

RESPONSE TO NEIGHBOURS PLANNING OBJECTION

location	Land to the North of 5 Field Head Farm Court, Shepley, Huddersfield, HD8 8FH
application	Erection of a Single Storey Detached Dwelling and Associated Access
job number	26/1360
date	September 2026

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INTRODUCTION

This response is in relation to the undated planning objection from the neighbouring property at No. 4 Filed Head Farm Court.

A copy of the undated objection can be found within Appendix A of this formal response.

This response follows on from the changes to planning appeals process "*submit once, submit right*". The government announced changes to the planning appeals process, specifically the Written Representation route.

For applications submitted on or after 1 April 2026, most appeals proceeding by written representations will follow the Part 1 procedure, under which the appellant will not normally be able to introduce new evidence that was not before the LPA when the application was determined. This response is therefore submitted during determination so that the Council has the applicant's complete response to the matters raised.

FORMAL OBJECTION RESPONSE

The neighbours representation (objection) has been carefully considered.

A number of the matters raised have already been addressed within the submitted Planning Supporting Statement and Design & Access Statement, subsequent Addendum, proposed plans and elevations and site sections.

It's also important to note, prior to the objection appearing on the planning website, that Kirklees Council Highways Development Management issued its formal consultation response. This clearly states 'Recommendation: No Objection' to the proposed development.

For clarity, we respond to the principal matters raised as follows;

Green Belt, Grey Belt and the previous appeal decisions

The representation places considerable reliance upon the previous planning history of the site and, particularly, the findings of the Planning Inspectors who considered earlier proposals.

Whilst we do not dispute that those decisions constitute material planning history. Indeed, they were expressly identified and addressed within the submitted Planning Supporting Statement. That Statement records the previous applications and appeals and specifically acknowledges the previous Inspector's conclusion that the earlier proposal would result in a "*moderate loss of openness*". The new NPPF under GB6 states that substantial weight to openness harm is part of the assessment of inappropriate development, while GB7 expressly states its qualifying categories are not inappropriate and therefore should not be regarded as harmful to the Green Belt or required to demonstrate VSC (very special circumstances).

The critical point, however, is that the current application must be determined against the planning policy applying at the date of determination, and not simply by applying the policy tests which governed the previous appeals.

This distinction has become particularly important following publication of the new National Planning Policy Framework on 17 August 2026, which replaced the December 2024 Framework. The Government confirms that this is the current NPPF. The application addendum was submitted specifically to address this material change in national policy.

The current NPPF expressly defines "grey belt" as Green Belt land comprising previously developed land and/or other land which does not strongly contribute to Green Belt purposes (a), (b) or (d). It is therefore not necessary for the application site to constitute previously developed land in order potentially to qualify as grey belt.

This is particularly relevant to the objection's reliance upon the site's garden character and upon the previous Inspector's openness assessment.

Under Policy GB7(1)(g), development utilising grey-belt land is expressly identified as not inappropriate development where the prescribed tests are satisfied, including that the development would not fundamentally undermine the purposes, taken together, of the remaining Green Belt across the plan area, that there is evidenced unmet need, and that the development is in a sustainable location.

Furthermore, Annex E of the August 2026 NPPF now expressly states that:

- for Purpose A, villages should not be considered large built-up areas;
- Purpose B concerns the merging of towns, not villages; and
- Purpose D concerns historic towns, not villages.

Those provisions post-date the previous appeal decisions and materially alter the national Green Belt policy context within which this application must be assessed/determined.

The objection is therefore correct insofar as the previous Inspectors' site-specific observations form part of the planning history. What does not follow is that those earlier decisions determine the present application.

The earlier appeals were dismissed under a policy framework in which the dwelling was treated as inappropriate Green Belt development and consequently attracted the associated Green Belt harm and Very Special Circumstances test. The August 2026 NPPF expressly provides that development falling within GB7 is not inappropriate, should not be regarded as harmful to the Green Belt on that basis and does not have to demonstrate Very Special Circumstances.

The present proposal is also materially different from the earlier schemes. It comprises a restrained single-storey two-bedroom dwelling, with substantially reduced built form and engineering works, rather than simply resubmitting the development previously considered at appeal. The proposed dwelling and its single-storey design are shown on the submitted documents.

Accordingly, the appropriate approach is to consider the current proposal on its own merits against the current development plan and August 2026 national decision-making policies, whilst giving appropriate rather than determinative weight to the earlier decisions.

Openness, backland development and visual impact

The neighbours objection describes the application site as "*open Green Belt garden land*" and considers the proposal to constitute inappropriate backland development.

The site is Green Belt land, but that designation should not be conflated with the site being undeveloped agricultural countryside. As explained within the submitted Planning Supporting Statement, the application land forms part of the long established residential curtilage of No. 5 Field Head Farm Court. It is garden land/domestic amenity space associated with the existing dwelling.

The proposal does not extend the residential curtilage into the adjoining agricultural land.

The location plan clearly identifies the defined application site and the wider land within the applicants' ownership.

The proposed block plan likewise demonstrates that the dwelling, access, parking and turning facilities are accommodated within the existing enclosed site, with the established boundary hedgerows retained. The access (private driveway) is proposed as a heavy-duty cellular grass-mat system rather than a conventional extensive hard-surfaced road.

It is accepted that any new dwelling necessarily introduces built form where none presently exists and will therefore result in some localised visual change. We do not seek to suggest otherwise.

However, that observation is not by itself determinative of the application under the August 2026 policy framework. The relevant assessment is the effect of this particular development, including its scale, form, site containment and relationship with the Green Belt purposes, followed by application of the current GB7 tests.

The dwelling has deliberately been designed as a low/squat, single-storey building. The submitted site section demonstrates the relationship between the existing dwelling, site levels/topography and the proposed dwelling. It clearly demonstrates the limited height and mass of the development within the application site.

It is therefore respectfully submitted that describing the proposal simply as "*backland development*" does not itself establish planning harm. Backland development is not, in itself, a category of development which national or local planning policy automatically precludes. What matters is whether the actual development proposed is acceptable having regard to Green Belt policy, character, design, residential amenity, access and the other material considerations.

Existing hedge and accuracy of the drawings

The representation questions the height of the boundary hedge illustrated on the submitted elevations and suggests that the development would be more visible than indicated.

We took an array of photos of the application site at an early stage, some of which were included within the planning statement appendix. The photos were taken on 06/07/2026 prior to the objectors actually cutting the height of their hedge and the applicants hedge (potentially purposely). This can be seen when comparing our photos, taken on 6th June 2026 (date can be evidenced), to the hedge on the South East Boundary (between the

application site and garden) as it stands today. This is an underhand tactic and should be seen for what it is.

My clients, the applicants, planted the hedge some 20 years ago to provide privacy and enhance the wildlife of the garden/biodiversity. They have been carefully managing the hedge ever since, keeping it well trimmed yet ensuring its continued growth and maintaining its height. The location of the proposed dwelling has purposely been inset from the North Western boundary to ensure it can be retained and managed/maintained.

I find it bizarre that the neighbours object on ecology grounds when they have an extensive lighting scheme that illuminates their garden, hedge and land beyond. I would expect any chartered architect would/should have a level of understanding with regards to external lighting and the damaging impact it can actually have on ecology.

We are aware that the LPA case officer has carried out a site visit/detailed site assessment to assess the development on the basis of the verified site circumstances and submitted survey information rather than assuming that landscaping provides complete visual concealment.

Indeed, the planning case does not depend upon the dwelling being wholly invisible.

The existing block plan records existing ground levels through the site and identifies the established boundary hedgerow. The submitted proposed site section separately illustrates the relationship of the dwelling to the site's falling levels.

Similarly, the proposed elevations expressly identify the existing boundary hedges are all to be retained; the scheme does not propose their removal simply to facilitate the dwelling, noting some of the ornamental laurel within the garden area will be removed.

It is accepted that parts of the proposed dwelling may be visible from neighbouring land and more so from upper-floor windows. Planning policy however does not require a new dwelling to be *invisible* from adjoining properties. The material questions are the resulting effects upon character, visual amenity and residential amenity.

If the LPA/Planning case officer wishes to be provided with all our photos taken on 6th June 2026 and up to date photos then these can be provided. Such verification would not alter the fundamental characteristics of the proposal: a single-storey dwelling set within an established enclosed residential garden and behind retained boundary vegetation.

Residential amenity, privacy and overlooking

The neighbours objection also raises concern that the proposed dwelling and external areas could be viewed from upper-floor windows in adjoining properties.

There is an important distinction between a neighbouring occupier being able to see a new dwelling and unacceptable overlooking or loss of privacy arising from that dwelling.

The proposed development itself is single storey. Its principal openings and internal arrangement are shown on the submitted plans. WC/en-suite windows are identified as obscure glazed.

The submitted Planning Supporting Statement also assesses the proposal against the separation and amenity principles in the Kirklees Housebuilders Design Guide and LP24.

Considering the location, orientation and space separation distance we contend that the neighbour (objector) is factually incorrect in their assertion. The proposed dwelling faces East so the sun rises on No4 side and works its way round to the West garden and over house, it sets to the West and drops behind the farmhouse (to the West of the application site) along with the high hedges & trees on the farmland. It casts a shadow on the applicants land up to the line of the adjoining hedge and not beyond.

The hedge dividing the properties rear gardens (South East hedge) creates a shadow on the neighbours (No 4) land in the evening only. The proposals dwelling, given its limited height, will not cause any additional shadow beyond this hedge separating hedge.

We contend that the submitted plans/documents clearly demonstrate that the proposed single-storey dwelling would not cause unacceptable overlooking of the objector or any other nearby properties.

Sunlight and overshadowing

The representation raises concern regarding loss of sunlight to the adjoining garden and that the application does not provide a technical daylight/sunlight or shadow assessment demonstrating a material adverse effect. This we consider demonstrates the objectors lack of perception and understanding of sunlight/overshading. The boundary (South East Boundary) is some 15.7m from the main body of the proposed dwelling. Considering the proposed dwelling is single storey and the sun path, as demonstrated on the submitted plans, indicates that a loss of sun light and/or overshadowing will not occur.

It is particularly relevant that this is not a two-storey dwelling erected immediately alongside the neighbouring house/garden area. It's also important to note the mature boundary hedging to three sides (which is to be retained). The design is deliberately single storey and positioned within a sizeable plot, with the site's levels falling towards the proposed development, as illustrated by the submitted site section.

Access, parking and highway safety

This element of the objection has been directly considered by Kirklees Council Highways Development Management, the Council's specialist technical consultee.

They do not go on to present any suitable qualifications to professionally assess the highway implications of the proposed development. We contend this is best left to more suitable qualified professionals which has taken place with the formal KMC Highways Development Control Highway Consultation. Significantly KMC highways offer no objection to the proposals.

The objector raises concerns about parking pressure, vehicles manoeuvring around the entrance, pedestrian activity and the safety of converting the existing secondary gate into the regular access to the proposed dwelling.

Those concerns should of course be recorded. However, as noted above, we contend the '*more qualified*' assessment by KMC Highways should be relied upon as opposed to alleged concerns.

My clients, the applicants, have lived at Field Head Farm Court for 20 years and have confirmed they have not seen an increase in usage of the cul-de-sac. Significantly the 'Old Farmhouse' now rarely use the cul-de-sac as they have new parking directly off Field Head. That has actually reduced the traffic into the cul-de-sac over recent times.

property was most recently purchased/moved into in January 2026.

The only children to play occasionally in the street live at but we're advised this is not often as they are usually in their large garden. The occupants at the , I understand, have also submitted a positive comment with regards to the proposals.

Furthermore there is a path opposite the existing gated entrance (proposed to be used to provide access to the dwelling) for pedestrian safety.

My clients would also like to place on record their recent son's wedding, on July 2026. This did result in additional parking on the cul-de-sac but is the only time that my clients are

aware of where parking has been increased. If the objector provides photos we respectfully ask for the date(s) to be evidenced.

The proposed development is accessed off a cul-de-sac. It is not a through road and, as such, has very limited public/pedestrian movements. The "wider Trans Pennine Trail network" is a totally separate network and not related/linked to the proposed development.

KMC Highways expressly considered the proposed access from the unadopted Field Head Farm Court and the proposal to set the existing gated entrance back by 6 metres, concluding that this allows vehicles to pull off the street and reduces the risk of obstruction.

KMC Highways also considered the approximately 70 m driveway, its approximately 3.7 m width, pedestrian/vehicle shared use, parking provision and turning arrangements. It concluded that there is ample space for shared use and for at least two cars to park and manoeuvre; that the two parking spaces meet the relevant guidance for the proposed two-bedroom dwelling and that the layout provides additional flexibility including visitor parking.

Most importantly, Highways' final assessment states that the development would not give rise to an unacceptable impact on highway safety, that one additional dwelling is unlikely to cause a significant increase in movements, and that moving the gate back reduces the obstruction risk. Its formal recommendation is consequently: "*No Objection*."

Accordingly, the neighbour's concerns about highway safety have now been considered by the relevant specialist consultee and have not resulted in a technical highway objection.

We contend that considerable weight should be given to that professional consultation response and not from a

Hedgerow and ecology

The neighbour's objection raises concerns about potential effects upon the established hedge, including its root environment, and refers to having personally observed newts in the vicinity.

As clearly demonstrated on the submitted documents, the proposal is specifically designed to retain the established boundary hedgerows. The proposed block plan identifies the existing boundary hedge as being retained, together with a grass-mat access rather than conventional continuous hard surfacing.

The proposed dwelling also incorporates ecological enhancement measures, including a bat brick and two swift nesting boxes.

The observation of an unidentified newt in the vicinity should be recorded, but the presence of a newt does not, without further evidence, establish the presence of a protected species constraint or demonstrate that the proposed development would result in unacceptable ecological harm.

If the Local Planning Authority's ecological adviser considers that further ecological information or specific construction protection measures are required, those can be addressed proportionately via formal conditions. Appropriate measures to protect retained hedgerows during construction could equally be secured by planning condition if deemed necessary.

We contend that the neighbours objection does not, at present, demonstrate that the retained hedgerow or its ecological function or the proposal, considered as a whole, would result in unacceptable harm to ecology.

CONCLUSION

The neighbour representation raises material considerations, but those matters should be assessed against the proposal actually before the Council and the current August 2026 national planning policy framework.

In particular, considerable care should be taken not simply to transpose the outcome of previous appeals onto the present application. Those decisions remain material history, but both the scheme and, crucially, the national Green Belt policy framework have materially changed since.

The August 2026 NPPF expressly recognises grey-belt development through Policy GB7 and expressly provides that qualifying development is not inappropriate development in the Green Belt. Annex E additionally establishes the current methodology for assessing the contribution of land to Green Belt purposes A, B and D.

The current scheme is a modest, single-storey two-bedroom dwelling contained within an established residential garden; the established boundary hedgerows are proposed to be retained; the design incorporates low-carbon and ecological measures; and the Council's Highways Development Management service has now formally concluded that the proposal is acceptable in highway terms and raises '*No Objection*'.

For the reasons set out within the originally submitted Planning Supporting Statement, the subsequent August 2026 Addendum and the clarification above, we respectfully contend that the neighbours objection does not identify any harm which warrants refusal of the proposed development.

The Local Planning Authority is therefore respectfully requested to determine the proposal on its own merits, having regard to the current development plan, the August 2026 NPPF and the consultation responses received, and to grant planning permission subject to any conditions considered necessary.

Should any further information be required please don't hesitate to contact us.

APPENDIX A
NEIGHBOURS OBJECTION

Address: 4, FIELD HEAD FARM COURT, SHEPLEY, HUDDERSFIELD, HD8 8FH

About the application

Application number: 2026/92089	
What is the application for?:	Erection of single storey detached dwelling and associated access
Address of the site or building:	north of, 5, Field Head Farm Court, Shepley, Huddersfield, HD8 8FH
Postcode:	HD8 8FH

User comments

Type of comment: An objection	
Do you wish your comments to be published on the website anonymously?	No
Objection to Planning Application 2026/92089 I wish to object to the above planning application. I am a _____ and the occupier of the property _____ the application site. My principal objection is the loss of openness and the physical and visual intrusion of a new dwelling into what is presently open Green Belt garden land. The submitted elevations also appear to overstate the existing boundary hedge and understate how visible the dwelling would be. Further concerns relate to privacy, loss of sunlight to our garden, the safety of the proposed access, and the impact on the established hedgerow. Green Belt, openness and visual impact The site forms part of the open garden behind the established properties at Field Head Farm Court and extends towards the countryside beyond. The proposal would introduce a separate dwelling well behind the existing built form, together with a lengthy access, parking and turning areas, hardstanding and lighting. In my view this is backland development which extends residential built form into the open transition between the Court and the countryside and materially erodes the openness of the site. Residential development within this garden has previously been considered by two independent Planning Inspectors. Both identified harm from introducing permanent built form into this open land, with the later Inspector concluding there would be a moderate loss of openness. Although national Green Belt policy has changed, those site-specific findings remain relevant to the physical character and visual impact of the current proposal. A significant concern is the representation of the existing boundary hedge on the submitted elevations. Having compared the elevation with the scale information on the drawing and the existing condition on site, I do not consider the illustrated hedges	

drawing and the existing condition on site, I do not consider the illustrated hedge height to be accurate. The hedge appears materially higher than it is in reality, making the dwelling appear considerably more screened than it would actually be.

From our garden, a substantial proportion of the dwelling would remain visible above and through the vegetation, including during summer when the hedge is in full growth, and it would be more apparent still from our upper floor windows. The previous Inspector specifically noted that development on this site would remain visible from neighbouring upper floors and that the hedges could not reasonably be relied upon as permanent screening.

I ask that the hedge profile and relevant site levels are verified before the submitted elevations are relied upon. A section showing the proposed dwelling, actual hedge profile, adjoining garden and neighbouring property would provide a more accurate assessment.

Residential amenity and sunlight

The dwelling and its external amenity areas would be directly overlooked from our upper floor windows and from This is not simply an objection based on loss of a view, but on the residential relationship created by the layout. The proposed house includes substantial glazing and relies heavily on existing vegetation for screening.

There is also a concern regarding loss of sunlight to our garden. The proposal would introduce permanent built form within the sun path to an area which currently benefits from an open aspect, yet I have not identified any meaningful shadow or sunlight assessment. Although the dwelling is single storey, its roof form, position and site levels are all relevant.

Access, parking and safety

Field Head Farm Court is a private, unadopted shared Court which already experiences significant parking pressure, with effectively no useful on-street parking available to residents. The principal shared parking area is immediately adjacent to the existing secondary gate serving No. 5, which is proposed to become the regular access to the new dwelling. Vehicles also park on the pavement opposite the gate due to parking pressure within the Court, and visitors rely on these same shared areas.

The submitted drawing shows the area around the proposed entrance as an unobstructed manoeuvring space. This is not representative of the Court in normal use. The application should show the existing parking arrangements and demonstrate how vehicles would enter, leave and manoeuvre when these areas are occupied.

This is also a busy pedestrian environment. Children regularly play within the Court, dog walkers and other pedestrians pass through the area, and recreational visitors park here to access nearby walking routes and the wider Trans Pennine Trail network. Turning the existing secondary gate into the regular vehicular access for a separate dwelling would introduce repeated emerging and manoeuvring movements at an already busy and constrained point, increasing conflict between moving vehicles, parked vehicles and pedestrians.

I request that the Highways Officer visits the site under representative occupied conditions before the application is determined. Photographs showing typical parking conditions can be provided on request.

Hedgerow and ecology

The proposed access would run immediately alongside an established hedgerow which forms an important landscape boundary and supports a wide variety of wildlife. I have personally found newts within the immediate vicinity. Construction and subsequent use could affect the hedge through ground works, drainage, compaction, headlights and increased activity. Retaining the hedge above ground does not demonstrate that its root environment, long-term condition or ecological function will be unaffected.

For these reasons I consider the proposal would result in inappropriate backland development, loss of openness, greater visual intrusion than shown on the submitted drawings, an unsatisfactory residential relationship and additional vehicular conflict within an already constrained shared Court. I therefore request that planning permission is refused.