



Planning Statement

RESIDENTIAL DEVELOPMENT OF 2NO. DWELLINGS

LAND TO THE WEST OF 198 BARNSLEY ROAD, DENBY DALE

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1.0 INTRODUCTION

This statement has been prepared to support a full planning application for the erection of 2no. dwellings on land lying west of 198 Barnsley Road in Denby Dale.

The proposal comprises the development of land which falls within the definition of grey belt. As demonstrated within this Statement, the proposal also satisfies the other relevant requirements of Policy GB7 of the NPPF and should therefore not be regarded as inappropriate development in the Green Belt.

The new dwellings have been sensitively designed in order to respect and reflect the rural landscape and historic setting of the site. The proposal is for the creation of two high quality and sustainable properties.

This statement should be read in conjunction with the supporting plans supplied by Hinchliffe Architecture and Design and accompanying technical reports which demonstrate the credentials of the scheme in more detail.

This statement now proceeds to give details of the site. The details of the proposal are then set out. The planning merits of the scheme are then discussed in relation to relevant planning policies contained in the statutory development plan, together with Government guidance principally set out in the NPPF.

In particular, it will be demonstrated that the proposal meets the necessary credentials of a grey belt development. Furthermore, the proposal will have no unacceptable impact on highway safety, biodiversity and amenity considerations. Finally, the conclusion is reached that planning permission should be granted for the proposed development.

2.0 THE SITE

The site lies to the south of Barnsley Road, in the Green Belt on the outskirts of the village of Denby Dale, in the Metropolitan Borough of Kirklees.

The site is vacant but has the remnants of a former silo still visible. It slopes up from Barnsley Road towards the south. There are a number of mature trees around the perimeter of the site, with a small number of trees also more centrally within the site. The trees to the front boundary are subject to a group Tree Preservation Order (TPO), and three of the trees within the site are subject to individual TPOs.

The site lies within the Green Belt as designated under the Kirklees Local Plan. It is also within a Wildlife Habitat Network.

3.0 THE PROPOSAL

Full planning permission is sought for the erection of two detached dwellings with associated landscaping and infrastructure.

The proposed new dwellings are similarly sized detached units with a double detached garage. Each property has a driveway extending from the private access road. Each dwelling has a patio and lawned gardens to the front and rear.

Externally, the properties are double apex-fronted with a central main entrance between the bays. To the rear the properties feature a terraced balcony, providing a contemporary aspect to complement the traditional architecture.

Internally, the house-type features a hallway leading to an open plan kitchen/diner/living/sun room space with a utility room off it. To the front is a separate sitting room and a playroom. Upstairs, there are 4 double bedrooms and a single bedroom or study.

The proposed dwellings would utilise an existing access point from Barnsley Road, which is to be improved as part of the proposals to provide significantly better visibility than the existing situation.

4.0 PLANNING HISTORY

The direct planning history for the application site comprises 2003/93844 for an outline residential development. This application was refused on Green Belt and highways grounds. This application considerably pre-dates the current NPPF and the introduction of grey belt. As such, it now carries little weight.

The site adjacent to the east of the application site (owned by the applicant) benefits from detailed planning permission for the demolition of the existing works units and the erection of 2 detached dwellings (ref: 2025/90261 – approval of Reserved Matters granted 28/08/2025).

The site to the north of Barnsley Road, opposite the application, site is allocated in the adopted Kirklees Local Plan for residential use. There is an undetermined application for 40 dwellings on the site (ref: 2026/91763).

5.0 ALLOCATION AND POLICIES

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this instance the Development Plan consists of the Kirklees Local Plan.

Material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) as updated in August 2026 and the suite of documents comprising National Planning Practice Guidance (NPPG).

Allocations

The site lies within the Green Belt as identified under the development plan.

National

On 17 August 2026, the Government published a wholly restructured National Planning Policy Framework, replacing the previous (December 2024) edition.

This statement refers throughout to the August 2026 Framework, which is a material consideration of critical importance to the determination of this application.

- Chapter 4 – Achieving sustainable development: Decision-Making Policy S5 (Principle of development outside settlements);
- Chapter 6 – Delivering a sufficient supply of homes: Decision-Making Policy HO7 (Meeting the need for homes);
- Chapter 12 – Making effective use of land: Decision-Making Policy L2 (Making effective use of land);
- Chapter 13 – Protecting Green Belt Land: Decision-Making Policy GB6 (Controlling Development) and GB7 (development which is not inappropriate in the Green Belt);
- Chapter 14 – Achieving well-designed places: Decision-Making Policy DP3: Key Principles for well-designed places;

- Chapter 15 – Promoting Sustainable Transport: Decision-making policies TR3 (Locating development in sustainable locations) and TR4 (Street design, access and parking);
- Chapter 19 – Conserving and Enhancing the Natural Environment: Decision-Making Policies N3 (Trees in New Development), N4 (Protected Landscapes) and N6 Areas of particular importance for biodiversity and geodiversity).

The overarching message of the NPPF is that LPAs should adopt a positive and pro-active approach to planning proposals, particularly those that result in sustainable development. LPAs should not place unnecessary burdens on developers and should look to support appropriate schemes.

Kirklees Local Plan (2019)

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan, unless material considerations indicate otherwise. The development plan for the site comprises the Kirklees Local Plan (adopted 2019), which sets out the Council's strategy and policies to 2036. The following policies from the adopted Plan are considered most directly relevant.

LP1 – Presumption in favour of sustainable development

LP2 – Place shaping

LP3 – Location of new development

LP21 – Highways and access

LP22 – Parking

LP24 – Design

LP30 – Biodiversity and geodiversity

LP31 – Strategic Green Infrastructure Network

LP32 – Landscape

LP33 - Trees

LP59 – Brownfield Sites in the Green Belt

Other Material Considerations

- Housebuilders Design Guide SPD
- Highway Design Guide

Emerging Policy

Kirklees Council have set out their timetable for a Local Plan Update. Early engagement consultation took place between 25/11/2024 and 28/02/2025.

The Local Plan Timetable (March 2026) states the target submission date to the Secretary of State for the Local Plan Review is September 2028. Limited weight can therefore be afforded to the emerging policies or modification of policies forming part of the review.

6.0 ASSESSMENT

Principle of Development in the Green Belt

Policy GB7 of the NPPF sets out that development of homes should not be regarded as inappropriate 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 a demonstrable unmet need for the type of development proposed;
- iii. The development would be in a sustainable location, with particular reference to Policy TR3 of the Framework; and
- iv. In the case of major development involving the provision of housing, the development proposed complies with GB8: The Golden Rules

The NPPF defines 'grey belt' land 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".

Whether there is an unmet need for the type of development proposed

Taking point (ii) first, it is common ground that Kirklees Council is presently unable to demonstrate a five-year supply of deliverable housing sites. This position has recently been confirmed by the Planning Inspectorate, including in appeal decision APP/Z4718/W/25/3372188 (4 February 2026), where despite the appeal being dismissed, the Inspector confirmed that the Council could not demonstrate a five-year supply and that paragraph 11(d) of the NPPF was engaged.

As such, there is currently an unmet need for new housing development and criterion (ii) is engaged. Consequently, consideration can be given to whether the site strongly contributes to Green Belt purposes a), b) or d) as set out in Policy GB2 of the NPPF.

Whether the development would utilise grey belt land

National guidance confirms that, in determining whether land constitutes grey belt, consideration should be given to the contribution that the land makes to Green Belt purposes (a), (b) and (d). The assessment should be sufficiently granular to recognise variations in the contribution made by individual parcels, including smaller areas around existing settlements.

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

The application site is not considered to make a strong contribution to Purpose (a). The site lies at 198 Barnsley Road, immediately adjoining the existing built form of Denby Dale, and its development would represent a contained addition to the settlement rather than an unrestricted outward projection of development into the wider Green Belt.

Of particular relevance is the presence of allocated housing land directly opposite the application site on Barnsley Road. This forms an important part of the site's immediate context and means that residential development is already planned on the opposite side of the road. Development of the application site would therefore be read in the context of existing and planned residential development rather than as an isolated or incongruous incursion into an otherwise undeveloped landscape.

The NPPG makes it clear that purpose a) relates only to towns, and not villages. As such, Denby Dale is not a large built-up area for purpose a) consideration.

On that basis, there is a strong argument that the application site does not strongly contribute to Purpose (a).

Purpose (b) – to prevent neighbouring towns merging into one another

The application site is not considered to make a strong contribution to Purpose (b). Development would comprise a relatively small and contained extension to the existing built

form and would not materially reduce any strategically important gap between neighbouring towns.

The proposal would not extend development across a substantial part of an undeveloped gap, nor would it result in the physical or perceived coalescence of separate settlements. Instead, it would remain closely associated with Denby Dale and would have a very limited effect on the overall extent of Green Belt separating settlements.

The presence of existing development and the allocated housing site opposite further reinforces the site's relationship with Denby Dale rather than with any neighbouring town. The proposal would therefore not materially affect the function of the wider Green Belt in maintaining settlement separation.

National guidance identifies land as making a weak or no contribution to Purpose (b) where it does not form part of a gap between towns, or forms only a very small part of such a gap without making a contribution to visual separation. The application site is considered to fall within that general circumstance.

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

The application site is not considered to make a strong contribution to Purpose (d).

National guidance is particularly helpful in this respect, as it confirms that Purpose (d) relates to historic towns, not villages. The site's relationship with Denby Dale should therefore not automatically result in a strong contribution under Purpose (d) merely because the settlement possesses historic buildings or areas of historic character.

There is no indication that the application site performs an important role in preserving the setting or special character of a relevant historic town, nor would its development materially affect the relationship between such a town and its surrounding landscape. On that basis, the site does not strongly contribute to Purpose (d).

Taken together, the application site is not considered to strongly contribute to any of Green Belt purposes (a), (b) or (d). The site has a close physical and functional relationship with Denby Dale, lies opposite land identified for residential development and is not an isolated or inaccessible location.

Effect on the Remaining Green Belt

In addition to considering whether the application site comprises grey belt, Policy GB2(i) requires consideration of whether its development would “fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.” This reflects the equivalent national policy test.

The PPG confirms that this is a broader, strategic assessment. The relevant question is whether development of the land would affect the ability of the remaining Green Belt across the plan area to continue serving all five Green Belt purposes in a meaningful way.

In this case, the development of the land at 198 Barnsley Road would plainly not fundamentally undermine the purposes of the remaining Kirklees Green Belt. The application concerns a small and discrete parcel of land immediately adjoining the existing built form of Denby Dale. Its development would have a very limited geographical effect when considered against the substantial extent of Green Belt remaining across the Kirklees plan area.

Sustainability of Location

Returning to Policy GB7, part (iii) requires an assessment of the sustainability of the location with particular reference to Policy TR3 of the Framework.

The application site represents a sustainable location for the proposed development. Whilst situated on the edge of Denby Dale, it is not isolated and benefits from good accessibility to the services, facilities and public transport opportunities available within the village. The accompanying Highway Statement demonstrates that the majority of Denby Dale, including its shopping and commercial areas, can be reached within a 20-minute walk, whilst Denby Dale railway station and local bus services are also accessible on foot and provide onward connections to the wider area. Opportunities also exist for cycling and multi-modal journeys.

The proposal would therefore provide two additional dwellings in a location where future residents would have genuine alternatives to use of the private car, supporting the conclusion that the site represents a sustainable location for residential development.

The site lies adjacent to the established settlement of Denby Dale and opposite land identified for housing development. Future residents would therefore occupy substantially the same geographical relationship with the settlement, services, facilities and transport opportunities as residents of the allocated development immediately opposite. This provides strong contextual evidence that the location is capable of accommodating sustainable residential development.

The development does not meet the definition of a major development and is therefore not required to meet the 'golden rules' as defined by part (iv) of Policy GB7. The proposal therefore constitutes an appropriate form of development in the Green Belt as defined by part (g) of Policy GB7(1) of the NPPF and should therefore not be regarded as harmful or be required to demonstrate very special circumstances.

Impact upon Visual Amenity

The NPPF places significant emphasis on achieving high-quality, well-designed places. This is reflected locally through Policies LP1, LP2 and LP24 of the Kirklees Local Plan, which collectively seek development that responds positively to its context and respects the character of the surrounding townscape and landscape.

The proposal comprises two detached dwellings set within substantial plots. The layout responds to the characteristics and constraints of the site, including its sloping topography and established mature vegetation. The dwellings are positioned within the site rather than directly addressing Barnsley Road, with the retained trees and vegetation around the site continuing to provide a mature green setting within which the development would be viewed. The submitted sections demonstrate how the dwellings would be accommodated within the existing topography rather than appearing as unduly prominent additions within the landscape.

The dwellings adopt a traditional domestic form, with pitched roofs, natural stone elevations and chimneys, alongside more contemporary areas of glazing. Their scale and proportions are appropriate to the spacious plots and the character of development in this part of Denby Dale.

Importantly, the proposal retains the overwhelming majority of the site's established tree cover, including its higher-value trees, which will continue to provide enclosure, screening and maturity to the site. The Arboricultural Impact Assessment concludes that the development would result in only a negligible negative arboricultural impact.

Taken as a whole, the development represents a considered and appropriately landscaped addition to the existing pattern of development at this edge of Denby Dale and would not result in unacceptable harm to the character or visual amenity of the area. The proposal therefore accords with Policies LP1, LP2 and LP24 of the Local Plan and the design objectives of the NPPF.

Impact upon Residential Amenity

Policy LP24 of the Kirklees Local Plan requires development to provide a high standard of amenity for both existing and future occupiers. The NPPF similarly seeks development which provides healthy and attractive places and an appropriate standard of amenity.

The proposed layout provides two generously proportioned residential plots, with substantial private garden areas and appropriate separation between the proposed dwellings and surrounding properties. The orientation and positioning of the dwellings, together with the intervening distances, existing vegetation and boundary treatments, ensure that the development would not give rise to unacceptable overlooking, loss of privacy, overbearing effects or loss of daylight to neighbouring occupiers.

The internal accommodation is also generous, with the proposed dwellings providing good levels of outlook and natural light together with substantial private outdoor amenity space. The

design, size and scale of the proposed dwellings ensures they meet residential amenity standards for its future occupiers. The development would therefore provide a high-quality living environment for future occupiers without materially affecting the living conditions of existing residents.

The proposal therefore accords with Policy LP24 of the Kirklees Local Plan and the relevant amenity objectives of the NPPF.

Highways Safety

The application is accompanied by a detailed Highway Statement prepared by Paragon Highways. Vehicular access would be obtained by improving the existing access onto the A635 Barnsley Road, which presently serves one dwelling. The improved arrangement would serve the existing property together with the two proposed dwellings.

The proposals provide visibility splays of 2.4m x 46m in both directions, representing a substantial improvement over the existing arrangement, where visibility to the west is approximately 22m.

Each dwelling would provide parking for at least three vehicles, together with cycle parking and EV charging provision. Appropriate turning facilities are incorporated within the site, with swept-path analysis demonstrating that a fire appliance can turn and leave in forward gear.

The Highway Statement concludes one additional vehicle movement in each of the peak periods would have no material impact upon the local highway network.

The development accords with Policies LP21 and LP22 of the Kirklees Local Plan and relevant national transport policy.

Trees and Landscaping

The application is supported by an Arboricultural Report and Impact Assessment prepared in accordance with BS5837:2012. A total of 38 individual trees, groups and hedges were assessed, comprising two Category A, eight Category B, 26 Category C and two Category U specimens.

The layout has been designed to accommodate around the better-quality trees. Only one Category C tree (T10) requires removal to facilitate the development, with no Category A or B trees requiring removal. Limited pruning is required to T9, G37 and T38 and these works would not materially affect their condition or visual amenity.

One of the TPO-protected trees is recommended for removal due to poor health regardless of the development. The proposed plans indicate that the removal of this tree is not essential to enable the development. However, on the basis of the Arboricultural assessment, it is suggested that this tree should be removed. There is scope for appropriate re-planting to offset its loss.

Where development affects Root Protection Areas, mitigation is proposed through specialist techniques, including no-dig construction where necessary, appropriate foundations and arboricultural supervision. The retained trees would be protected throughout construction in accordance with BS5837:2012.

The layout enables the substantial majority of the site's mature tree cover to be retained. New landscaping and replacement tree planting also provide an opportunity to reinforce the site's established landscape structure over the longer term. The Arboricultural Impact Assessment concludes that the proposal would have a negligible negative arboricultural impact.

Ecological Impact and Biodiversity

Policy LP30 of the Kirklees Local Plan seeks to protect and enhance biodiversity, habitats and species. The NPPF similarly requires planning decisions to contribute to and enhance the natural and local environment, including through the protection of habitats and the incorporation of measurable biodiversity enhancements.

The application is supported by a Preliminary Ecological Appraisal (PEA) prepared by Estrada Ecology following a site survey undertaken on 13 July 2026. The site comprises a mixture of developed and sealed land, ruderal and ephemeral vegetation, tall forbs, bare ground, scattered trees, a line of trees and dry-stone walls.

The PEA confirms that there are no statutory designated ecological sites within 2km of the application site. The nearest non-statutory site is approximately 1.07km to the south-west. Given the separation distances and modest scale of development, no significant direct or indirect effects upon designated sites are anticipated.

The ecological assessment also considered the site's potential to support protected species. The trees were assessed as having negligible suitability for roosting bats and no further bat surveys considered necessary provided the relevant trees remain unaffected. The site provides some nesting opportunities for breeding birds and low suitability for hedgehog, amphibians and reptiles. No evidence of badger was identified and no suitable habitat for otter or water vole occurs within the site.

The development can therefore proceed without significant effects upon protected species, subject to the precautionary measures identified within the PEA.

The statutory biodiversity metric identifies a baseline of 4.99 area habitat units and 0.27 linear habitat units, with no watercourse units or irreplaceable habitats present. To achieve the statutory 10% Biodiversity Net Gain requirement, the completed development will therefore be required to provide at least 5.49 area habitat units and 0.30 linear units.

The proposed development has been designed to retain the important established tree framework wherever practicable. The PEA additionally identifies opportunities for ecological enhancement through native planting of biodiversity value, integrated bird and bat boxes and permeable boundary treatments allowing movement of small mammals such as hedgehogs.

The final landscaping and habitat proposals will be incorporated into the Biodiversity Net Gain assessment to demonstrate delivery of the required 10% net gain. Where the full requirement cannot practicably be achieved within the site, the PEA confirms that appropriate off-site biodiversity units can be utilised to address any residual requirement.

Accordingly, subject to implementation of the identified mitigation and the securing of the statutory Biodiversity Net Gain requirement, the development would appropriately safeguard existing ecological interests whilst delivering measurable biodiversity enhancement, consistent with Policy LP30 of the Kirklees Local Plan and the NPPF.

Drainage

The proposal comprises a modest development of two dwellings and associated access, parking and landscaping. Surface water drainage will be designed to manage runoff arising from the development appropriately and, where practicable, incorporate sustainable drainage principles in accordance with national policy.

The development layout provides substantial areas of soft landscaping and private gardens within both plots, limiting the extent of impermeable surfacing and providing opportunities for infiltration-based drainage where ground conditions permit. Foul drainage will similarly be provided through an appropriate system, the technical details of which can be agreed prior to commencement.

Full details of the final surface water and foul drainage arrangement can appropriately be secured by planning condition following confirmation of ground conditions and the most suitable means of discharge.

Ground Conditions

The application site is not known to be affected by any significant ground contamination or land stability constraints, and there is no evidence to suggest that the proposed residential use would be incompatible with existing ground conditions.

The proposal would introduce a conventional residential use and would not involve activities likely to give rise to contamination of the land. No significant ground condition constraints are therefore anticipated. Should any previously unidentified contamination or ground stability issues be encountered during construction, these can be appropriately addressed through normal construction practices or, where necessary, suitably worded planning conditions.

The proposal is therefore considered acceptable in respect of ground conditions and land stability.

7.0 CONCLUSION

The proposed scheme represents a sustainable and appropriate form of residential development which would deliver two high-quality dwellings in a location closely related to the existing built form of Denby Dale and accessible to the services, facilities and public transport opportunities available within the settlement.

The proposal has been assessed carefully against national Green Belt policy. As demonstrated within this statement, the site is considered to comprise grey belt land, given that it does not strongly contribute to Green Belt purposes (a), (b) or (d). Furthermore, the modest and contained nature of the development would not fundamentally undermine the purposes, taken together, of the remaining Green Belt across the plan area. The site is also in a sustainable location and the proposal satisfies the relevant requirements of Policy GB7. Accordingly, the development should not be regarded as inappropriate development in the Green Belt.

The scheme has been sensitively designed in response to the site's characteristics and constraints, including its topography and established landscape framework. The substantial majority of existing trees would be retained, whilst the proposed landscaping and biodiversity measures provide opportunities to reinforce the site's landscape and ecological value.

As demonstrated by the supporting technical reports, no unacceptable impacts have been identified in respect of visual or residential amenity, highway safety, trees, ecology, biodiversity, drainage or ground conditions. In highway terms, the development would also secure an improvement to the visibility available from the existing access.

Overall, the proposal represents a modest addition to Denby Dale which complements the existing and emerging spatial development pattern that also accords with the relevant provisions of the Development Plan and the NPPF. Planning permission should therefore be granted, subject to any necessary and appropriate planning conditions.