



PEACOCK+
SMITH

Vesta Property Group Ltd
Land to the North of Fenay Lane, Almondbury

Planning Statement

July 2026

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1. INTRODUCTION

Overview

- 1.1. This Planning Statement has been prepared on behalf of Vesta Property Group Ltd (the 'Applicant') in relation to the following proposed development (the 'Proposed Development'):

"Erection of 6 dwellings, associated landscaping and infrastructure"

- 1.2. The Proposed Development is in relation to a 0.9-hectare parcel of land located to the of north Fenay Lane, Almondbury (the 'Site'). The site is entirely located within the administrative area of Kirklees Council (the 'Council').

Purpose and Structure of this Statement

- 1.3. This Statement should be read in conjunction with the plans and documents outlined in Table 1.1 below, the remainder of this Statement will be structured as follows:
- Section 2 provides the Site context and applicable planning history
 - Section 3 describes the Proposed Development
 - Section 4 outlines the pertinent planning policies
 - Section 5 assesses the proposal against the key planning policy considerations in relation to establishing the principle of residential development on this Site
 - Section 6 assesses the other material considerations relevant to the Proposed Development
 - Section 7 summarises the content of this Statement and draws conclusions

Submission Documents

- 1.4. This application submission comprises of this Planning Statement, planning application forms and the following suite of documents:

Document	Document Reference	Author
Plans		
Location Plan	(PL)001	Wildblood Macdonald
Existing Topo Survey	(PL)002	
Tree and Landscape Plan	(PL)101D	

Site Levels	(PL)102C	
Plot A Elevations	(PL)103B	
Plot B Elevations	(PL)104A	
Plot C Elevations	(PL)105B	
Plot D Elevations	(PL)106B	
Plot E Elevations	(PL)107B	
Plot F Elevations	(PL)108B	
GA Site Plan with GF Floor Plates	(PL)109C	
Plot A Floor Plans	(PL)110A	
Plot B Floor Plans	(PL)111A	
Plot C Floor Plans	(PL)112A	
Plot D Floor Plans	(PL)113A	
Plot E Floor Plans	(PL)114A	
Plot F Floor Plans	(PL)115	
Existing Site Sections	(PL)116	
Existing Site Sections	(PL)117	
Proposed Site Sections	(PL)119A	
Proposed Site Sections	(PL)120A	
Hard Landscape Plan	(PL)123C	
Roof Plan	(PL)124D	
Proposed Street Scene	(PL)125A	
Built-Up Area Plan	(PL)126A	Holdgate Consulting
Drainage Plan	26-255-D01-P01	
Private Drainage Details	26-255-D02-P01	
Levels Plan	26-255-EW01-P02	
Cut & Fill	26-255-EW02-P02	
Vehicle Tracking Plan	26-255-EW03-P02	
Retaining Wall Plan	26-255-EW04-P01	
Retaining Wall Details	26-255-EW05-P01	
External Works Details	26-255-EW06-P01	
Hard Surfacing Plan	26-255-EW07-P01	Studio 413
Landscape Proposals	LDP-26-P317	
Landscape Specification	LDP-26-P317	Studio 413
Reports		
Design, Access & Heritage Statement	2887	Wildblood Macdonald
Drainage Strategy	26-255	Holdgate Consulting
Preliminary Ecological Appraisal & Biodiversity Net Gain Assessment	1419	Vale Ecology
BNG Metric		Vale Ecology
Grey Belt Assessment	LDP-26-P317-GBA1 Rev. V6	Studio 413
Arboricultural Impact Assessment	AIA-2531-1	Tree Care Consultancy

Table 1.1: Application submission documents

2. SITE CONTEXT AND PLANNING HISTORY

Site Location

- 2.1 The Site comprises of 0.9 ha of land located to the north of Fenay Lane, to the southern edge of Almondbury village. The Site is bound by Fenay Lane to the south, an agricultural field to the east, open space and a domesticated garden to the north and existing residential developments to the west.
- 2.2 The Site forms part of a wider parcel of agricultural land which is under the Applicant's ownership, however, does not form part of the redline boundary of this application. The Site itself has one existing access point, a field gate located in the south western corner onto Fenay Lane, adjacent to this is a footpath which links Fenay Lane to Pony Park to the north. The wider parcel of land benefits from an existing field access from Fleminghouse Lane to the east, however this land does not form part of this application.
- 2.3 The Site is located in a sustainable location with bus a number of amenities available within walking distance of Almondbury village centre (c. 700 metres) which offers a variety of amenities including a GP surgery, dentist, food store, pharmacy and public houses. The Site is also in proximity to a number of primary schools and King James secondary school. Existing public transport connections are also present within the vicinity, including a bus stop located on Dartmouth Avenue (c. 250m from the Site) offering services to Huddersfield town centre. More frequent services can be found within Almondbury village centre which benefits from frequent bus services to and from Huddersfield town centre.
- 2.4 The Site is not subject to any ecological or land-based designations, however, is entirely within the Green Belt. Whilst not being subject to any heritage designations itself, the Site it is within proximity to a number of listed buildings, including Grade II* listed Thorpe Farm Barn (180m to the north east) and Fenay Hall (368m to the south east).



Figure 2.1: Site location

Site Description

- 2.5 The wider parcel of land has most recently been used as agricultural grazing land and was used for such purposes for a number of decades.
- 2.6 The field parcel is bound on all sides by treatments typical of those that would be expected for an agricultural field. The existing boundary treatments comprise of mature hedgerows and trees or stone walls.
- 2.7 Trees located along the northern boundary of the Site are protected under a Tree Preservation Order (ref: 38/89/a3).

Planning History

- 2.8 There have been no previous planning applications on the Site, however a pre-application advice request was undertaken with the Council in late 2025 with a response being provided in January 2026 (pre-app ref: 2025/20926). The pre-application was undertaken for a slightly larger scale of development (8 dwellings) on the wider site, however the principles outlined within the case officers response remain applicable to the Proposed Development.
- 2.9 In summary, the Council response to the pre-application highlighted the following matters:
- The Council is unable to demonstrate a 5 year supply of housing land (2023 update shows 3.96 years supply) and falls below the 75% requirement on the Housing Delivery Test over a rolling 3-year period. The presumption in favour of sustainable development, outlined in Paragraph 11 of the NPPF is therefore applied.
 - Addressing the principle of development therefore turns to the Green Belt policies set out within the NPPF, as such the criteria outlined in Paragraph 154 cannot be applied to the proposed development site
 - Attention must therefore be moved to Paragraph 155 of the NPPF which sets out that proposals for new homes will not be inappropriate where they meet the set criteria, including grey belt. The applicant's supporting statement was considered to lack sufficient detail to establish whether the site constitutes grey belt and therefore the case officer encouraged any subsequent application on the site to provide a sufficiently detailed assessment on the matter
 - From the Council's perspective, the pre-application proposal was considered to comply with Paragraph 155(b), however further justification is required to evidence compliance with

Paragraph 155(c). The golden rules, set out within Paragraph 67 will also need to be evidenced due to the site size being over 1 ha

- Evidence must also be provided as to whether the impact on designated heritage assets would provide a strong reason for refusing the proposed development, in line with Footnote 7 of the NPPF
- Other matters relating to the principle of development considered as part of the pre-application highlighted the development of agricultural land and sustainable development. The case officer viewed that the site is in a sustainable location with access to various local amenities and bus routes
- Whilst the proposals were below Policy LP7's 35 dwellings per hectare requirement, the constraints relating to trees, open watercourse and surrounding context of larger dwellings, however justification will be required of the design rational and assessment on the character of the area
- The proposed housing mix should align with the Affordable Housing and Housing Mix SPD which requires proposals to provide an appropriate mix, any proposal that departs from this guidance will require evidence-based justification. In this location this comprises of the following:
 - 1-2 beds – 30-60%
 - 3 beds – 24-45%
 - 4+ beds – 10-30%
- Preference is for any access into the site to be taken from Fenay Lane

2.10 The remainder of comments made as part of the pre-application relate to the design and layout of the submitted proposed development. There is a degree of change when compared to that submitted as part of this application and therefore the additional comments cannot be applied to that which is proposed at this stage. The layout put forward at pre-app stage is illustrated in Figure 2.2 below.

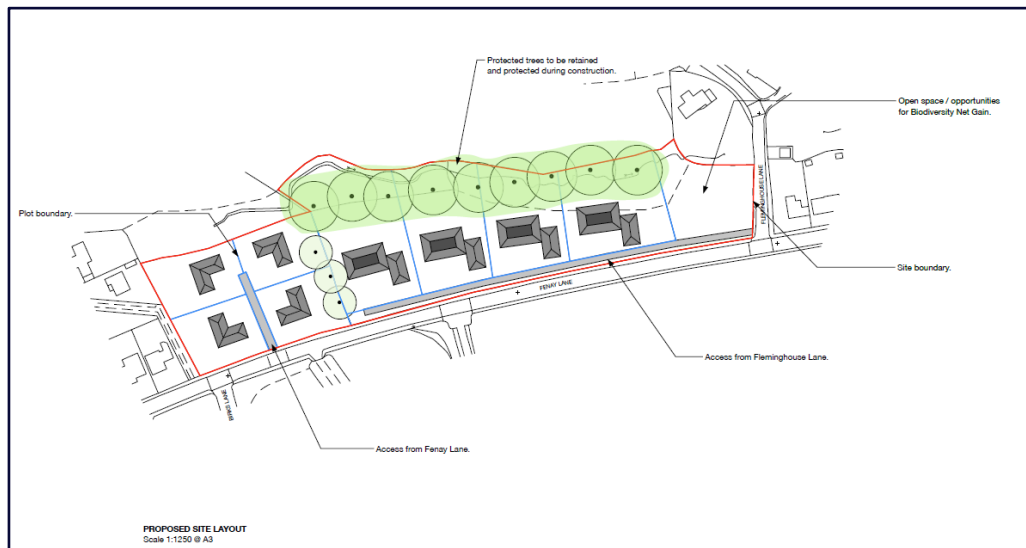


Figure 2.2: Site layout proposed as part of the pre-application

3. PROPOSED DEVELOPMENT

Overview

- 3.1. The Proposed Development comprises of the erection of 6 dwellings, landscaping and associated infrastructure. The remainder of this section will run through the proposed housing mix, layout, materials, access, landscaping, biodiversity and drainage.

Housing Mix

- 3.2. The proposal comprises of 6 large family dwellings varying from 4–6-bedroom properties, as outlined in the schedule of accommodation below:

No. of Bedrooms	Quantity Proposed
4	2
4/5	3
5/6	1

Table 3.1: Proposed housing mix

- 3.3. The above mix includes some plots of optional size, the additional bedroom in each of these units can alternatively be used as a cinema room.
- 3.4. All dwellings proposed will meet and exceed Nationally Described Space Standards and M4(2) accessibility compliant.
- 3.5. All dwellings will be 2 storeys in scale and include private amenity space in the form of a rear garden which will be a minimum of 12 meters in length.

Access, Layout and Design

- 3.6. Following advice received at pre-application in relation to flood risk, the redline boundary for this application has been reduced. Removing the parcel of land adjoining Fleminghouse Lane means there is no secondary access to the east of the Site. In line with advice received, one access point is proposed into the development from Fenay Lane. The proposed shared surface access drive will allow for two-way vehicle movements for safe entrance and egress from the Proposed Development by both private vehicles and a 11.85m refuse vehicle, as is demonstrated on the submitted Vehicle Tracking drawing, undertaken by Holdgate Consulting (drawing ref: EW03 Rev. P02). Appropriate visibility splays are also achievable.

- 3.7. Turning areas are provided throughout to allow for refuse and emergency vehicles to enter and exit the site safely.
- 3.8. Bin collection areas will also be provided at two points within the development bin carry distance guidance being met.
- 3.9. Each dwelling will benefit from off street parking with a minimum of 4 spaces for each property, in addition to this all dwellings proposed include integrated double garages.
- 3.10. The proposed dwellings have been designed to match the local vernacular, using steep pitched roofs, vertically proportioned windows and pronounced front gables.

Materials

- 3.11. The proposed materials will include natural stone external walling, natural slate roof, stone window heads and cills, aluminium windows in muted colour pallet and feature entrance door.
- 3.12. The estate road will be tarmac with each dwelling having a paved driveway.
- 3.13. The proposed boundary treatments separating each plot will comprise of a mix of drystone walling and 1.8-metre-high close boarded timber fencing.

Landscaping

- 3.14. The Proposed Development will seek to enhance existing landscaping where possible, including tree coverage. However, 5 trees will be lost to accommodate the access through the site, only one of the trees proposed for removal is category B.
- 3.15. A number of new native species trees (19 no.) and amenity trees (15 no.) are proposed in addition to native hedgerow and scrub planting and species rich grassland. Further details on the proposed scheme of landscaping can be found in the Landscape Proposal Plan, provided by Studio 413 (drawing ref:LDP-26-P317).

Drainage

- 3.16. The Proposed Development will connect into the existing 450mm foul combined sewer at Fenay Lane for foul water drainage purposes.

- 3.17. Surface water will discharge from the Site via an existing watercourse located on the north eastern boundary of the Site. Underground storage and 2-on site ponds will be provided form storm water drainage.

4. PLANNING POLICY CONTEXT

- 4.1. In line with Section 38(6) of the Planning and Compulsory Purchase Act, planning decisions should be made in accordance with an up to date, adopted development plan unless material considerations indicate otherwise.
- 4.2. The adopted development plan for Kirklees is the Kirklees Local Plan, this comprises of two documents, the Strategy and Policies Document and the Allocations and Designations Document. Both documents were adopted in February 2019.
- 4.3. Whilst local planning policies form the basis for development proposals to be assessed against, national planning policies, set out within the National Planning Policy Framework (NPPF), are a material consideration in decision making.
- 4.4. The following text will set out the local and national planning policies of pertinence to the Proposed Development.

Local Planning Policy

- 4.5. The Site is not allocated for any development purposes within the Local Plan, however, is entirely within the Green Belt (as shown in Figure 4.1 below). The Local Plan does not include a Green Belt specific policy, however the general approach taken aligns with national planning policies within the NPPF (see text below outlining relevant sections).

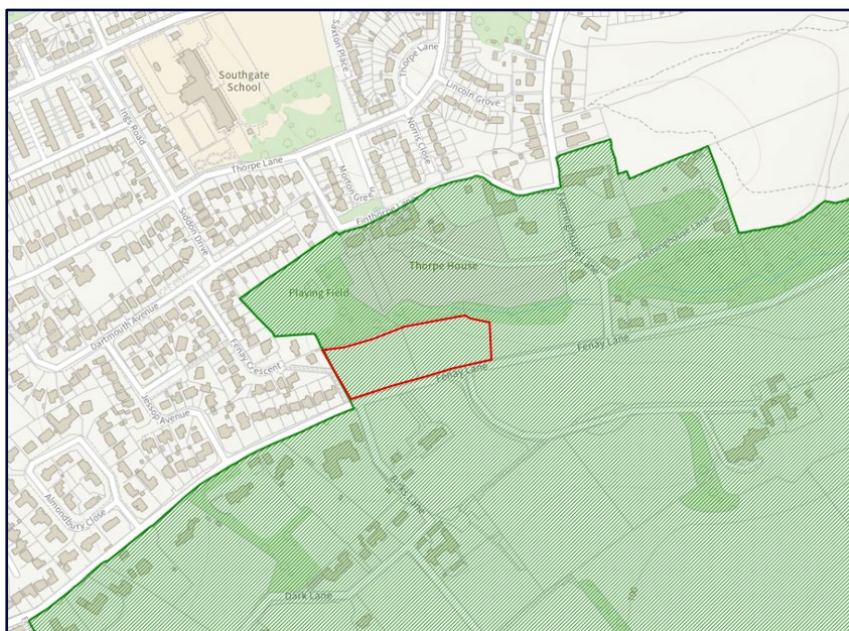


Figure 4.1: Site location on Local Plan map, within the Green Belt

- 4.6. Key policies within the Local Plan that are of relevance to the Proposed Development are outlined in Table 4.1 below.

Policy	Summary
LP1 – Presumption in favour of sustainable development	Replicates that contained within Paragraph 11 of the NPPF, proposals that accord with the policies of the Local Plan will be approved without delay, unless material considerations indicate otherwise. Where the relevant policies are out of date at the time of the decision, the Council will grant permission unless material considerations indicate otherwise, taking into account whether the adverse impacts would demonstrably outweigh the benefits or specific policies indicate that development should be restricted.
Spatial development strategy	Guides where new development should come forward within the District, comprising of 1,730 dwellings per annum with 6,000 to be built within the Huddersfield urban area throughout the plan period
LP3 – Location of new development	Development should reflect the size and function of the settlement and includes the need to maintain a supply of specific deliverable sites, in accordance with national policy and enabling the delivery of allocations outlined within the Local Plan
LP7 – Efficient and effective use of land and buildings	Proposals for residential development will be expected to achieve a net density of at least 35 dwellings per hectare
LP11 – Housing mix and affordable housing	All proposals for housing should provide an appropriate mix of size and tenure which reflect the up-to-date housing requirements for the area. Proposals for 10 or more dwellings should provide a minimum 20% provision of affordable homes, subject to viability.
LP20 – Sustainable travel	Development proposals will be supported where they can be served by alternative modes of transport such as public transport, cycling and walking.
LP21 – Highways and access	Proposals for new development will be supported where safe and suitable access to the site can be achieved for all people and where the residual cumulative impacts are not severe.
LP22 – Parking	New developments will be required to accommodate minimum parking standards for private cars, considering a range of solutions to provide the

	most efficient arrangement of safe, secure and convenient non-obtrusive parking layouts.
LP24 – Design	Proposals for new development should promote good design through ensuring that the form, scale and layout enhance the character of the townscape, heritage assets and landscape. Whilst ensuring a high standard of amenity for future and neighbouring occupiers.
LP33 - Trees	Planning permission will not be granted for proposals which directly or indirectly threaten trees or woodland. Proposals should retain valuable or important trees where they make a contribution to public amenity or the environment.
LP35 – Historic Environment	Proposals which affect a designated heritage asset should preserve or enhance the significance of the asset.
LP63 – New open space	New housing developments are required to provide or contribute towards new open space or the improvement of existing provision in the local area, unless it is not financially viable to do so. The threshold for new open space to be provided both on and off-site is 11 dwellings.

Table 4.1: Relevant policies of the adopted Kirklees Local Plan

National Planning Policy

National Planning Policy Framework

- 4.7. As outlined above, national planning policies are contained within the NPPF which was first introduced in 2012 and has since undergone numerous iterations. The most recent edition, adopted in December 2024 includes a number of paragraphs that are of relevance to the Proposed Development, these are outlined in the following text.
- 4.8. Paragraph 11 is at the heart of the framework, which determines that plan-making and decision-making should apply a presumption in favour of sustainable development. For decision-taking, this means:
- c) *“approving development proposals that accord with an up-to-date development plan without delay; or*
 - d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:*

- i) *the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed; 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

4.9. Footnote 7 relates to land that is one of the following:

- Habitats sites
- Sites of Special Scientific Interest;
- Land designated as Green Belt
- Local Green Space
- National Landscape
- 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.

4.10. Footnote 8 follows Paragraph 11 in establishing what defines a policy to be 'out of date' as situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

4.11. Paragraph 34 requires that local plans are reviewed once every five years from initial adoption and be updated as necessary, taking into account changing circumstances within the area and changes to national policy.

- 4.12. Paragraph 61 supports the Government's objective of significantly boosting the supply of homes, and states that it is important that a sufficient amount and variety of land can come forward where it is needed. The overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community.
- 4.13. Paragraph 78 indicates that local planning authorities should identify a sufficient supply of deliverable sites for housing. The supply of sites should include a 5% buffer to ensure choice and competition and a 20% buffer where there has been significant under delivery over the previous three years.
- 4.14. Paragraph 110 seeks to focus development in locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes
- 4.15. Paragraph 116 states that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety.
- 4.16. Paragraph 142 outlines the importance of Green Belts in retaining their fundamental aim in preventing urban sprawl.
- 4.17. Paragraph 153 clarifies that, when determining an application, substantial weight should be given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should only be approved in very special circumstances.
- 4.18. Footnote 55 clarifies that development on grey belt land does not constitute inappropriate development.
- 4.19. Paragraph 155 considers that the development of homes within the Green Belt should not be regarded as inappropriate where all of 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
 - 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 below.

- 4.20. The 'demonstrable unmet need' is clarified in Footnote 56 as where there is a lack of five-year supply of deliverable housing sites, including the relevant buffer where applicable and instances where the housing delivery test was below 75% over the previous 3 years.
- 4.21. Paragraph 156 sets out the 'Golden Rules' which are applicable to applications for major development only and comprise of the following criteria as follows:
- a) affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;
 - b) necessary improvements to local or national infrastructure; and
 - c) the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.
- 4.22. Paragraph 157 clarifies the affordable housing requirement outlined in Paragraph 156 as 15 percentage points above the highest existing affordable housing requirement that would otherwise apply to the development, subject to a cap of 50%. This approach is subject to the national planning practice guidance on viability.
- 4.23. Paragraph 158 attributes significant weight to proposals which comply with the golden rules set out above.
- 4.24. 'grey belt' is defined within the glossary of the NPPF as the following:
- "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."
- 4.25. 'major development' for housing is defined in the glossary as developments of 10 or more homes or on a site with an area of 0.5 ha.

Planning Practice Guidance

- 4.26. Planning Practice Guidance sets out key guidelines for local authorities and applicants on the assessment of grey belt proposals. This includes two key diagrams which enable Applicants to identify

grey belt land and conclude that the proposals are not inappropriate development within the Green Belt. These are illustrated below:

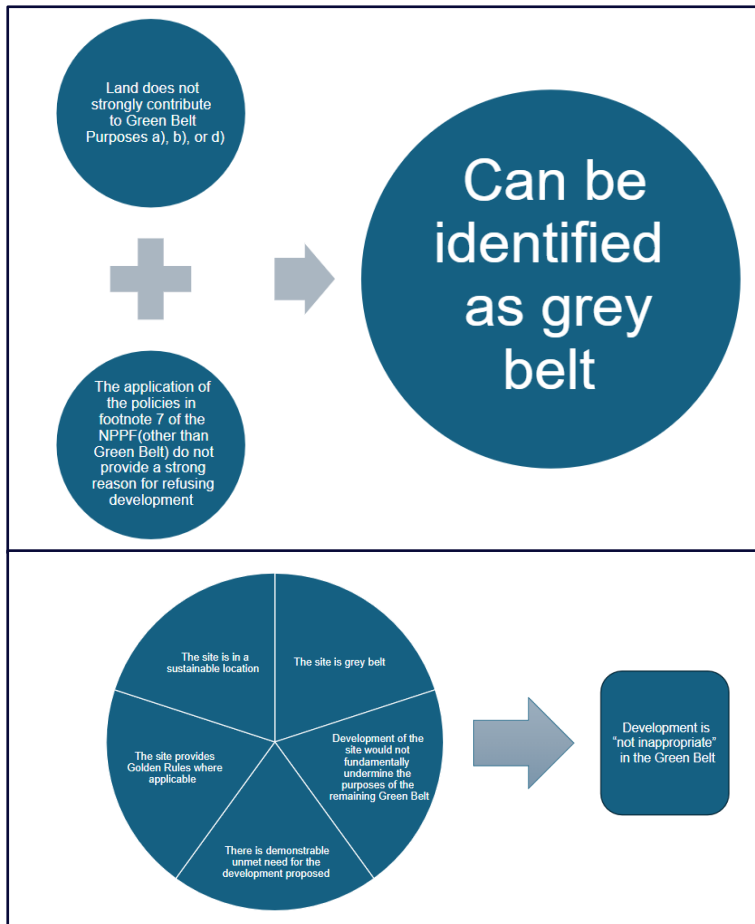


Figure 4.2 Grey belt assessment diagram

5. PLANNING ASSESSMENT – PRINCIPLE OF DEVELOPMENT

- 5.1. As addressed in Section 4 above, Section 38(6) of the Planning and Compulsory Purchase Act (PCPA) requires that planning decisions should be taken in accordance with the development plan unless material considerations indicate otherwise. This Section of the Statement will run through the relevant local and national planning policies that need to be addressed to establish the principle of development in this location.
- 5.2. As addressed within this Statement and in the Council's pre-application response, the Site is entirely within the Green Belt. As part of the Applicant's pre-application submission, a brief assessment was made on the potential for the Site to be considered as grey belt, however the case officer encouraged a more thorough assessment against the grey belt criteria as the proposals submitted at that stage did not meet any of the exceptions under Paragraph 154 of the NPPF, nor did it constitute Very Special Circumstances required under Paragraph 153.
- 5.3. At pre-application stage, the case officer did acknowledge that the Site is located in a sustainable location and does not strongly contribute to criteria b of the Green Belt (to prevent neighbouring towns from merging). However, it was encouraged that further assessment was undertaken as part of a full application on the Site. Accordingly, a full grey belt assessment has been undertaken by Studio 413 in line with the steps outlined within Planning Practice Guidance (and in Figure 4.2 above), the remainder of this Section will run through and summarise the conclusions of the submitted assessment (hereafter referred to as the 'Assessment').

Does the land contribute strongly to Green Belt purposes a, b or d

Purpose a – to check unrestricted sprawl of large built-up areas

- 5.4. The first test is whether the site performs a strong function in relation to purpose a. Almondbury is a physically and functionally connected to the large built-up area of Huddersfield, this is confirmed by Figure 3 of the Local Plan which identifies Almondbury as part of the Huddersfield sub-area. The Site, whilst located outside of the identified sub-area, is directly adjacent to the built form of Almondbury.
- 5.5. The Assessment concludes on this point that the Proposed Development would be a limited and logical extension to the settlement and does not create an incongruous pattern of development. The Site therefore does not provide a strong contribution to this Green Belt purpose, instead forming a moderate contribution.

Purpose b – to prevent neighbouring towns merging into one another

- 5.6. As stated above, the Site lies to the southern edge of Almondbury, within the urban area of Huddersfield (a town). The nearest settlement is Fenay Bridge (a village/hamlet), located 500m to the east of the Site. The PPG is clear that this purpose relates to the merging of towns, not villages. The Site therefore makes no contribution to this purpose.

Purpose d – to preserve the setting and character of historic towns

- 5.7. The PPG is clear that this purpose relates to historic towns, not villages and that, where there are no historic towns within the plan area, it may not be necessary to provide detailed assessments against this purpose. There are no historic towns within the Kirklees authority area (as confirmed by the Council's own Green Belt review) and therefore no detailed assessment is required.

Do any of the Footnote 7 constraints provide a strong reason for refusal

- 5.8. Of the constraints listed within Footnote 7, only heritage assets are applicable to the Site due to the proximity of a number of Grade II* and Grade II listed buildings. To assess the impact of the Proposed Development on these heritage assets, a Heritage Impact Assessment (HIA) has been undertaken as part of the Design and Access Statement. The HIA concludes that there will be a negligible amount of harm to 7 of the 9 designated heritage assets within 400 metres of the Site with a minor level of harm concluded for Thorpe House (Grade II listed) and Thorpe Farm Barn (Grade II* listed).
- 5.9. The minor level of harm identified for these two assets is moderated by several key factors, these include their higher elevation than the Site, separation distance and direction of views. Furthermore, this relationship is softened by extensive, multi-layered tree screening across the intervening landscape which acts as a natural visual buffer and filters views towards the Site.
- 5.10. Considering Thorpe House alone, the HIA notes that the presence of an unauthorised building forward of the principal elevation of the listed asset weakens the character and significance of the asset whilst also acting as a visual screen to the Site. In contrast, the Proposed Development Site, with its finished floor level being 20m below Thorpe House, would result in only a minor visual impact, preserving the key views and setting of the heritage asset.
- 5.11. The PPG offers no guidance on what constitutes a 'strong reason for refusal', however within the wider merit of heritage policies within the NPPF, proposals are decided on their level of harm to the heritage asset. Under Paragraph 215 of the NPPF, proposals that lead to less than substantial harm to the significance of the designated heritage asset should be weighed against the public benefits of the

proposal. In this instance, the HIA concludes that the Proposed Development will result in a minor level of harm. This does not constitute substantial harm and therefore the overall level of harm attributed to the Proposed Development would be less than substantial. Further details in relation to the heritage impact will be discussed in Section 7 below, however in the interests of satisfying Footnote 7, it is not considered that the heritage impact of the Proposed Development constitutes a strong reason for refusing this application.

- 5.12. It is therefore considered that the Proposed Development constitutes grey belt, the proposals must now be assessed against the criteria outlined in Paragraph 155 of the NPPF (and within the PPG) to identify whether they do not constitute inappropriate development within the Green Belt.

Impact on remaining Green Belt

- 5.13. Paragraph 155(a) of the NPPF requires that grey belt proposals do not 'fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan'.
- 5.14. In response to this, the Assessment concludes that the Proposed Development will not erode the ability for the remaining Green Belt to continue to check unrestricted sprawl in a meaningful way (thereby satisfying Green Belt purpose a). The Site also forms no strategic gap between towns, and the remaining Green Belt will satisfy this purpose (satisfying criteria b) and the small nature of the Site prevents any issues relating to widespread encroachment into the countryside. The wider Green Belt within Kirklees also makes no contribution towards purpose d. The District's lack of housing land supply indicates that the regeneration of previously developed land alone cannot resolve the wider issue land supply issues at play.
- 5.15. Together, it is considered that the development of this Site for housing would not undermine any of the 5 purposes of the wider Green Belt across the plan area, thereby satisfying criteria a of Paragraph 155 of the NPPF.

Demonstrable unmet need

- 5.16. Paragraph 155(b) will only support proposals on grey belt land where there is a demonstrable unmet need for the type of development proposed. In this instance, the Council's currently land supply position is 4.18 years with the most recent 2023 Housing Delivery Test indicating a 54% rate of delivery. The pre-application response from the Council recognised this and confirmed compliance with this criterion.

Sustainable location

- 5.17. Paragraph 155(c) requires proposals to be in a sustainable location. As is addressed in Section 2 above, the Site is located in a sustainable location within walking distance of the amenities of Almondbury. The Proposed Development is therefore considered to satisfy this criterion.

Golden Rules

- 5.18. Paragraph 155(d) requires proposals to meet the 'Golden Rules' outlined in Paragraphs 156 and 157 of the NPPF. These Paragraphs require the provision of affordable housing, improvements to local or national infrastructure and new open space.
- 5.19. The application of the 'Golden Rules' will be addressed during the determination of this application.

Summary – principle of development

- 5.20. In summary, this Statement, alongside the Grey Belt Assessment provided by Studio 413, sets out the key arguments in support of addressing the principle of development in this location.
- 5.21. The Site is located entirely within the Green Belt, and therefore development by definition inappropriate. However, under the provisions introduced in the 2024 NPPF, the Site is considered to constitute grey belt land due to its lack of strong contribution to purposes a, b and d of the Green Belt and the absence of any strong reasons for refusal amongst the policies within Footnote 7 of the NPPF.
- 5.22. As it has been established that the Site itself constitutes grey belt land, the Proposed Development must then be assessed against the criteria set out in Paragraph 155 of the NPPF. The Proposed Development will contribute towards an unmet need for new housing in the locality in a sustainable location that does not fundamentally impact the remainder of the Green Belt across the Kirklees area. The application of the 'Golden Rules', required by Paragraph 155(d) of the NPPF will be addressed throughout the determination of this application. Overall, the Proposed Development complies with all of the relevant criteria of Paragraph 155 and therefore constitutes development that is not inappropriate within the Green Belt. The principle of development is therefore acceptable in this instance.

6. OTHER MATERIAL CONSIDERATIONS

6.1. As noted above, Section 38(6) of the PCPA requires planning decisions should be made in accordance with the development plan, unless material considerations indicate otherwise, in this instance the following matters are considered to constitute material considerations:

- Access
- Drainage
- Trees
- Ecology/Biodiversity
- Design

6.2. Each of these matters will be addressed individually in the text below.

Access

6.3. As addressed above, the Proposed Development will be accessed through a new access point provided along Fenay Lane. The existing field access will be replaced with dry stone walling, consistent with the rest of the Site boundary.

6.4. The proposed access will meet adoptable standards with refuse and emergency vehicles being able to enter and egress from the site safely. Where private drives are proposed, bin collection points will be provided.

6.5. A Vehicle Tracking Plan, provided by Holdgate Consulting (drawing ref: EW03), evidences that suitable visibility splays are achievable.

6.6. Therefore, the proposed development will not result in any unacceptable impacts in relation to highway safety and no mitigation measures are required, in line with Policy LP21 of the Local Plan and Paragraph 116 of the NPPF.

Drainage

6.7. The Proposed Development will connect into the existing mains sewer on Fenay Lane for the purposes of foul drainage.

6.8. For surface water drainage, the Proposed Development will discharge into an existing watercourse to the north east of the Site. In line with the drainage hierarchy, infiltration testing will be carried out,

however at this stage data provided by the British Geological Society evidence that the Site is not suitable for soakaways or infiltration into the ground. Given the topography of the Site, no pumping stations will be required, and the discharge of surface and foul water can be provided via gravity fed systems.

- 6.9. In addition to this, an underground storage system will be provided, this will accommodate for the 1 in 100-year flood scenario plus an additional 40% allowance for climate change. Two additional surface water ponds will also be provided for storm water drainage.
- 6.10. The Proposed Development will therefore not result in any increased flood risk, both within or outside of the Site and will follow the drainage hierarchy in its forms of surface water discharge from the Site.

Trees

- 6.11. An Arboricultural Impact Assessment has been undertaken by Tree Care Consultancy; this included a Tree Survey which identified a number of trees across the Site. These comprise of 2 groups of Category A, 2 individual and 1 group of Category B, 3 groups of category C and 11 individual and 6 groups of Category U.
- 6.12. The Proposed Development will result in the loss of one Category B tree (T6) and the partial loss of a Category C group (G2), the reason for their loss being to ensure that access can be provided and the number of dwellings proposed can be delivered. A number of Category U trees will also be removed.
- 6.13. All other trees identified will be retained, including those within the TPO area to the north of the Site. Appropriate Root Protection Areas (RPAs) will also be implemented to ensure no adverse impacts as a result of the Proposed Development.
- 6.14. The Proposed Development incorporates a new scheme of landscaping; this includes replacement tree planting. This will offset the minor loss of trees proposed across the Site. Whilst the loss of the Category B tree is a minor conflict with Policy LP33, the provision of replacement tree planting and wider benefits of the Proposed Development are considered to outweigh the limited amount of loss required to bring the Proposed Development forwards.

Ecology/Biodiversity

- 6.15. A Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment has been prepared in support of this application by Vale Ecology.

- 6.16. The Appraisal included a site visit which identified the Site to include habitats comprising of modified grassland, bramble scrub, mixed scrub and individual trees.
- 6.17. The Site was also considered to be suitable for bird nesting, albeit due to the location of the Site (adjacent to residential properties and used frequently by dogs), there is limited scope for ground nesting birds.
- 6.18. There were no suitable bat roosting facilities found within the Site; however, the greenfield nature would allow for foraging and commuting.
- 6.19. No great crested newts, badgers or other protected species were identified within the Site limits.
- 6.20. A series of mitigation measures are proposed such as a suitable lighting strategy and construction works outside of bird nesting season. Together, the mitigation measures proposed are considered suitable and enforceable by way of planning condition.
- 6.21. As required by national legislation, all proposals for new development must provide a 10% net gain in biodiversity in line with the biodiversity hierarchy. The Proposed Development incorporates a landscaping scheme that aims to provide a degree of biodiversity gain across the Site. However, due to existing habitats present on Site, there will be a net loss of 50.33% (1.88 units). In line with the hierarchy, the Proposed Development will deliver the remaining requirement (2.26 units) to meet a 10% net gain through the purchase of off-site units. Further details on this will be provided within the Biodiversity Gain Plan which is now an advisory condition attached to any planning approval.

Design

- 6.22. Policy LP24 of the Local Plan requires proposals for new development to promote good design through form, scale and layout to enhance the character of the townscape and heritage assets.
- 6.23. The Proposed Development is in a unique setting whereby all surrounding existing residential development comprises of large, detached family homes or historic farmsteads. Whilst it is recognised that a mix of house types is encouraged by Policy LP11, the nature of the location of the Site means that any smaller scale, semi-detached or terraced housing would be incongruous with the surrounding housing stock and would result in an adverse impact on the character of the area.
- 6.24. The proposed layout has a single access road to all properties from Fenay Lane, maintaining the linear character of residential development along the road whilst ensuring highway safety is maintained through a new shared access, rather than multiple new direct access points onto Fenay Lane.

- 6.25. Each dwelling incorporates suitable separation distances between those proposed and existing properties located to the west of the Site. Each dwelling also benefits from a private garden to the rear, allowing for a high level of amenity space for future occupants.
- 6.26. The appearance of the dwellings and materials used are in keeping with other nearby properties, allowing the Proposed Development to seamlessly co-exist with the local vernacular.
- 6.27. Together, the scale, layout and appearance of the Proposed Development is considered to maintain and enhance the character of the local area whilst ensuring that the highest levels of amenity are retained throughout. The Proposed Development is therefore considered appropriate in the context of Policy LP24 of the Local Plan.

Summary

- 6.28. In summary, this Section of the Statement has sought to address any material considerations that may be relevant to the Proposed Development. The Proposed Development will provide a suitable access that results in no highways safety concerns, incorporates a suitable drainage strategy, and proposes a scheme of landscaping that will provide biodiversity enhancements to the Site.
- 6.29. Whilst it is recognised that there will be some minor tree loss and a loss in biodiversity for the Site overall, these are considered entirely mitigatable and do not outweigh the benefits of the Proposed Development as a whole.
- 6.30. The Proposed Development incorporates a suitable mix of housing, layout and appearance that is in keeping with the local vernacular and maintains high levels of amenity for both future occupants of the Proposed Development and existing residents in the locality.
- 6.31. The matters discussed above, whilst material considerations in the determination of this application, are not considered to result in reasons as to why the Proposed Development should not otherwise be approved.

7. SUMMARY

- 7.1. In summary, this Planning Statement has been prepared on behalf of Vesta Property Group in relation to the proposed erection of 6 dwellings and associated infrastructure on land to the north of Fenay Lane, Almondbury.
- 7.2. The Site comprises of 0.9ha of agricultural land, bound by existing residential development, historic farmsteads and agricultural fields and is within walking distance of the various amenities of Almondbury with bus connections to Huddersfield.
- 7.3. The Site has no planning history, however, was subject to a pre-application request with the Council in January 2026 (pre-application ref: 2025/20926). The pre-application regarded a larger parcel of land, extending further east and comprising of a proposal for 8 dwellings, rather than the 6 proposed as part of this application. The response received from the Council acknowledged that the Site is located in a sustainable location and that the Council does not currently have a 5-year supply of housing land. No opinion was provided as to whether the Site constitutes grey belt land and therefore this forms part of the subject of this Statement.
- 7.4. As required by the PCPA, proposals for new development must be assessed against an up to date development plan, unless material considerations indicate otherwise. In this instance, the applicable development plan, the Kirklees Local Plan, is largely considered out of date by nature of its age and the lack of demonstrable land supply for housing. Nevertheless, some policies within it remain of relevance.
- 7.5. In addressing the principle of development in this location, the introduction of grey belt in the most recent iteration of the NPPF (December 2024 version) allows for proposals that would otherwise be considered inappropriate within the Green Belt to be considered appropriate in instances where they will contribute to housing supply in an area that does not currently meet the 5-year threshold. This Statement, alongside the accompanying Grey Belt Assessment document, considers that the Site does constitute grey belt. Alongside this, the sustainable location, size of the site and its contribution to meeting local housing needs provide for a Paragraph 155 compliant proposal. The proposed development is therefore not considered to constitute inappropriate development within the Green Belt, and the principle of development is acceptable.
- 7.6. Attention must then be paid to any other material considerations, in this instance, other material considerations comprise of the impact on access, drainage, trees, ecology and design. The Proposed Development will incorporate a suitable mix of housing, utilising a layout and appearance that is in keeping with the local vernacular, in addition the scheme of landscaping proposed will result in no adverse impacts on protected species and will provide biodiversity enhancements where possible. The

minor loss of trees and biodiversity as a result of the Proposed Development is not considered to constitute a reason for refusal of this application. The Proposed Development is therefore acceptable in relation to the other material considerations considered.

- 7.7. Overall, the Proposed Development is therefore acceptable in relation to the principle of development and there are no other material considerations that indicate as to why this application should not otherwise be approved.
- 7.8. It is therefore respectfully requested that this application is approved without further delay.