hamlet. Even if Fenay Bridge were to be characterised as a settlement of some significance, the physical and visual separation provided by the grounds of Fenay Hall, tree belts, and the Fenay Beck valley would be retained.

Purpose (b): Conclusion

Purpose	Assessment
(b) Preventing merging	Weak / None. The site does not form part of a gap between towns. All nearby settlements to the south and east are villages, not towns. Development would not result in the merging or loss of visual separation between any towns. The site does not make a strong contribution to this purpose.

5.3 Purpose (d): To Preserve the Setting and Special Character of Historic Towns

Are There Historic Towns in the Plan Area?

5.3.1 The PPG states that purpose (d) ‘relates to historic towns, not villages’ and that ‘where there are no historic towns in the plan area, it may not be necessary to provide detailed assessments against this purpose’ (Paragraph 005).

5.3.2 This is a critical consideration. The Kirklees Green Belt Review (2017) explicitly confirmed that:

“Although Kirklees does not have any historic towns, it does contain a significant number of designated heritage assets, including scheduled ancient monuments and listed buildings, whose setting and special character can be preserved by the green belt.”

5.3.3 The Council’s own evidence base therefore confirms that there are **no historic towns** within the Kirklees plan area for the purposes of Green Belt purpose (d). This is consistent with, and corroborated by, the PPG itself, which independently confirms at Paragraph 005 that purpose (d) ‘relates to historic towns, not villages’ and that detailed assessment may not be necessary where no historic towns exist in the plan area. The Green Belt Review provides contextual support for that position; the operative test is that established by the PPG.

Heritage Assets in the Wider Area

5.3.4 Notwithstanding the absence of historic towns, it is acknowledged that there are designated heritage assets in the locality. The most significant in relation to the site is Fenay Hall (Grade II* listed, NHLE 1134260), located approximately 300 metres to the south-east on Fenay Lane. The historic core of Almondbury itself contains further heritage assets, though these are separated from the site by existing residential development.

5.3.5 It is important, however, to distinguish between the assessment of purpose (d), which relates specifically to the setting of historic **towns**, and the consideration of heritage assets under footnote 7. The presence of Fenay Hall and other heritage assets is relevant to the footnote 7 assessment at Section 6, but does not convert the purpose (d) assessment into a 'strong' contribution. The PPG is deliberately specific in limiting this purpose to historic towns, and the Council's own Green Belt Review has confirmed that Kirklees does not contain any.

Purpose (d): Conclusion

Purpose	Assessment
(d) Historic towns	Weak / None. Kirklees has confirmed it contains no historic towns. The PPG states that detailed assessment against this purpose may not be necessary in such circumstances. While heritage assets exist in the locality (notably Fenay Hall Grade II*), the site does not form part of the setting of any historic town. The site does not make a strong contribution to this purpose.

5.4 Step 2: Overall Summary

5.4.1 The table below summarises the site's assessed contribution to each of the three relevant Green Belt purposes:

Green Belt Purpose	Contribution	Strong?
(a) Checking sprawl	Moderate	No
(b) Preventing merging	Weak / None	No
(d) Historic towns	Weak / None	No

5.4.2 The site does not make a **strong** contribution to any of purposes (a), (b) or (d). The first limb of the grey belt definition is therefore satisfied. The assessment now turns to the second limb: the consideration of footnote 7 constraints at Section 6.

6. Step 3: Footnote 7 Constraints

6.0.1 The second limb of the grey belt definition requires consideration of whether the application of the policies relating to the areas or assets identified in footnote 7 of the NPPF (other than Green Belt) would provide a 'strong reason' for refusing or restricting development. This section systematically assesses each category of footnote 7 designation in relation to the site.

6.1 Habitat Sites and Sites Listed in Paragraph 194

6.1.1 The nearest internationally designated habitat sites are the Denby Grange Colliery Ponds which lies approximately 9.5km east of the site, and the South Pennine Moors Special Area of Conservation (SAC) and Special Protection Area (SPA), which lies approximately 10 kilometres to the west of the site. Given this distance and the absence of any identified ecological pathway between the site and the SAC/SPA, these designations do not provide a strong reason for refusing or restricting development of the site.

6.1.2 There are no Ramsar sites in the vicinity of the site.

Conclusion: No constraint. Habitat sites do not provide a strong reason for refusing or restricting development.

6.2 Sites of Special Scientific Interest

6.2.1 There are no Sites of Special Scientific Interest (SSSIs) on or immediately adjacent to the site. The nearest SSSI is associated with the Honley Station Cutting, located approximately 4km to the south-west.

Conclusion: No constraint. SSSIs do not provide a strong reason for refusing or restricting development.

6.3 Local Green Space, National Landscapes, National Parks and Heritage Coast

6.3.1 The site is not designated as Local Green Space in the Kirklees Local Plan. It does not lie within or adjacent to a National Landscape (formerly Area of Outstanding Natural Beauty), a National Park, or the Broads. The Peak District National Park extends into the western part of Kirklees but is located several kilometres to the west and south-west of the site. The site is not defined as Heritage Coast.

Conclusion: No constraint. These designations do not provide a strong reason for refusing or restricting development.

6.4 Irreplaceable Habitats

6.4.1 There is no ancient woodland on or immediately adjacent to the site. No veteran trees have been identified on the site, though this would need to be confirmed through a site survey.

Conclusion: No constraint identified. Irreplaceable habitats do not appear to provide a strong reason for refusing or restricting development, subject to confirmation through ecological survey.

6.5 Designated Heritage Assets

6.5.1 This is the most significant footnote 7 consideration for the site. There are several designated heritage assets in the wider area:

Fenay Hall (Grade II* Listed)

6.5.2 Fenay Hall (NHLE 1134260) is a Grade II* listed building dating from 1605 onwards, located on Fenay Lane approximately 385 metres to the south-east of the site. In close proximity to Fenay Hall, the Stables and Coach House at Fenay Lane constitute a separately designated Grade II listed building. Together, Fenay Hall, the Stables and Coach House represent a group of listed structures of complementary heritage interest at this location, which are addressed individually in the assessment below

6.5.3 The relevant question under the second limb of the grey belt definition is not whether heritage impacts are impossible, but whether, on the information presently available, the application of heritage policies would provide a strong reason for refusing or restricting development. In that regard, a proportionate planning judgment can be made at this stage, but it must remain provisional pending a scheme-specific heritage assessment.

6.5.4 Fenay Hall is a designated heritage asset of high significance by reason of its Grade II* status. Its significance derives principally from its architectural and historic interest, its age and survival, and its relationship with associated listed structures and its grounds.

6.5.5 On the current desktop evidence, the application site is physically separate from the Hall's immediate curtilage and principal grounds. The site is also separated by intervening landform, vegetation and Fenay Lane. Those factors indicate that the site is unlikely to make a primary or direct contribution to the significance of Fenay Hall in the same way as its immediate setting and grounds.

6.5.6 That said, this report is not a Heritage Impact Assessment and does not seek to reach a final judgment on the significance of any effect on Fenay Hall or other heritage assets. Matters such as intervisibility, seasonal screening, the extent of contribution made by the wider setting, and the effect of a specific layout, scale, massing and landscape strategy require assessment through a dedicated heritage exercise undertaken in accordance with national policy and Historic England guidance.

6.5.7 The Heritage Impact Assessment accompanying the Design and Access Statement concludes that the proposed development would result in no change to the setting of Fenay Hall and a negligible overall impact, notwithstanding the asset's high significance and high setting ratings. That assessment takes into account the separation distance of approximately 385 metres, the intervening topography and tree belt along Fenay Lane, the differential in site levels, and the absence of direct sightlines to the Hall's principal elevations. On that basis, the application of heritage policies does not provide a strong reason for refusing or restricting development within the meaning of the grey belt definition.

Conclusion: Fenay Hall is the principal heritage asset of relevance to the site. The setting characterisation above, having regard to the Hall's significance, the extent and character of its setting, the position of the site relative to the Hall's principal aspects, and the intervening distance,

vegetation, and topography, the application of heritage policies does not provide a strong reason for refusing or restricting development. The Heritage Impact Assessment accompanying the Design and Access Statement finds the impact on Fenay Hall to be no change, with a negligible overall assessment.

Thorpe House (Grade II Listed)

6.5.9 Thorpe House (NHLE 1289678) is a Grade II listed building located immediately to the north of the application site, beyond the mature linear tree belt that defines the site's northern boundary. The building is a stone house of two storeys with a stone slate roof with coped gables. It is currently in use as a residential care unit providing specialist adult mental health services and sits within its own spacious grounds, which directly adjoin the northern edge of the application site.

6.5.10 On the current desktop evidence, the existing tree belt provides structural separation between the site and the building's grounds. The application of heritage policies in relation to Thorpe House does not, on this basis, appear to provide a strong reason for refusing or restricting development. The Heritage Impact Assessment accompanying the Design and Access Statement finds the overall impact on Thorpe House to constitute minor harm, moderated by the significant level difference (the proposed dwellings' eaves height would sit more than 9 metres below the finished floor level of Thorpe House), the structural separation provided by the tree belt, and the existing screening from intervening vegetation. Minor harm to a listed building does not constitute a strong reason for refusing or restricting development within the meaning of the grey belt definition.

Thorpe Farm Barn (Grade II Listed)

6.5.11 Thorpe Farm Barn, Finthorpe Lane (Grade II) is a listed building located approximately 180 metres to the north-west of the application site, in close proximity to Thorpe House. The Heritage Impact Assessment accompanying the Design and Access Statement rates this asset as of high significance. Notwithstanding that significance, the assessment finds the impact of the proposed development on the asset to be negligible, resulting in an overall assessment of minor harm. The assessment attributes this to the intervening elevation differential, the screening effect of the established tree belt between the site and Finthorpe Lane, and the absence of direct sightlines between the site and the asset. Minor harm to a listed building does not constitute a strong reason for refusing or restricting development within the meaning of the grey belt definition.

Heritage assets in the wider context

6.5.12 The Heritage Impact Assessment accompanying the Design and Access Statement identifies five further designated heritage assets in the immediate locality. Thorpe Farmhouse (15–17 Finthorpe Lane, Grade II), Finthorpe and Finthorpe Cottage (243–245 Fleming House Lane, Grade II) and the associated Stables and Coach House (245 Fleming House Lane, Grade II) are located to the north and north-east of the site, separated by Fleminghouse Lane and intervening built form and vegetation. Fenay Grange Farmhouse (Birks Lane, Grade II) lies approximately 212 metres to the south-east, beyond the Fenay Lane corridor and partially screened by Fenay Wood. The Heritage Impact Assessment finds no change in impact and a negligible overall assessment for each of these five assets. On that basis, the application of heritage policies in relation to these

assets does not provide a strong reason for refusing or restricting development within the meaning of the grey belt definition.

6.5.12 A wider search of the Historic England National Heritage List has been undertaken for all designated heritage assets within 500 metres of the application site boundary. In addition to the Fenay Hall complex, the historic core of Almondbury to the north contains a number of listed buildings, including the Church of All Hallows (Grade I listed, NHLE 1225096), together with further Grade II listed structures in the village centre. The Almondbury Conservation Area also lies within the historic core.

6.5.13 These assets are physically separated from the application site by the intervening built form of Almondbury's residential development, which lies between the site and the historic core to the north. The application site does not adjoin, abut or visually interrelate with the principal elevations or curtilages of the listed buildings in the historic core, and on the basis of desktop evidence does not form part of their setting in any material sense. The relevant footnote 7 question, whether heritage policies would provide a strong reason for refusing or restricting development, does not arise in relation to these assets on the current evidence.

6.6 Areas at Risk of Flooding or Coastal Change

6.6.1 The site occupies elevated ground on the southern edge of Almondbury, at approximately 122-110m AOD. It is not within or adjacent to Flood Zones 2 or 3 as defined by the Environment Agency. The Fenay Beck, which lies to the south-east in the valley floor, is the nearest watercourse but is well below the level of the site. The site is within Flood Zone 1 (low probability of flooding).

6.6.2 There are no coastal change management areas in this location.

Conclusion: No constraint. Flood risk does not provide a strong reason for refusing or restricting development.

6.7 Step 3: Overall Conclusion

6.7.1 The table below summarises the footnote 7 assessment:

Footnote 7 Designation	Present?	Strong Reason?
Habitat sites / Para 194 sites	No	No
SSSIs	No	No
Local Green Space	No	No
National Landscapes / Parks	No	No
Irreplaceable habitats	Not identified	No
Heritage assets (Fenay Hall II*)	Yes (c.300m SE)	No
Other heritage assets	Wider area	No
Flood risk / coastal change	No	No

6.7.2 On the evidence available, no footnote 7 designation provides a strong reason for refusing or restricting development. The Heritage Impact Assessment accompanying the Design and Access Statement finds no change in impact and a negligible overall assessment on Fenay Hall (Grade II*), and minor harm in relation to Thorpe House and Thorpe Farm Barn (both Grade II). Neither finding constitutes a strong reason for refusing or restricting development within the meaning of the grey belt definition. The second limb of the grey belt definition is therefore satisfied.

7. Step 4: Grey Belt Identification

7.0.1 Step 4 of the PPG methodology requires the conclusions from Steps 2 and 3 to be combined to determine whether the site meets the definition of grey belt land as set out in Annex 2 of the NPPF.

7.1 The Two Limbs of the Grey Belt Definition

First limb: The site does not strongly contribute to any of purposes (a), (b) or (d). Purpose (a): Moderate. Purpose (b): Weak/None. Purpose (d): Weak/None. The **first limb is satisfied**.

Second limb: On the current information, no footnote 7 designation has been identified that clearly provides a strong reason for refusing or restricting development. In relation to heritage, that conclusion is provisional pending a scheme-specific Heritage Impact Assessment.

7.2 Conclusion: Grey Belt Status

7.2.1 The site does not make a strong contribution to any of purposes (a), (b) or (d). The Heritage Impact Assessment accompanying the Design and Access Statement finds no change in impact on Fenay Hall (Grade II*) and no more than minor harm to the other designated heritage assets in the wider area. No footnote 7 designation provides a strong reason for refusing or restricting development. The site meets the definition of grey belt land as set out in Annex 2 of the NPPF

8. Step 5: Impact on Remaining Green Belt

8.1.1 Paragraph 155(a) of the NPPF requires that development on grey belt land would not ‘fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan’. The PPG at Paragraph 008 (Reference ID: 64-008-20250225) confirms that in reaching this judgement, authorities should consider whether the release or development of Green Belt land would affect the ability of all the remaining Green Belt across the plan area from serving all five of the Green Belt purposes in a meaningful way. This is a strategic test requiring proportionate analysis; it is not a site-by-site repetition of the Step 2 assessment.

8.1.2 The application site is small in extent relative to the overall Kirklees Green Belt. However, the assessment required by paragraph 155(a) is not simply a mathematical one. The relevant question is whether the release or development of this site would affect the ability of the remaining Green Belt across the plan area to continue to serve all five Green Belt purposes in a meaningful way.

8.1.3 The site forms a limited parcel on the edge of the built-up area, contained by existing residential development to the west, the mature tree line to the north, and Fenay Lane to the south. To the east, the open field between the application red line and Fleminghouse Lane would remain in the Green Belt, with Fleminghouse Lane providing a clear and defensible boundary to any future pressure for outward expansion. Development of the site would therefore result in a defined and recognisable new settlement edge, rather than creating pressure for successive outward expansion of the kind that the Green Belt is designed to prevent.

8.1.4 In relation to purpose (a), the strategic role of the Green Belt in containing the wider Huddersfield urban area would remain intact. The release of this site would not materially alter the broader containment of the conurbation, nor would it erode the ability of the remaining Green Belt to continue to check unrestricted sprawl in a meaningful way.

8.1.5 In relation to purpose (b), the site does not form part of a strategic gap between towns. The substantial areas of Green Belt lying to the south and wider countryside beyond, would remain in place and would continue to preserve physical and visual separation at the plan-area scale.

8.0.6 In relation to purpose (c), the proposal would involve development on a small parcel adjoining the existing urban edge. That would not alter the ability of the much larger remaining countryside to continue to serve the purpose of safeguarding the countryside from encroachment across the plan area as a whole.

8.1.7 In relation to purposes (d) and (e), the report has already concluded that Kirklees contains no historic towns for the purposes of Green Belt assessment, and that the release of this site would not prejudice the overall role of the remaining Green Belt in encouraging urban regeneration. The district’s ongoing shortfall in housing delivery indicates that the wider supply issue cannot be resolved by previously developed land alone.

8.1.8 For those reasons, the release or development of this site would not fundamentally undermine the purposes, taken together, of the remaining Green Belt across the Kirklees plan area. Paragraph 155(a) is therefore capable of being satisfied

9. Paragraph 155 Tests

9.1 Criterion (b): Demonstrable Unmet Need

9.1.1 Both triggers for demonstrable unmet need are engaged in Kirklees. The Council's Authority Monitoring Report 2024/25 records a five-year housing land supply position of 4.18 years against a requirement of 1,730 dwellings per annum, which falls below the five-year threshold. In addition, the 2023 Housing Delivery Test result for Kirklees was 54%, below the 75% threshold, confirming that the presumption in favour of sustainable development is engaged for decision-taking under paragraph 11(d) of the NPPF. The Council's Interim Housing Position Statement acknowledges the shortfall. The emerging Local Plan is expected to set a higher requirement of approximately 1,873 dwellings per annum. **Criterion (b) is satisfied.**

9.2 Criterion (c): Sustainable Location

9.2.1 The site is immediately adjacent to Almondbury, a district centre providing everyday shopping, education (King James's School, primary schools), healthcare, public transport connections to Huddersfield town centre (approximately 3 kilometres), and employment opportunities. The site benefits from the full range of services and infrastructure already serving this established settlement. **Criterion (c) is satisfied.**

9.3 Criterion (d): Golden Rules

9.3.1 Paragraph 155(d) requires that, 'where applicable', major development involving the provision of housing meets the Golden Rules at paragraphs 156–157 of the NPPF. The assessment of the applicability of, and compliance with, the Golden Rules will be undertaken during the application period. This report accordingly reaches no conclusion on criterion (d) of paragraph 155.

9.4 Paragraph 155: Summary

Criterion	Assessment	Met?
(a) Grey belt; not undermine GB	Site meets the grey belt definition (Section 7). Release represents approximately 0.0035% of the Kirklees Green Belt by area (0.9ha of 25,450ha). Step 5 assessment confirms no fundamental undermining of remaining Green Belt purposes taken together.	Yes
(b) Demonstrable unmet need	4.18yr supply (AMR 2024/25); HDT 54% (2023) — both triggers engaged	Yes
(c) Sustainable location	Adjacent to district centre	Yes

(d) Golden Rules ('where applicable')	To be assessed during the application period (Section 9.3)	Deferred
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** Subject to detailed design and obligations at the application stage.*

9.4.1 On the basis of the assessment in this report, the proposal is capable in principle of satisfying the four criteria in paragraph 155 of the NPPF, subject in particular to: (i) the final position on footnote 7 matters, most notably heritage; (ii) the demonstration of a sustainable location by application-specific accessibility evidence; and (iii) the outcome of the assessment of the Golden Rules to be undertaken during the application period. If those matters are satisfactorily addressed, the development would be capable of being treated as not inappropriate development in the Green Belt. That conclusion would mean that very special circumstances would not be required and that, by virtue of footnote 55, the substantial weight ordinarily given to Green Belt harm, including harm to openness, would not apply. However, wider development plan policies and the NPPF read as a whole would still apply to the determination of any planning application.

10. Conclusions

10.1.1 This Grey Belt Assessment has been prepared by Studio 413 Limited on behalf of Vesta Property Group (Fenay Lane) Ltd. in respect of land off Fenay Lane, Almondbury. The assessment applies the five-step methodology in the PPG on Green Belt (February 2025) to determine whether the site meets the NPPF (December 2024) definition of grey belt.

10.1.2 The principal findings are:

- The site does not make a strong contribution to any of purposes (a), (b) or (d). On the present assessment, purpose (a) is judged moderate, and purposes (b) and (d) are judged weak/none.
- No footnote 7 designation provides a strong reason for refusing or restricting development. The Heritage Impact Assessment accompanying the Design and Access Statement finds no change in impact on Fenay Hall (Grade II*) and minor harm to Thorpe House and Thorpe Farm Barn (Grade II). Neither finding constitutes a strong reason for refusal within the meaning of the grey belt definition.
- On that basis, the site meets the definition of grey belt land as set out in Annex 2 of the NPPF.
- The release or development of the site would not fundamentally undermine the purposes, taken together, of the remaining Green Belt across the Kirklees plan area.
- Kirklees is currently unable to demonstrate a five-year supply of deliverable housing sites and its 2023 Housing Delivery Test result was below 75%. There is therefore demonstrable unmet need for housing for the purposes of paragraph 155(b) of the NPPF.
- The site appears capable, in principle, of being demonstrated to be in a sustainable location, but that conclusion should be supported by application-specific accessibility evidence.
- The assessment of the applicability of, and compliance with, the Golden Rules at paragraphs 156–157 of the NPPF will be undertaken during the application period. This report reaches no conclusion on criterion (d) of paragraph 155 (Section 9.3).
- Subject to the matters identified above being satisfactorily addressed, residential development on the site is capable in principle of satisfying paragraph 155 of the NPPF and of being treated as not inappropriate development in the Green Belt.
- This report therefore concludes that the site meets the definition of grey belt land.