

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) Section 59A

DELEGATED DECISION FOR APPLICATION FOR PERMISSION IN PRINCIPLE

Reference no.: 2026/59/92284/W

Site: Whinney Bank Farm, Winney Bank Lane, Holmfirth,
HD9 1US

Description: Permission in principle for erection of one detached
dwelling

Case Office: Joshua Merriman

Decision Reference: Details Approved

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Danielle Cooper

AUTHORISED OFFICER

Date 09-Oct-2026

Officer Report – 2026/92284

Site Description

The application site refers to Whinney Bank Farm, Whinney Bank Lane, Holmfirth, HD9 1US, which currently contains a farmhouse faced in natural stone, with a pitched tiled gable roof, and uPVC windows and doors. An outbuilding also lies to the East of the farmhouse, utilising the same materials.

The site lies in a relatively sparse street scene, with any surrounding properties being of a similar size, scale, character, appearance, and age. Moreover, the site benefits from an access to the South, which will be utilised to service the dwelling subject of this application.

Description of Proposal

The Scheme

The applicant is seeking permission for Permission in principle for erection of one detached dwelling.

History of Negotiations / Amendments Received

No amendments have been requested by Officers.

Relevant Planning History

There is no relevant planning history at the application site.

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (July 2024).

The application has been publicised on the Council's website and by site notice. The expiry date of the publicity period was the 02/10/2026.

Consultation Responses

No consultations considered necessary.

Allocation and Policy

The site is allocated Green Belt within the Kirklees Local Plan (adopted 2019). The site is also located within the Strategic Green Infrastructure Network and a swift nesting area.

The following legislation, policy and guidance is considered relevant to the determination of this application:-

Kirklees Local Plan

LP1 Achieving Sustainable Development
LP2 Place Shaping
LP3 Location of new development
LP7 Efficient and effective use of land and buildings
LP11 Housing Mix and Affordable Housing
LP30 Biodiversity and Geodiversity
LP31 Strategic Green Infrastructure Network

Holme Valley Neighbourhood Development Plan

The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan. Policies within the plan relevant to the consideration of this application are listed as follows:-

Policy 1 – Protecting and Enhancing the Landscape Character of Holme Valley.
Policy 2 – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design.
Policy 6 – Building homes for the future
Policy 12 – Promoting Sustainability.
Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain.

The application site is located within Landscape Character Area 8 (Settled Slopes of the Holme Valley) of the Holme Valley Neighbourhood Development Plan. The key characteristics of which are below:

- Strong rural setting and agricultural character with pastoral farmland on the rising valley slopes.
- There is a strong connection to the surrounding rural landscape from long distance and panoramic views over the wooded valley floor to the opposing valley sides as well as glimpsed views of the rural backdrop through gaps between the built form, especially within Totties and Scholes.
- Stone walls and hedgerows form field boundaries and line single lane roads.
- Short sections of the Kirklees Way, the Barnsley Boundary Walk and the Holme Valley Circular Walk cross the area. A short section of National Cycle Route no. 627 also crosses the north-east of the area.

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published August 2026, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

Chapter4	Achieving sustainable development
Chapter5	Meeting the challenge of climate change
Chapter6	Delivering a sufficient supply of homes
Chapter12	Making effective use of land
Chapter13	Protecting Green Belt land
Chapter14	Achieving well-designed places
Chapter19	Conserving and enhancing the natural environment

Assessment

1 – Permission in Principle Purpose

The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. The technical details stage has the effect of granting planning permission.

The scope of Permission in Principle is limited to the following;

- Location
- Land Use
- Amount of Development

Issues relevant to these 'in principle' matters should be considered at the Permission in Principle Stage. Other matters should be considered at the technical consent stage (Local Authorities cannot list the information they require for applications for Permission in Principle in the same way they can for planning permission).

It is not possible for conditions to be attached to a grant of permission in principle and its terms may only include the site location, the type of development and the amount of development. The LPA can inform the applicants what they expect to see at the technical details stage.

It is not possible to secure a planning obligation at the permission in principle stage.

The Local Planning Authority (LPA) may not grant permission in principle for a major development. This means where the number of houses is 10 or more, the floor space created is 1,000sqm or more or the development is carried out on a site having an area of 1 hectare or more. In this case the development is for 1 unit, and the site has an area of less than 1 hectare. The resultant floor-space to be created is unknown at this stage but would need to be assessed at the Technical Details Stage.

The LPA may not grant Permission in Principle for Schedule 1 development. This proposal would not be Schedule 1 development.

Local Planning Authorities must not grant permission in principle for development that will cause significant harm to biodiversity, as defined in the NPPF. This site is surrounded by environmental designations, including a swift nesting area. There is uncertainty over whether the proposal could impact any sites designated under the Habitats Regulations, the Kirklees Mapping System does not identify the site as falling within such a designation. On this basis, impacts on protected habitats are not considered to be a constraint at this stage. It is, however, noted that a Preliminary Ecological Appraisal (PEA) and Biodiversity Net Gain (BNG) assessment will be required at the technical details stage should planning permission in principle be approved.

2 –Housing Land Supply

The 2025 update of the five-year housing land supply position for Kirklees shows 4.18 years supply of housing land, and the 2023 Housing Delivery Test (HDT) measurement which was published on 12/12/2024 demonstrated that housing delivery for Kirklees for the past three years (April 2020-March 2023) has fallen below the 75% pass threshold.

As the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement.

It is necessary to consider planning applications for housing development in the context of NPPF policies S3 – S5 of Chapter 4. For proposals within settlements policy S4 sets out development 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.

Policy LP7 of the Kirklees Local Plan states that should encourage the efficient use of previously developed land in sustainable locations provided that it is not of high environmental value and a net density of at least 35 dwellings per hectare should be provided. Principle 4 of the Housebuilders Design Guide seeks to ensure a density of 35 dwellings per hectare or more is achieved. Where a density of 35 dwellings per hectare cannot be achieved, policy LP7 sets out that 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.

The Council's inability to demonstrate a five-year supply of housing land, or pass the Housing Delivery Test, weighs in favour of housing development but this has to be balanced against any adverse impacts of granting the proposal. The judgement in this case is set out in the officer's assessment.

It is noted that this site is within the Green Belt. Irrespective of the Council's position on the five-year supply of deliverable housing sites, the National Planning Policy Framework at paragraph S3(1) is clear that in the event a Council cannot demonstrate a five-year supply of deliverable housing sites, the council should grant permission "unless the application of policies that protect areas or assets of particular importance provides a clear reason for refusing the development proposed". Footnote 24 at paragraph S1(1ai) states that the protected areas include land designated as Green Belt. Although the council are not able to demonstrate a five-year supply of housing, the tilted balance would not be engaged for this proposal.

Therefore, the principle of developing in the Green Belt must be assessed in order to determine whether the principle of development is acceptable. The proposal will also be assessed against all other material considerations.

3. Location and Land Use – Green Belt

The application site forms a parcel of land currently utilised in conjunction with Whinney Bank Farm for the parking of machinery and vehicles, with access from Whinney Bank Lane. The land is relatively flat in nature, with steep topography to the South of the area of proposed development and is located in the Green Belt. The site contains an existing farmhouse and outbuilding which are both in serviceable condition and currently used, as well as a hard-standing area for vehicles and machinery, on which one dwelling is proposed as part of this application. There is also a residential garden to the South of the existing property.

Paragraph GB6 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph GB6 details that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. If the development was concluded to be inappropriate, the effects on the openness of the Green Belt would also need to be considered and, in accordance with sub section 2 of policy GB6 of the NPPF, substantial weight would be given to any harm to openness, in addition to the weight given to harm to the Green Belt arising as a result of inappropriateness.

Paragraph GB7(a-f) of the NPPF states the following:

'development in the Green Belt is inappropriate unless one of the following exceptions applies:

- a) Development which is for agriculture, horticulture and forestry, or which is solely for nature conservation, restoration and/or enhancement;*
- b) The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the original building. In the case of proposals for a replacement building, it should be for the same use and not materially larger than the one it replaces;*
- c) Limited infilling in villages lying within the Green Belt;*
- d) Limited affordable housing for local community needs under policies set out in this Framework or the development plan (for instance, on a rural exception site);*
- e) The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential), which would not cause substantial harm to the openness of the Green Belt;*
- f) Certain other forms of development, provided the impact on the openness of the Green Belt is minimised, and there would not be a significant conflict with the Green Belt purposes. These are:*
 - i. Mineral extraction and processing, engineering operations, and transport, electricity network, water and telecommunications infrastructure required in a Green Belt location;*
 - ii. Development brought forward under a Community Right to Build Order or Neighbourhood Development Order;*
 - iii. Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
 - iv. The provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments.*

In this case, it is considered that the proposed development would not meet any of the exceptions set out in Paragraph GB7(a-f) of the NPPF.

Paragraph GB7(g) of the NPPF sets out that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where applicable criteria are present.

Green Belt – Whether the development could fall within the exception detailed within paragraph GB7(g) and be considered Grey Belt.

Kirklees Council cannot currently demonstrate a five-year land supply. As such, the tilted balance in favour of sustainable development applies. However, Green Belt policies within the NPPF (Chapter 13) constitute a restrictive policy, meaning the presumption does not automatically override the protection afforded to Green Belt land.

The presumption in favour of sustainable development is therefore relevant in the overall planning balance, however Green Belt policies remain a significant constraint that must be addressed in determining acceptability.

The National Planning Policy Framework (NPPF) (August 2026) provides the national policy framework for planning decisions within the Green Belt. Paragraph GB2(1) outlines the five purposes of the Green Belt, which are:

- a) Check the unrestricted sprawl of large built-up areas;
- b) Prevent neighbouring towns merging into one another;
- c) Assist in safeguarding the countryside from encroachment;
- d) Preserve the setting and special character of historic towns; and
- e) Assist urban regeneration by encouraging the recycling of derelict and other urban land.

It is within this context, consideration of the exemption set out in paragraph GB7(1g) of the NPPF must be considered. Paragraph GB7(1g) states that development in the Green Belt should not be regarded as inappropriate where:

- 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;
- a. There is an evidenced unmet need for the type of development proposed (footnote 41)
- b. The development would be in a sustainable location, with particular reference to policy TR3 of this Framework (footnote 42); and
- c. In the case of major development involving the provision of housing, the development proposed complies with policy GB8.

Annex B of the NPPF defines Grey Belt 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.”

To determine whether the land could be considered as Grey Belt, consideration should first be given to whether or not the land strongly contributes to purposes (a), (b) or (d) set out in Paragraph GB2(1) of the NPPF (August 2026). If the land does not strongly contribute to these purposes and is considered Grey Belt, then an assessment should follow as to whether development would fundamentally undermine the strategic function of the remaining Green Belt across the Local Plan Area as a whole, as required by Paragraph GB7(1g) of the NPPF.

Given the semi-rural location of the development, and the application seeking permission in principle for only one dwelling, it is considered that the application site is not contributing to the unrestricted sprawl of large built-up areas, especially given the dwelling would be constructed on a site already containing residential development.

The small scale of the proposal and its location an adequate distance away from the closest neighbouring towns is considered to ensure that the development will not cause neighbouring towns to merge.

There are no historic towns or areas of special character in the immediate vicinity of the application site.

Considering the above assessments, the application site could be concluded as grey belt land, given that it does not fundamentally undermine the purposes of Green Belt land as outlined in Paragraph GB2(1) of the NPPF.

There is a demonstrable unmet need for housing within the district, by virtue of the Council's 5 year housing supply position. As such the proposal would appear to meet the requirement of paragraph GB7(1gb).

Turning to whether the site is within a sustainable location, having regard to Paragraph TR3 of the NPPF.

Using the connectivity tool published by GOV.UK, the application site has been granted a connectivity score of 52, which, when considered in the context of the sites 'rural town and fringe' location, would place the site within the 60th percentile of connectivity for similar locations, and therefore has above average connectivity for a site of this type. It is noted that there are bus stops close to the application site, providing connections to New Mill, with the site being within a 20-minute walk of both Holmfirth and New Mill town centres. It is noted that the site would largely rely on car-use for everyday journeys, however, when accounting for the aforementioned aspects, it is considered that the application site constitutes a sustainable location.

Paragraph GB7(1gd) would not be applicable to the proposal given it would be for one dwelling.

Considering the above assessment, the application site is considered to meet the exceptions outlined in Paragraph GB7(1g) of the NPPF and therefore can be considered to constitute grey belt land.

The principle of development for one dwelling on this site would therefore be considered acceptable and can be supported, as it would not undermine or significantly impact the purposes of the Green Belt.

4 – Amount of Development

The proposed development is seeking permission in principle for one dwelling. Policy LP7 of the Kirklees Local Plan establishes a desired target density of thirty-five dwellings per hectare. By that standard, this site in theory, could accommodate 2 dwellings. One dwelling is proposed in this instance, which is considered appropriate given that the site is located within a semi-rural location close to existing residential properties. Moreover, the density proposed would ensure the development respects the

openness of the sites Green Belt location and would prevent unacceptable encroachment into the Green Belt. For this reason, the amount of development proposed, is considered to accord with Local Plan policy LP7 and Chapter 12 of the NPPF.

5 – Other Matters

Matters relating to design, highway safety, drainage, contaminated land and biodiversity would be dealt with at a technical details stage.

6 – Representations

No representations received.

Recommendation

DETAILS APPROVED

Decision Authorisation: Delegated Powers

Application Number: 2026/92284

Officer Recommendation: DETAILS APPROVED

1. Approval of all details of the proposal (hereinafter called “the technical details”) shall be obtained from the Local Planning Authority in writing before any development is commenced.
1. Application for approval of the technical details shall be made to the Local Planning Authority before the expiration of three years from the date of this permission in principle.
2. The development hereby permitted in principle shall be begun before the expiration of three years of the final approval of the technical details.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	01	-	14/08/2026
Existing Block Plan	02	-	14/08/2026
Proposed Block Plan	04	-	14/08/2026
Proposed Floor Plans and Elevations	03	-	14/08/2026
Application Forms	-	-	14/08/2026
Planning Statement	-	-	14/08/2026

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. No amendments were sought.

Report Dated:

05/10/2026