



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

Planning Statement Addendum

September 2026

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Appendix 1: Responses received from the case officer

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1. INTRODUCTION

Overview

- 1.1. This Planning Statement Addendum is prepared on behalf of the Vesta Property Group Ltd (the 'Applicant') in relation to an application for full planning permission which is pending determination (application ref: 2026/62/91969/W) with Kirklees Council (the 'Council'). There is an agreed extension of time in place for the determination of this application through to Friday 16th October 2026.
- 1.2. This Addendum is prepared following the receipt of comments from all consultees on the application, comments made by the case officer and changes to the National Planning Policy Framework (NPPF). All of which form a material consideration in the determination of this application.
- 1.3. Table 1.1 below outlines the stance of responses received by consultees on this application:

Consultee	Stance
LLFA	Objection
Highways	Additional information requested
Ecology	
Trees	No objection
Highways Structures	
Environmental Health	
Yorkshire Water	

Table 1.1: Stance of consultees

- 1.4. In addition to this, the case officer has provided some comments in relation to the application of grey belt policies within the NPPF. This, alongside a response to all consultee responses requiring an Applicant response is provided in the remainder of this Addendum.

Structure of this Addendum

1.5. This Addendum is structured to provide a logical response to comments received on the application and the revisions made to national planning policy, the remainder of the Addendum is structured as follows:

- Section 2 provides an update on the implications of revisions to the NPPF to this application
- Section 3 responds to comments received by the case officer on this application
- Section 4 addresses the objections made by the LLFA
- Section 5 addresses the request for additional information from the Highways Officer
- Section 6 addresses the request for additional information from the Ecology Officer
- Section 7 provides a summary and draws conclusions

Application resubmission documents

1.6. Table 1.2 below outlines the documents submitted as part of this application, considering those that form the original application that are still relevant, revised documents, and new documents:

Document	Original Document Reference	Revised Document Reference	Author
Plans			
Location Plan	(PL)001	(PL)001A	Wildblood Macdonald
Existing Topo Survey	(PL)002		
Tree and Landscape Plan	(PL)101D	(PL)101E	
Site Levels	(PL)102C	(PL)102D	
Plot A Elevations	(PL)103B		
Plot B Elevations	(PL)104A		
Plot C Elevations	(PL)105B		
Plot D Elevations	(PL)106B	(PL)106C	
Plot E Elevations	(PL)107B	(PL)107C	
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	(PL)120B		
Hard Landscape Plan	(PL)123C	(PL)123D		
Roof Plan	(PL)124D	(PL)124E		
Proposed Street Scene	(PL)125A	(PL)125B		
Built-Up Area Plan	(PL)126A			
Plot Ratio & Mean Average Plan	(PL) 127			
Net Development Area	(PL) 128			
Drainage Plan	26-255-D01-P01	26-255-D01-P02	Holdgate Consulting	
Private Drainage Details	26-255-D02-P01			
Attenuation Detail	26-255-D03-P01			
Levels Plan	26-255-EW01-P02	26-255-EW01-P03		
Cut & Fill	26-255-EW02-P02			
Vehicle Tracking Plan	26-255-EW03-P02	26-255-EW03-P03		
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	26-255-EW07-P02		
S278 Agreement Plan	26-255-EW08-P02			
S278 General Arrangements Plan	26-255-EW09-P02			
S278 Construction Details	26-255-EW10-P10			
S38 Agreement Plan	26-255-EW11-P02			
Vehicle Tracking Plan 2	26-255-EW12-P01			
Landscape Proposals	LDP-26-P317	LDP-26-P317 1001C		Studio 413
Landscape Specification	LDP-26-P317			
Reports				
Design, Access & Heritage Statement	2887		Wildblood Macdonald	
Drainage Strategy	26-255		Holdgate Consulting	
Surface Water Drainage Calculations	26-255			
Drainage Maintenance Report	26-255			
Preliminary Ecological Appraisal & Biodiversity Net Gain Assessment	1419		Vale Ecology	
BNG Metric				
Grey Belt Assessment	LDP-26-P317-GBA1 Rev. V5		Studio 413	
Arboricultural Impact Assessment	AIA-2531-1		Tree Care Consultancy	
Retained document Revised document New document				

Table 1.2: Application Resubmission Package

2. IMPLICATIONS OF REVISIONS TO NATIONAL PLANNING POLICY

Overview

- 2.1 The initial submission was assessed against the December 2024 edition of the NPPF, the Government has since adopted a revised version of the NPPF in August 2026. The revised NPPF includes a number of decision-making policies that are a material consideration in the determination of planning applications.
- 2.2 A key addition is outlined in **Paragraph 3** whereby the relevant weight to be accorded to each is outlined in Annex A which states that, for the purposes of decision making, development plan policies which are materially inconsistent with the national decision-making policies of the NPPF should be given very limited weight. The relevant weight to be accorded to each of the relevant local planning policies applicable to the proposed development will be addressed in the following part of this section.

Weight attributed to local policies

- 2.3 The adopted local planning policies relevant to the proposed development were outlined in Section 4 of the Planning Statement submitted as part of the original application.
- 2.4 As addressed above, Paragraph 3 of the NPPF now identifies the relevant weight to be afforded to local planning policies based on their consistency with the decision-making policies of the NPPF. Where policies were previously considered as out of date owing to their age or due to a lack of a five-year supply of housing land it is now more so to do with their consistency with the NPPF.
- 2.5 The key policies highlighted in our initial submission as out of date were those relating to the supply and location of new housing (the spatial development strategy and Policy LP3), it is still the case that these retain very limited weight due to the Council's five-year land supply position.
- 2.6 All other policies of the Local Plan highlighted within the original Planning Statement retain weight applicable to the determination of this application.

Changes made to the NPPF

- 2.7 The NPPF has moved away from a paragraph-based system towards a clearer policy-based system with a clear distinction between those that are relevant for plan making and those that are for decision making.

2.8 The heart of the NPPF however remains the same, a presumption in favour of sustainable development. The former Paragraph 11 is now spread across Section 4 of the NPPF (achieving sustainable development). Relevant to decision making is Policy S3 (presumption in favour of sustainable development) which states that:

1. *“Decisions on development proposals should apply a presumption in favour of sustainable development. This means:*
 - a) *Policy S4 in this Framework should be applied when considering development proposals within settlements;*
 - b) *Outside settlements, policy S5 should be applied; and*
 - c) *In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.”*

2.9 The Council’s adopted Local Plan does not include a mapped area of settlement limits, however the end of the existing built form of the Almondbury and the existing Green Belt boundary to the west of the site establish that the site lies entirely outside of, but immediately adjacent to, the settlement. Policy S5 (principle of development outside settlements) therefore applies.

2.10 Policy S5 sets out the appropriate forms of development outside of settlements. However, as the site is entirely within the Green Belt, Paragraph 5 of Policy S5 applies which states that:

5. *“This policy does not apply to development proposals in the Green Belt or on land designated as Local Green Space, which should instead be determined in accordance with policies HC8, GB6, GB7 and/or GB8 (as appropriate). However, where development would not be inappropriate in these locations (through the application of policies HC8 and GB7), proposals should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework, and applying paragraph 2 of this policy.”*

2.11 Paragraph 2 of Policy S5 states that:

- a. *In applying this policy, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.*

2.12 The decision-making policies that specify where development proposals should be refused in specific circumstances relate to the following matters:

- Town centre sequential tests (TC4)
- Peat extraction (M5)
- Coal, onshore oil and gas (M5)
- Development densities (L3)
- Design (DP3)
- Hot food takeaways (HC5)
- Flood risk incompatible uses (F6)
- Flood risk (F7)
- Biodiversity impacts (N2)
- Major development within protected landscapes (N4)
- Proposals affecting habitats sites (N6)
- Loss of irreplaceable habitats (N6)
- Substantial harm/loss of designated heritage assets (HE6)

2.13 Those that could potentially relate to the proposed development are L3, DP3, N2 and HE6. These policies are summarised in Table 2.1 below.

Policy	Summary
L3 – achieving appropriate densities	Paragraph 4 of this policy states that proposals should be refused which are not in accordance with Paragraph 2 of this policy. For proposals outside of settlements, ‘development footprints should make best use of a site’s development potential, taking into account the policies of this Framework’
DP3 – key principles for well-designed places	Paragraph 3 of this policy seeks to attribute weight to the design policies of the relevant development plan. Development proposals

	should respond to their context so that they can integrate and enhance with their surroundings.
N2 – Improving the natural environment	Paragraph 2 states that proposals should be refused if they cause significant harm to biodiversity and cannot be adequately mitigated or compensated for.
HE6 – Proposals affecting designated heritage assets	Paragraph 5 states that ‘where a development proposal would cause substantial harm to, or the total loss of, the significance of a designated heritage asset, consent should be refused unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm or loss of’

Table 2.1: Decision-making policies of the NPPF which state that development proposals should be refused in specific circumstances

2.14 As stated in Paragraph 5 of Policy S5, development proposals within the Green Belt should be assessed against the relevant decision-making policies. In this instance, this relates to policies GB6 and GB7.

2.15 Policy GB6 (Control of development in the Green Belt) states that:

“Development in the Green Belt is inappropriate unless it falls within one of the categories in policy GB7”

2.16 Policy GB7 (Development which is not inappropriate in the Green Belt) considers that certain forms of development are not inappropriate within the Green Belt and are therefore not required to demonstrate very special circumstances. This includes sub-paragraph g which states that:

g. “Development where all of the following apply:

- i) 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;*
- ii) There is an evidenced unmet need for the type of development proposed⁴¹*
- iii) The development would be in a sustainable location, with particular reference to policy TR3 of this Framework⁴²; and*
- iv) In the case of major development involving the provision of housing, the development proposed complies with policy GB8.”*

2.17 Footnote 41 means, for the provision of housing, where there is a lack of a five-year supply of deliverable housing sites or where the Housing Delivery Test result was below 75% of the housing requirement over the previous three years.

2.18 Footnote 42 relates to traveller sites and is not relevant to the proposed development.

2.19 Grey belt is defined in Annex 2 (Glossary) as:

“For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in policy GB2.”

2.20 Notably, the 2026 version of the NPPF omits any reference to footnote 7 which is no longer applicable to decision-making. Instead, the contents of footnote 7 now form footnote 24 which relates to allocations within a Local Plan and is only applicable to plan-making.

2.21 The contents of Policy GB7(g) are largely similar to those in Paragraph 155 of the 2024 NPPF, the key differences are outlined in Table 5.2 below:

Paragraph 155 2024 NPPF Wording	Policy GB7 2026 NPPF Wording	Key Differences
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	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	None
There is a demonstrable unmet need for the type of development proposed	There is an evidenced unmet need for the type of development proposed	Transition from demonstrable to evidenced, provides for a greater breadth of reasoning in support of applications where evidence for the need can be provided

The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework	The development would be in a sustainable location, with particular reference to policy TR3 of this Framework	This now provides a direct link to decision-making policy TR3, further detail on this policy is contained below
Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below	In the case of major development involving the provision of housing, the development proposed complies with Policy GB8	More definitive wording provided linking this aspect to applications for major development and links to what is now Policy GB8 (Golden Rules)

Table 2.2: Comparison between Paragraph 155 of the 2024 NPPF and Policy GB6 of the 2026 NPPF

2.22 Policy TR3 (Locating development in sustainable locations) states that:

1. *"So that development is located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure, development proposals should reflect the following principles, taking into account the vision for the site, the type of development and its location:*
 - a) *Development proposals which could generate a significant amount of movement, in the context of the area within which they would be situated, should be in locations that are sustainable (or which can be made so, taking into account planned improvements, including any provided for as part of the development itself). This means the location should limit the need to travel, particularly by private car, and offer a genuine choice of transport modes for residents and users, unless the nature of the development would make this impractical;*
 - b) *Opportunities should be taken to utilise existing or proposed transport infrastructure in optimising the amount or density of development which can be accommodated in different locations, especially where this can support more walking, wheeling, cycling and public transport use;*
 - c) *Any significant adverse impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, should be mitigated to an acceptable degree using a vision-led approach;*

- d) The environmental impacts of traffic and transport infrastructure should be identified, assessed and taken into account – including taking opportunities to avoid or mitigate any adverse environmental effects, and to secure net environmental gains such as reductions in air pollution; and*
 - e) In rural areas, opportunities to improve walking, wheeling, cycling and public transport and enhance the connectivity of an area should be taken where they exist and can be supported by the development proposed.”*
2. The Connectivity Tool (Connectivity Tool - GOV.UK) should be used alongside other relevant quantitative or qualitative evidence in assessing the connectivity of particular locations proposed for development.

Implications of changes to the NPPF

- 2.23 As addressed throughout the original submission, this application is for the erection of 6 dwellings on land to the north of Fenay Lane. The Planning Statement assessed the proposed development against the applicable national planning policies at the time, concluding that the proposed development constitutes a grey belt site in a sustainable location whereby there is a current unmet need for housing and its development will not fundamentally undermine the remaining Green Belt.
- 2.24 The principal definition of grey belt however remains the same, it is land that does not strongly contribute to purposes a, b or d of the Green Belt. The assessment made against these policies in the original submission therefore remains, the site is grey belt and its scale will mean that it does not undermine the remaining Green Belt land across the plan area (the site comprises 0.9ha with the total Green Belt area for Kirklees amounting to 24,990ha).
- 2.25 There remains to be an evidenced unmet need for housing within Kirklees with the Council having a 4.18-year supply and a Housing Delivery Test result of 54%, 59% and 65% respectively over the three most recent tested years (2023-2025).
- 2.26 Whilst the previous application was assessed against the relevant paragraphs relating to sustainable development of the 2024 NPPF, it has not been assessed against Policy TR3, an assessment against the criteria of Policy TR3 is therefore provided in Table 2.3 below:

Sub-paragraph	Requirement	Assessment
A	The location should limit the need to travel and offer a genuine choice of transport modes	As addressed throughout the original application, the site is within reasonable walking distance of the amenities of Almondbury village centre as well as public transport connections in the form of bus stops.
B	Existing and proposed transport infrastructure should be used	As addressed above, the site is located within reasonable walking distance of existing transport infrastructure.
C	Any significant adverse impacts on the transport network or on highway safety should be mitigated to an acceptable degree	The Highways response received on the application states that <i>"The likely new traffic movements would not cause a material increase or adverse impact given the small number of dwellings proposed, particularly in the traditional weekday peak hours"</i> therefore no additional mitigation is considered necessary
D	The environmental impacts of traffic and transport infrastructure should be identified and taken into account	As above, a minor development of this scale is unlikely to result in any increased environmental impacts.
E	In rural areas, opportunities to improve walking, wheeling, cycling and public transport to enhance connectivity should be taken where they can be supported by the development proposed	The site is located in a semi-rural area on the edge of the existing built form of Almondbury village. The proposed development will include a direct connection to the existing footways along Fenay Lane

Table 2.3: Assessment against the criteria of Policy TR3

- 2.27 Paragraph 2 of Policy TR3 notes that the Connectivity Tool should be used to assess the connectivity of particular locations. The Highways response on the application is correct in identifying the site as 56-60% on the Connectivity Tool, however it is not applied against the Connectivity Matrix. Whilst Figure 3 of the Local Plan identifies Almondbury to be part of the Huddersfield sub-area, the site is not and

forms part of the urban fringe. It should therefore be considered against the 'rural town and fringe metric' whereby a score of 56-61% would be between the 80th and 90th percentile overall.

- 2.28 It must also be noted that at pre-application stage (pre-app ref: 2025/20926) the case officer considered that the site is located in a sustainable location.
- 2.29 For the reasons set out above, it is considered that the site is located in a sustainable location and therefore satisfies Policy TR3 and part iii of Policy GB7.
- 2.30 Therefore, the proposed development is considered to comply with Policy GB7. Linking back to Paragraph 2 of Policy S5, there are also no specific circumstances that indicate as to why the proposed development should be refused. Additionally, no adverse impacts have been identified as to why the benefits of providing additional housing in an area with an unmet need should be outweighed.
- 2.31 The proposed development should therefore be considered acceptable in principle.

3. RESPONSE TO CASE OFFICER COMMENTS

Overview

3.1. Soon after the application was validated, contact was made with the case officer, an initial response was received on 9th September 2026 that indicated further consideration needed to be made by the Council in relation to the grey belt status of the site. An additional response was received on 16th September 2026, the initial view taken from the Council in relation to the proposed development is negative. Both responses are included at Appendix 1 of this Addendum, however in summary it highlighted the following points:

- *“The extent of the site goes beyond that which could be considered grey belt land – the existing field boundaries to the centre of the site demonstrate an enclosed site which has scope to be considered grey belt. The western side of the site, adjacent to the existing built form has scope to be considered grey belt but the entire site as proposed would not*
- *The density of the development is significantly lower than sought in the Local Plan and NPPF – the proposal comprises of significantly sized dwellings to the north of Fenay Lane which is characterised by dwellings of smaller size and scale. The proposed development would therefore not be in keeping with the locality and would provide a density of 6/7 dwellings per hectare which is significantly below the 35 dwellings per hectare required by Policy LP7 and Principle 4 of the Householder Design Guide*
- *The frontage of properties would be parking dominated in relation to plots A, B and F and the impact of the garages on these plots. Consideration should be given to the removal of these features*
- *The visual impact of the development”*

3.2. Each of these matters will be addressed separately in the following text.

Grey belt

3.3. A grey belt assessment was undertaken by Studio 413 and included as part of the original application submission. The Assessment addressed all aspects of grey belt as per the NPPF definition at the time. As addressed above, the principal definition for which remains the same (albeit with the exclusion of Footnote 7). The key test being that the land subject to the assessment does not strongly contribute to any of purposes a, b or d of the Green Belt.

3.4. The case officer identifies the field boundaries to the centre of the site to provide a physical boundary to the site. Whilst the Applicant does not dispute that the tree lined centre of the site performs some level of boundary to the site, the wider context of the site and the tests of this relevant part of grey belt need to be understood.

3.5. This relates to purpose a of the Green Belt which seeks to:

a) Check the unrestricted sprawl of large built-up areas

3.6. Annex E (Green Belt Assessments) provides guidance on Green Belt assessments, this supersedes that included as Planning Practice Guidance to which the original application was assessed against, however the principles again remain the same. In relation to purpose A, a strong contribution is considered as that which:

“are likely to be free of existing development and lack physical feature(s) in reasonable proximity that could restrict and contain development. They are also likely to include all of the following features:

- Be adjacent or near to a large built-up area; and*
- If developed, result in an incongruous pattern of development (such as an extended ‘finger’ of development into the Green Belt).”*

3.7. A moderate contribution to purpose A is described as follows:

“Assessment areas that contribute moderately are likely to be adjacent or near to a large built-up area, but include one or more features that weaken the land’s contribution to purpose A, such as (but not limited to):

- Having physical feature(s) in reasonable proximity that could restrict and contain development;*
- Be partially enclosed by existing development, such that new development would not result in an incongruous pattern of development;*
- Contain existing development; and/or*
- Being subject to other urbanising influences.”*

3.8. Crucially, the difference between a 'strong' contribution and a 'moderate' one is that all of the features attributing to a 'strong' contribution must be met whereas to perform a 'moderate' contribution is not an exhaustive list whereby all requirements must be met.

3.9. It is noted that the case officers response is brief and makes no direct reference to the contribution that the site makes to purpose a of the Green Belt.

3.10. We refer to the conclusions set out within the submitted Grey Belt Assessment which concludes in relation to purpose a that:

"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."

3.11. Therefore, it is considered that the site does not strongly contribute to purpose a of the Green Belt.

3.12. As addressed throughout the Grey Belt Assessment, the site provides a weak/none contribution to purposes b and d of the Green Belt.

3.13. Overall, the site does not strongly contribute to any of purposes a, b or d of the Green Belt and should therefore be considered as grey belt land. In line with Policy GB7 of the NPPF, the proposed development does not therefore comprise inappropriate development within the Green Belt.

Density

3.14. The case officer's comments note that the proposed dwellings are not in keeping with the locality, being of a larger scale than those nearby and would be of a lesser density than Policy LP7 of the Local Plan and Principle 4 of the Housebuilders Design Guide require.

3.15. Policy LP7, in relation to housing densities, is worded as follows:

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

- a) *developments should achieve a net density of at least 35 dwellings per hectare, where appropriate;*
- b) *higher densities will be sought in principal town centres and in areas close to public transport interchanges*

- c) *Lower densities will only be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs*
- d) *More detailed density requirements may be set out in area action plans, neighbourhood plans, supplementary planning documents and development briefs, where appropriate*

3.16. Paragraph 6.40 of the supporting text to this policy states that

“Site constraints such as gradients may create difficulties achieving the relevant density on sites”

3.17. Principle 4 of the Housebuilders Design Guide states that:

“Net development density is expected to achieve at least 35 dwellings per hectare, though higher densities are supported in areas in or adjacent to town centres which are well served by public transport and to secure more sustainable forms of development. Densities lower than 35 are only permitted in line with Local Plan Policy LP7. The location of the site is important in terms of the requirement for car parking provision, on-site open space provision and the type of housing required in the locality.”

3.18. The applicable local policies therefore allow for lower densities, relative to site constraints and the surrounding built form.

3.19. The case officers’ assessment that the proposed development that it will deliver a net density of 6/7 dwellings per hectare is incorrect as it is not based on the net developable area of the site. In support of this resubmission, a plan has been provided (drawing ref: 2887 (PL)128) which identifies a net developable area of 0.5202ha. This area takes into account the site gradient, root protection areas and the need for the provision of on-site biodiversity enhancements. In considering this, the proposed development will provide a net density of 11.53 dwellings per hectare.

3.20. The Applicant recognises that this is below the 35 dwelling per hectare requirement of sub-paragraph a of Policy LP7, however for lower densities sub-paragraph c applies. This sub-paragraph is not an exhaustive list and therefore only one of the criteria must apply for the proposal to be considered appropriate, this includes instances where *“the development is compatible with its surroundings”*. Accounting for this, a study has been undertaken on net densities in the locality (drawing ref: 2887 (PL)127) which concludes that the whilst the proposed development will provide a slightly lower density of 11.53 dwellings per hectare as opposed to the 15.25 dwellings per hectare observed to the north of

Fenay Lane, the actual built footprint to plot curtilage density is much higher on the proposed development than the identified clusters of housing to the north of Fenay Lane.

- 3.21. The case officer notes that the dwellings to the north of Fenay Lane are smaller in size and scale than that which is being proposed on the site. Whilst this is perhaps true in relation to the built footprint and scale of the units being proposed, the size of the dwellings being 4–6-bedroom units are not uncharacteristic of plots to the north of Fenay Lane with many of these being 4–5-bedroom properties. Therefore, the proposed development would not be out of character to the locality, and the proposed density of development is appropriate in relation to Policy LP7 of the Local Plan and Principle 4 of the Housebuilders Design Guide.

Frontage Parking

- 3.22. This matter relates to the parking dominated frontages proposed at Plots A, B and F with the inclusion of garages to the frontage of these plots.
- 3.23. No reference is made to any applicable policies by the case officer in relation to this matter, however it is noted that sub-paragraph f of Policy LP22 (Parking) of the Local Plan states that:

“new developments will incorporate flexibly designed minimum parking spaces for private cars, considering a range of solutions, to provide the most efficient arrangement of safe, secure, convenient and visually unobtrusive car parking within the site including a mix of on and off-street parking in accordance with current guidance”

- 3.24. The current guidance, in relation to frontage parking and garages is set out under Principle 12 of the Housebuilders Design Guide which states that any car parking provision should:

- *“Not dominate street frontages through parking arrangements that place cars at the front of all dwellings and with overly dominant integral garages at the front of dwellings;*
- *Where car parking is included within the curtilage of a dwelling, creative design solutions should ensure that car parking can be accommodated at the side of buildings or to their rear to avoid dominating the street scene;*
- *Ensure that any garages are set back from the front door of the house or are carefully designed in terms of materials so that they are not the dominant feature; any garage must be large enough to accommodate a large family car following guidance set out in the Highway Design Guide SPD”*

- 3.25. In line with both the Local Plan policy and guidance, it must therefore be established whether the proposed parking arrangements meet the following key criteria:
- Safe
 - Secure
 - Convenient
 - Visually unobtrusive
- 3.26. The plans provided in support of the original application have ensured that the parking layout takes account of the topography of the site and required retaining structures to provide parking for each plot on a safe, secure and convenient location. The case officer has voiced no concern in relation to these matters.
- 3.27. The issue is therefore whether the proposed parking arrangements are visually obtrusive. As outlined above, the Housebuilders Design Guide encourages parking not to dominate street frontages with garages set back from the front door. There is a preference for parking to be provided to the side or rear as to avoid dominating the street scene.
- 3.28. The proposed garages for plots a, b and f are located to the frontage of the proposed dwellings, however, are entirely subordinate in scale whilst using the same materials as the main dwellings. Throughout the design process, consideration was given to providing garages for these plots to the side where possible, however, to implement as such would require the number of plots to be delivered to be reduced even further, furthermore leading to a lower density of housing being proposed on the site. The scale of the proposed garages allows for the parking of two large family vehicles within each garage; their scale and appearance would also not be overly dominant or visually obtrusive. The levels of the site also mean that from Fenay Lane, only the roofline of Plots A and B would be visible with Plot F's garage being below the existing dry-stone wall. Therefore, the proposed garages would have no over dominating effect on the street scene.
- 3.29. All plots essentially have frontage parking as there is no tandem parking proposed on this scheme; all parking will be forward of the principal elevation of the property. The proposed levels of the site and implementation of the proposed landscaping scheme will ensure that the provision of on-plot parking does not have an over dominating impact on the proposed street layout.

- 3.30. Overall, the proposed garage and parking layouts are not considered to have an overbearing or visually obtrusive impact and are therefore compliant with the requirements of Policy LP22 of the Local Plan and Principle 12 of the Housebuilders Design Guide.

The visual impact of development

- 3.31. The final matter raised by the case officer was the visual impact of the proposed development. However, this point was not elaborated on and therefore there is no policy-based justification for this point to be made.
- 3.32. Should the Council have concerns of the visual impact of the proposed development, the Applicant can provide a suitable response accordingly.

4. RESPONSE TO LLFA COMMENTS

4.1. The LLFA provided comments on the application on 11th August 2026. The comments object to the proposed development due to insufficient information being provided. The key points raised were as follows:

- It is recommended that a self-cleansing channel or perforated pipe is used at the base of the tank to allow rainwater run-off during low flow events to pass through the tank between the external upstream and downstream MHs, thereby reducing the risk of siltation within the tank.
- Hydraulic calculations will need to be submitted to the LLFA showing that the attenuation storage is sufficient for the critical design storm.
- The attenuation tank and flow control chamber appear to be within the private curtilage of the last housing plot on the eastern side of the site. This would make it difficult to undertake future inspections and maintenance activities if, for instance, this area is fenced off or sheds, extensions, etc. are built over the tank/flow control chamber.
- Details of the proposed Maintenance Strategy for the surface water drainage system, including the attenuation tank and flow control device should be submitted to the LLFA. The strategy should detail proposed maintenance activities and their scheduled frequency.
- Without adequate access to the attenuation tank and flow control chamber from non-private areas, it is unlikely that they will be adopted by Yorkshire Water. Therefore, details of the organisation who will be responsible for the maintenance for the life of the development should be submitted to the LLFA.

4.2. Each of these points will be addressed in turn in the following text.

Self-cleansing channel

4.3. The Attenuation Detail drawing (drawing ref: D03 Rev. P01) has been amended to accommodate the proposed self-cleansing channel to manufacturers specification.

Hydraulic calculations

4.4. Hydraulic calculations are provided in the submitted drainage calculations document.

Location of attenuation tank

- 4.5. It is acknowledged that the attenuation tank is located within the curtilage of Plot F, however attenuation access chambers will be located in shared access areas with around the year access available for maintenance.

Attenuation maintenance strategy

- 4.6. The proposed attenuation features will be maintained by a private maintenance company with details to be provided at construction stage.

Access to attenuation tank

- 4.7. An amended access is proposed to the attenuation tank, to be provided via a shared access to the east of Plot F (drawing ref D01 Rev. P02).
- 4.8. It is considered that the above and provided additional drainage documentation is sufficient to overcome the LLFA objection.

5. RESPONSE TO HIGHWAYS OFFICER COMMENTS

5.1. Kirklees Highways commented on the application on 11th August 2026 requesting the submission of additional information. The matters raised are as follows:

- Despite the swept paths being mostly acceptable, the left turn is too tight to the kerb line and adjustment will be necessary
- A Stage 1 Road Safety Audit is required prior to determination
- A Section 278 agreement will be required to construct new access
- A plan showing extent of road adoption is required, this will then need to go through the Section 38 highway agreement process
- Due to the proposal being for more than 5 dwellings, it should be constructed to an adoptable standard that can accommodate fire and rescue vehicles and waste collection vehicles, it must be demonstrated that these vehicles can get within 45m of entrances
- The shared surface carriageway must not be steeper than 1:21 or 5%, otherwise a local residential street with footways on both sides will be required
- Internal visibility splays should be provided
- Bin pull distances exceed 30m, the width of the road should be reviewed to address this
- Visitor parking should be provided on site - 2 are required

5.2. These points will be addressed in turn in the following text.

Kerb line swept path

5.3. The kerb line has been amended and radii increased from 6m to 7m on both sides of the proposed junction (drawing ref: EW03 Rev. P03). This enables an appropriate junction layout, accommodating the requested adjustment.

Stage 1 RSA

5.4. A Stage 1 RSA has been instructed and is awaiting the initial report.

Section 278 Agreement

- 5.5. These details will be provided following receipt of full planning consent, however initial S278 drawings are provided as part of this submission package for information.

Extent of adopted road

- 5.6. The S278 Agreement Plan (drawing ref: EW11 Rev. P01) shows the extent of the proposed adoptable highway. This is also illustrated in the Hard Surfacing Plan (drawing ref: EW07 Rev. P02) which shows the extent of the carriageway and private drives proposed.

Fire and rescue and waste collection vehicles

- 5.7. A revised vehicle tracking plan is provided as part of this submission (drawing ref: EW03 Rev. P03) which depicts the applicable refuse vehicle entering, turning and egressing from the site in line with the extent of the proposed adoptable road. There are two bin collection points proposed at the extents of the adoptable highway area. An additional bin storage area is proposed for Plots E and F, this ensures that the carrying distances between storage points and collection points are in line with the applicable guidance which states that the carry distance must not exceed 30m and distance from a bin lorry to 8m (Highways Guidance Note – Emergency Access, Waste Management, Servicing, and Deliveries).
- 5.8. A separate vehicle tracking plan is provided for fire engine vehicles (drawing ref: EW12 Rev. P01), this demonstrates fire vehicles being able to reach within 45m of the front of each property, including within the carriageway of Fenay Lane for Plot F.

Shared surface gradient

- 5.9. The gradient of the adoptable shared surface access road is to be 1 in 21, as requested by the Highways Officer, is below the maximum 1 in 20 gradient threshold set under the adopted Highways Guidance Note – Gradients.
- 5.10. The remaining private drive areas will have a gradient of 1 in 12.

Bin pull distances

- 5.11. As addressed above, an additional bin storage area has been provided outside of the curtilage of Plots E and F. This ensures that bin pull distances can be met.

Internal visibility splays

- 5.12. Internal visibility splays are provided on the submitted vehicle tracking plans.

Visitor parking

- 5.13. Two visitor parking spaces are now provided and shown in all submitted plans.

6. RESPONSE TO ECOLOGY OFFICER COMMENTS

- 6.1. The Ecology Officer has suggested that further information be provided on the source of off-site units to be purchased. Whilst details of this would usually be reserved for discharge of condition stage, it is the Applicant's intention to purchase the required 0.15 mixed scrub and 2.11 other neutral grassland units from off-site provider BioMark. It is understood that these will be sourced from the registered habitat bank ref: BGS-070426001.

7. SUMMARY

- 7.1. In summary, this Planning Addendum is prepared on behalf of the applicant, Vesta Property Group Ltd in relation to an application for full planning permission on land to the north of Fenay Lane, Almondbury for the development of 6 dwellings (application ref: 2026/62/91969/W). The application is currently pending determination and has an agreed extension of time to 16th October 2026 for a decision to be made.
- 7.2. This Addendum is prepared following amendments to the NPPF and the receipt of comments from the case officer, LLFA, Highways and Ecology, all of which need responses to be provided by the Applicant so that the case officer can make an informed decision on this application.
- 7.3. Firstly, Paragraph 3 of the revised NPPF attributes how much weight can be accorded to relevant policies of the Local Plan. In this instance, the majority of policies can still be afforded some weight, however those relating to the provision of housing are given very limited weight due to their inconsistency with the relevant policies of the NPPF. The amendments made to the Green Belt section of the NPPF retain the grey belt principles that were outlined in the original application, however, remove the former footnote 7 locational requirements for grey belt sites. The conclusion in relation to the proposed development site however remains the same, the site constitutes grey belt, its development will contribute towards meeting an evidenced unmet need for housing and will not undermine the purposes of the remaining Green Belt. The site is also located in a sustainable location, as agreed throughout the previous pre-application on the site and addressed within this Addendum.
- 7.4. The changes made to the NPPF further reiterate support for the development of sites such as this for housing. No evidence has been provided by the Council that the proposals are contrary to the Grey Belt Assessment submitted with the original application, this Assessment concluded only a moderate – weak/none impact on the applicable purposes of the Green Belt. It is therefore considered that this conclusion still stands and the site constitutes grey belt land and is therefore does not constitute inappropriate development within the Green Belt.
- 7.5. Concerns raised in relation to the density of housing proposed on the site are also noted, however they fail to take into account density based on the net developable area. Further assessments undertaken as part of this resubmission demonstrate that the proposed density based on the net developable area is 11.53 dwellings per hectare. Whilst the Applicant recognises that this is below the policy requirement of 35 dwellings per hectare, the wording of Policy LP7 allows for lower densities where needed to ensure that development is compatible with its surroundings, this is directly applicable to the proposed

development site whereby the locality is characterised by larger dwellings situated on large plots. The density proposed is therefore compliant with the relevant local planning policy.

- 7.6. The case officer also raised concerns relating to frontage parking being a dominating feature on the site. The tests for the appropriateness of parking within Local Plan Policy LP22 is whether the proposed parking is safe, secure, convenient and visually inobtrusive. The Applicant emphasises that the proposed layout ensures that the parking provision proposed meets all three of these criteria and should be considered acceptable.
- 7.7. Additional comments have also been received by the LLFA, Highways and Ecology. A response to each of these matters has been provided above. It is considered that the concerns raised have been addressed in full, however should any further comments be raised then the Applicant will provide an additional response.
- 7.8. For the reasons set out above, alongside the original submission package, it is considered that the proposed development is acceptable in relation to all applicable planning policies and should be approved without further delay.

Appendix 1

Case officer responses via email

