

Planning Statement for Outline Planning Application for Residential Development and Associated Works (All Matters Reserved Except Access).

**Land at Paddock Road / Moor Lane, Kirkburton,
Huddersfield.**

On behalf of Persimmon Homes.

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1. Statement of Case

- 1.1. The following Planning Statement has been prepared on behalf of Persimmon Homes in support of an outline planning application (all matters reserved except access) for the development of up to 160 dwellings and associated infrastructure on land at Paddock Road / Moor Lane, Kirkburton, Huddersfield.
- 1.2. The application site extends to approximately 7.5 hectares and comprises predominantly grassland currently used for horse grazing. Whilst the site lies within the Green Belt, it is closely related to the existing settlement of Kirkburton and benefits from strong connectivity to local services, public transport, education facilities and employment opportunities. The site is located within Flood Zone 1, represents Grade 4 agricultural land, and is therefore not Best and Most Versatile agricultural land.
- 1.3. The proposed development would deliver up to 160 new homes, including significant affordable housing provision. The scheme adopts a landscape-led design approach, incorporating publicly accessible open space, green infrastructure, retention of existing landscape features where practicable, protection of the Public Right of Way and new pedestrian and cycle connections to surrounding amenities
- 1.4. The proposal has been assessed against the Development Plan and relevant national planning policy, including the August 2026 National Planning Policy Framework (NPPF). The assessment demonstrates that the proposed development accords with the majority of relevant Development Plan policies and represents a sustainable form of growth which would contribute significantly towards addressing identified housing needs within Kirklees. Whilst the proposal gives rise to a limited degree of policy conflict in respect of development within the Green Belt, it is considered that the substantial benefits of the development outweigh this conflict and support the grant of planning permission.
- 1.5. In October 2023, as part of the Local Plan Review and Update, Kirklees Council assessed the adopted Local Plan against the Planning Advisory Service (PAS) methodology and concluded that the Plan was out of date in a number of key respects. These included the Council's inability to demonstrate a five-year housing land supply, under-delivery of housing, concerns regarding employment land supply and job creation, the failure of key allocations to deliver anticipated levels of growth within the Plan period, and the need to update the planning framework to respond to the Council's climate change objectives. Against this background and having regard to the changes introduced through the August 2026 NPPF, the application should be determined in the context of an acknowledged out-of-date Development Plan. In doing so, significant weight should be afforded to the substantial benefits of the proposal, including its contribution towards meeting identified housing needs within Kirklees.

National Policy

- 1.6. The proposal is considered to accord with Policy S5(j) of the NPPF, which supports development that addresses an evidenced unmet need where it is physically well-related to an existing settlement and capable of being accommodated by existing or proposed infrastructure. The site is sustainably located immediately adjacent to the existing settlement of Kirkburton and benefits from excellent accessibility to local facilities, public transport and community services.

- 1.7. In Green Belt terms, the submitted Green/Grey Belt Assessment demonstrates that the site constitutes Grey Belt land. The assessment concludes that the site makes only a limited contribution to the purposes of the Green Belt and that its development would not fundamentally undermine the purposes of the remaining Green Belt across the wider area. Furthermore, the proposal satisfies the requirements of Policy GB7 of the NPPF by addressing an evidenced unmet housing need, occupying a sustainable location and complying with the relevant Grey Belt "Golden Rules", including enhanced affordable housing provision.

Benefits of the proposal

- 1.8. Substantial weight should be attached to the Borough's housing position. Kirklees Council currently claims a housing land supply of only 4.18 years and the latest Housing Delivery Test results record housing delivery of 65%, below the 75% threshold identified within the NPPF. These indicators confirm a significant shortfall in housing delivery and demonstrate an evidenced unmet housing need across the Borough. Consequently, the proposal benefits from the presumption in favour of sustainable development set out in Policies S3 and S5 of the NPPF, with planning permission to be granted unless the benefits of the proposal are substantially outweighed by any adverse effects.
- 1.9. The affordable housing provision attracts substantial positive weight in favour of the proposal. The delivery of approximately 56 affordable homes, comprising both policy-compliant provision and additional affordable housing secured through the NPPF Grey Belt Golden Rules, would make a significant contribution towards addressing identified affordable housing needs within Kirklees and provide a substantial social benefit.

Technical studies

- 1.10. A comprehensive package of technical assessments has been submitted in support of the application. These confirm that the development can be accommodated without giving rise to unacceptable impacts and that any potential effects can be appropriately mitigated.
- 1.11. The Flood Risk Assessment confirms that the development area lies within Flood Zone 1 and can be safely developed. A sustainable drainage strategy including attenuation measures would reduce runoff rates and ensure there is no increase in flood risk elsewhere.
- 1.12. The Transport Statement demonstrates that the site is accessible by a range of sustainable transport modes and that the proposed access from Moor Lane can operate safely and efficiently. The assessment concludes that there are no highway or transportation constraints that would prevent development.
- 1.13. The Heritage Assessment confirms that the site does not contain designated heritage assets and that the significance and setting of the nearby Grade II listed building at 118 Paddock Road would be preserved and not negatively impacted by the proposals.
- 1.14. Landscape and visual effects have been carefully considered through a landscape-led design process. The submitted Landscape and Visual Impact Assessment concludes that effects are localised and capable of mitigation through retention of landscape features, structural planting, open space provision and green infrastructure. Over time, the development would become integrated into its surroundings.

- 1.15. The submitted Air Quality Assessment demonstrates that neither construction nor operational impacts would result in significant adverse effects, whilst the Arboricultural Assessment confirms that proposals have been designed to retain important trees where possible and provide enhancements through new planting.
- 1.16. In respect of ground conditions, the Preliminary Geoenvironmental Investigation confirms that significant widespread contamination is not anticipated and that any potential risks associated with historic mining activity can be appropriately addressed through further site investigation and mitigation.

Conclusions

- 1.17. Overall, the submitted evidence demonstrates that the site represents a sustainable and suitable location for residential development. The proposal would deliver substantial social and economic benefits through the provision of market and affordable housing to meet local housing need, investment, employment and community infrastructure, whilst avoiding unacceptable environmental effects. It is therefore concluded that the proposed development accords with the objectives of the Development Plan. The identified conflicts are outweighed by the fact that the plan is out of date, NPPF policies and the substantial benefits arising from the development.
- 1.18. Taking the evidence contained within this planning statement and the associated technical documents as a whole it is clear that planning permission should be granted without delay.

2. Introduction

- 2.1. This statement has been prepared by Pegasus Group on behalf of the applicant, Persimmon Homes, in support of the outline planning application for residential development and associated works (all matters reserved except access) at land at Paddock Road / Moor Lane, Kirkburton, Huddersfield.
- 2.2. The purpose of this statement is to assess the proposals against the relevant planning considerations in respect of current planning policy and guidance within the National Planning Policy Framework, and with regard to any other material considerations.
- 2.3. Following a description of the site, consideration is given to the proposed development. The report assesses the proposal in relation to relevant planning policy and shall demonstrate why planning permission should be granted for this scheme.

3. Site Description and Planning History

- 3.1. The application site comprises approximately 7.5 hectares of land located at Paddock Road / Moor Lane, Kirkburton, Huddersfield, HD8 OTT. The site falls within the administrative area of Kirklees Metropolitan Borough Council and is predominantly grassland, currently used for horse grazing. A cluster of shipping containers is located centrally within the site, forming an established agricultural hub. The site comprises Grade 4 agricultural land and therefore does not constitute Best and Most Versatile (BMV) agricultural land.
- 3.2. The site is designated as Green Belt land. It is located within Flood Zone 1, which represents the lowest probability of flooding and therefore indicates no significant flood risk constraint. A Public Right of Way runs along the western boundary of the site, providing a pedestrian link between Burton Acres Lane and Moor Lane. The site is not located within a conservation area; however, it lies adjacent to the Grade II listed building known as 118, Paddock Road, which is situated to the south-east of the site.
- 3.3. The site is well connected and is bounded by Moor Lane to the north-west and Paddock Road to the east, providing direct access to the local road network and onwards connections to the A629 and Huddersfield town centre, which is approximately 2.5 km away. Local services are readily accessible, including Kirkburton Middle School located around 200 metres to the south, several primary schools within a ten-minute walk, and bus stops on Moor Lane and Paddock Road immediately adjacent to the site. Convenience shopping is available nearby in the form of a Morrisons Daily and a Co-op supermarket, with Huddersfield's wider range of shopping, employment and leisure facilities easily accessible by both car and bus. Overall, the site has a semi-rural character while remaining closely integrated with the surrounding settlement and its services.

Planning History

- 3.4. A review of the planning records indicates that there is no relevant planning application history relating to the site.

4. Proposed Development

- 4.1. The application seeks outline planning permission for residential development and associated works (all matters reserved except access) on land at Paddock Road / Moor Lane, Kirkburton, Huddersfield. The proposed development comprises up to 160 dwellings, including the provision of affordable housing, with details of layout, scale, appearance and landscaping reserved for subsequent consideration.
- 4.2. The development is intended to deliver a residential-led scheme that responds to the site's context and surrounding settlement. The proposals adopt a landscape-led design approach, with development arranged around existing and proposed green infrastructure and the incorporation of publicly accessible open spaces across the site.
- 4.3. Vehicular, cycle and pedestrian access to the site is proposed from the northern boundary, via Moor Lane. In addition, pedestrian access points are proposed from multiple locations along the eastern boundary off Paddock Road and from the southern boundary off Burton Acres Lane, providing permeability and connectivity with the surrounding area.
- 4.4. The proposals seek to retain and respond to key site features. Existing landscape features including dry stone walls and trees are proposed to be retained where possible and incorporated into the layout to support biodiversity and the overall landscape framework. The Public Right of Way running adjacent to the western boundary of the site is to be protected and integrated within the wider movement and landscape strategy.
- 4.5. Key components of the proposed development include:
 - The delivery of up to 160 new homes, including policy compliant levels of affordable housing;
 - A landscape-led approach incorporating new publicly accessible open spaces;
 - Retention of existing landscape features and trees where practicable;
 - Protection of the existing Public Right of Way; and
 - The introduction of new pedestrian and cycle connections across the site.

Persimmon Homes

- 4.6. Persimmon Homes is one of the UK's most successful housebuilders, committed to the highest standards of design, construction and service.
- 4.7. Founded in 1972 by Life President Duncan Davidson, and with their headquarters in historic York, the Group is made up of a network of 29 regional operating businesses, giving them nationwide coverage. They're building places to call home from North Scotland through to the South West of England.
- 4.8. Persimmon Homes are a 5-star builder, awarded by the national Home Builders Federation (HBF). It's a reflection of their commitment to delivering excellence always and putting



their customers at the heart of all they do. They are proud to be building good quality, sustainable homes for customers, providing career opportunities for employees, supporting jobs in the supply chain, and contributing towards the sustainable development of local communities.

5. Planning Policy

Legislative Background

- 5.1. This chapter summarises the planning policies and guidance relevant to the development proposed. Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that applications for planning permission must be determined in accordance with the development plans unless material considerations indicate otherwise.

Kirklees Local Plan

- 5.2. The Kirklees Local Plan was adopted on 27 February 2019. It comprises the strategy and policies document, allocations and designations document and associated policies map.

- 5.3. Relevant policies from the Kirklees Local Plan Strategy and Policies Document include:

- Policy LP1 Presumption in favour of sustainable development
- Policy LP2 Place shaping
- Policy LP3 Location of new development
- Policy LP4 Providing infrastructure development
- Policy LP7 Efficient and effective use of land and buildings
- Policy LP9 Supporting skilled and flexible communities and workforce
- Policy LP10 Supporting the rural economy
- Policy LP11 Housing Mix and Affordable Housing
- Policy LP19 Strategic transport infrastructure
- Policy LP20 Sustainable travel
- Policy LP21 Highways and access
- Policy LP22 Parking
- Policy LP24 Design
- Policy LP27 Flood risk
- Policy LP28 Drainage
- Policy LP30 Biodiversity & Geodiversity
- Policy LP32 Landscape
- Policy LP33 Trees

- Policy LP34 Conserving and enhancing the water environment
- Policy LP35 Historic environment
- Policy LP47 Healthy, active and safe lifestyles
- Policy LP49 Educational and healthcare needs
- Policy LP50 Sport and physical activity
- Policy LP52 Protection and improvement of environmental quality
- Policy LP63 New open space

- 5.4. Policy LP2 'Place shaping' specifically states that *"all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan, in order to protect and enhance the qualities which contribute to the character of these places"*.
- 5.5. Policy LP3 'Location of new development' outlines how development should reflect:
- a. the settlement's size and function; and
 - b. place shaping strengths, opportunities and challenges for growth; and
 - c. spatial priorities for urban renaissance and regeneration; and
 - d. the need to provide for new homes and jobs
- 5.6. Policy LP11 'Housing Mix and Affordable Housing' states that *"all proposals for housing, including those affecting the existing housing stock, will be of high quality and design and contribute to creating mixed and balanced communities in line with the latest evidence of housing need."*
- 5.7. Finally, Policy LP21 Highways and access outlines that *"New development will normally be permitted where safe and suitable access to the site can be achieved for all people and where the residual cumulative impacts of development are not severe."* Policy LP21 then goes on to state *"proposals shall demonstrate adequate information and mitigation measures to avoid a detrimental impact on highway safety and the local highway network. Proposals shall also consider any impacts on the Strategic Road Network."*

Kirklees Local Plan Review, 2023

- 5.8. The Kirklees Local Plan was adopted in February 2019 and, in October 2023, Kirklees Council published the outcomes of its statutory review of the Plan. The review assessed the Local Plan against the Planning Advisory Service (PAS) methodology and concluded that the Plan was out of date in a number of key respects. Of particular relevance to this application, the review identified that the Council was unable to demonstrate a five-year housing land supply and was not meeting its housing delivery targets. The review also identified concerns regarding employment land delivery, the ability of key site allocations to deliver planned growth within the Plan period, and the need to update the planning framework to respond to the Council's climate change ambitions.

- 5.9. Having regard to these findings, officers recommended that Cabinet endorse the outcomes of the review and recommend to Full Council that a full update of the Kirklees Local Plan be commenced. The Council's own review therefore confirms that the adopted Local Plan is out of date in a number of key respects, most notably in relation to housing land supply and housing delivery. In these circumstances, significant weight should be afforded to the relevant provisions of the August 2026 NPPF, including those which seek to significantly boost the supply of housing and support development that addresses evidenced unmet housing needs. The proposal should therefore be assessed in the context of an acknowledged out-of-date Development Plan, substantial unmet housing need, and the considerable benefits that would arise from the development.

Emerging Kirklees Local Plan

- 5.10. Work on the emerging Kirklees Local Plan began in November 2023 following the October 2023 review of the adopted 2019 plan. Initial work included a Call for Sites exercise and questionnaire.
- 5.11. On 25th March 2026, new plan-making regulations were published which introduced new requirements to commence preparation of a Local Plan, under which the Council is preparing a new plan to guide growth to 2043. The new plan will include site allocations for housing and employment, infrastructure provision, and updated planning policies. Early engagement took place between November 2024 and February 2025, alongside a Call for Sites, with feedback helping to shape the plan's direction.

National Planning Policy Framework

- 5.12. The National Planning Policy Framework (NPPF) was last updated August 2026 and sets out the Government's planning policies for England and how these are expected to be applied. The NPPF forms a key material consideration to all planning decisions.
- 5.13. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development by managing the use and development of land in the long-term public interest. Achieving sustainable development means that the planning system has three overarching objectives and these objectives are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across all three):
- a. **An economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - b. **A social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible community facilities, public service infrastructure and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - c. **An environmental objective** – to support efforts to mitigate and adapt to climate change, including moving to a low carbon economy; and to protect and enhance our natural, built and historic environment, including making effective use of land,

improving biodiversity, using natural resources prudently, and minimising waste and pollution.

5.14. National decision-making policy S3 (presumption in favour of sustainable development) 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.

5.15. Policy S5 states that *“only certain forms of development should be approved outside settlements, as set out in the following list. These 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”*.

5.16. The proposed development is considered to accord with part (j), which relates to development that would address an evidenced unmet need. Part (j) states:

“Development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test²⁷), and where the development would:

- i. *Be physically well-related to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; or*
- ii. *Comprise major development for freight and logistics purposes which accords with policy E3.”*

5.17. Part 5 of Policy S5 states that:

“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.”

- 5.18. Part 1 of policy GB7 lists categories of development which are not inappropriate in the Green Belt and therefore should not be regarded as harmful to the Green Belt or be required to demonstrate very special circumstances. Within this list includes category 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 proposed;*
- 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. ”*

- 5.19. The definition of grey belt is set out within the NPPF Annex.

- 5.20. Plan making Policy HO3 outlines the following in relation to providing land for homes:

“Local plans should identify a sufficient supply and mix of sites to meet or exceed the housing requirement figure and pitch and plot requirements for their areas over the plan period, drawing on the land availability assessment in accordance with policy PM9. This should include:

a. In relation to housing:

- i. A supply of specific deliverable sites for five years following the intended date of adoption of the plan, with an appropriate buffer (as set out in Annex D); and*
- ii. A supply of specific, developable sites or broad locations for growth for the subsequent years 6 to 10 and, where possible, for the remaining plan period, where the plan covers more than 10 years.”*

- 5.21. Policy HO7 states that *“substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community”*.

- 5.22. Policy L3 states that *“proposals should make efficient use of land, taking into account the identified need for different types of housing and other development, local market conditions, the availability of infrastructure (including that supporting sustainable transport modes) and its scope for improvement, a site’s connectivity and the importance of securing well-designed, attractive and healthy places.”*

- 5.23. Policy TR3(1) outlines that development should be located in sustainable and accessible locations that support sustainable travel patterns, make effective use of existing and proposed transport infrastructure, and reduce reliance on the private car. The policy requires development to maximise opportunities for walking, wheeling, cycling and public transport, mitigate any significant impacts on the transport network or highway safety, address and minimise environmental impacts associated with transport, and, in rural

areas, enhance connectivity where opportunities exist and can be supported by the proposed development.

- 5.24. Policy N2(1) outlines that development should contribute positively to the natural environment and support nature recovery by conserving and enhancing habitats, landscape character, biodiversity and existing natural features. The policy requires consideration of agricultural land quality, strengthening ecological networks, incorporating green infrastructure and nature-based solutions, minimising impacts on biodiversity, supporting priority species, and ensuring that environmental enhancements are appropriately designed and managed for the long term.
- 5.25. Policy HE6 outlines that substantial weight should be given to the conservation of designated heritage assets when assessing development proposals, with greater weight afforded to assets of higher significance. The policy supports proposals that result in positive effects on designated heritage assets and requires any harm to their significance to be given considerable importance and weighed against the public benefits arising from the development.

6. Assessment of Development Proposals

- 6.1. The following section of this report assesses the development proposals against the policies of the Development Plan and policies and guidance set out at national level.

The Principle of the Proposed Development

- 6.2. The Kirklees Local Plan was adopted in 2019 and is currently subject to a full update following a review commenced in 2023, which found the Local Plan to be out of date against a number of key indicators, including housing delivery, and concluded that the Local Plan requires a comprehensive update. Whilst work on a new Local Plan is ongoing, including early engagement and evidence gathering, significant weight cannot be attached to it. The plan is, therefore, by the Council's own admission out of date and as such the weight applied to its policies and designations should be commensurately reduced.
- 6.3. In addition, the Council cannot demonstrate a five-year housing land supply and currently identifies a supply of just 4.18 years. The latest Housing Delivery Test results published in August 2026, record housing delivery of 65%. These circumstances indicate a significant and persistent under-delivery of housing and engage the presumption in favour of sustainable development.
- 6.4. Despite the out-of-date status of the Development Plan, the proposals demonstrate a strong degree of consistency with the Local Plan and its overarching objectives. This is demonstrated in the various technical documents and summarised below. The only potential conflict is with its Green Belt designation. However, the Green Belt implications of the proposal are appropriately addressed through the NPPF Grey Belt provisions.
- 6.5. The spatial strategy for Kirklees outlines that the council will seek to achieve housing growth through the delivery of a minimum of 31,140 new dwellings between 2013 and 2031 (1730 new dwellings per annum) through allocation sites and taking account of windfalls, committed housing figures and losses/demolitions. The Council has failed to deliver against its housing requirement over the plan period to date.
- 6.6. The NPPF (paragraph 15) identifies that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 17 confirms that this is to be achieved through three overarching objectives which should be pursued in mutually supportive ways. These include a social objective, which requires the planning system to support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations.
- 6.7. Policy S5 of the NPPF relates to development outside of settlements. Part (j) identifies that development which is physically well-related to an existing settlement and is of a scale which can be accommodated taking into account the availability of infrastructure should be approved where this would address an evidenced unmet need, including where a local planning authority cannot demonstrate a five-year housing land supply or has scored below 75% in the most recent Housing Delivery Test, unless the adverse effects would substantially outweigh the benefits.
- 6.8. The proposed development would contribute towards meeting identified unmet housing needs within Kirklees and, as demonstrated throughout this Statement, would not give rise

to adverse effects that would substantially outweigh its benefits. Accordingly, the principle of development is supported by Policy S5(j).

Proposed Housing Use

- 6.9. The proposal seeks outline planning permission for up to 160 dwellings, with all matters reserved except access.
- 6.10. The proposal accords with the overall spatial strategy of the development plan, being located adjacent to the sustainable settlement of Kirkburton/Highburton where growth is directed.
- 6.11. The development would provide 20% affordable housing in accordance with Policy LP11 together with a further 15% affordable housing provision in accordance with the NPPF Grey Belt Golden Rules. This would equate to up to 56 affordable dwellings and 104 market dwellings.
- 6.12. The exact number, tenure and mix of dwellings on-site is proposed to be reserved at this stage and will be dealt with at detailed reserved matters stage which will cover layout and scale of the proposal. Notwithstanding this, the provision of affordable housing would make a meaningful contribution towards meeting identified housing needs within Kirklees and support the creation of a mixed and balanced community.

Grey Belt

- 6.13. The site is located within the Green Belt.
- 6.14. As outlined within the Green/Grey Belt Appraisal prepared by Pegasus Group it is considered that the site constitutes Grey Belt and therefore the proposal does not constitute inappropriate development. This is because the site makes a weak to no contribution to Green Belt purposes (a), (b) and (d), as it does not materially assist in preventing unrestricted sprawl, does not form part of a strategic gap between settlements, and does not contribute to the setting of a historic town. While parts of the site are open, its containment by existing development and physical boundaries limits its wider Green Belt function.
- 6.15. The revised NPPF introduced in 2026 means that the operation of former footnote 7 restrictions is no longer determinative when assessing whether land constitutes Grey Belt. Whilst a Grade II Listed Building is located close to the south-eastern corner of the site, heritage matters are considered through the relevant heritage policies of the Framework and do not preclude the site from being identified as Grey Belt. The effects upon the significance and setting of the listed building have been assessed separately within the submitted Heritage Assessment.
- 6.16. The site represents a contained and logical opportunity for development, and any limited and localised effects, including landscape sensitivity and visual exposure from surrounding viewpoints, could be effectively mitigated through a landscape-led approach.
- 6.17. In this context, all tests set out in the NPPF are met, and the proposal complies with the NPPF “golden rules”.

- 6.18. As demonstrated within the Grey Belt Assessment submitted as part of this application, the site constitutes Grey Belt Land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. The site comprises a contained parcel of land on the edge of Kirkburton, enclosed by existing development, Gregory Playing Fields and strong physical boundaries including Moor Lane, Paddock Road and Burton Acres Lane. It does not form part of a strategic gap between towns and does not contribute to the setting of a historic town. Furthermore, the surrounding Green Belt across Kirklees remains extensive and would continue to perform its strategic Green Belt functions. As such, the proposal meets criteria i. of part g of policy GB7.
- 6.19. Given Kirklees Council only claims to have a 4.18 year housing land supply this demonstrates that there is a substantial unmet need for residential development within the District and therefore the proposal meets criteria ii. of part g of policy GB7.
- 6.20. The development is located in a sustainable location, with the site well connected and bounded by Moor Lane to the north-west and Paddock Road to the east, providing direct access to the local road network and onwards connections to the A629 and Huddersfield town centre, approximately 2.5 km away. Bus stops are located immediately adjacent to the site on Moor Lane and Paddock Road, and a range of local services are readily accessible, including Kirkburton Middle School approximately 200 metres to the south, several primary schools within a ten-minute walk, and nearby convenience shopping provision including a Morrisons Daily and a Co-op. While parts of the site are open, its containment by existing development and physical boundaries ensures it remains closely integrated with the surrounding settlement. As such, it is considered that the proposal meets the requirements of criterion iii. of part g of the policy GB7 of the NPPF.
- 6.21. The Grey Belt Assessment submitted as part of the application demonstrates that the proposal meets the 'Golden Rules' requirement set out in policy GB8 of the NPPF. In particular, the scheme would deliver affordable housing, provide new publicly accessible green space and green infrastructure, enhance connections to the existing public rights of way network and Gregory Playing Fields, and provide wider environmental improvements through landscaping, biodiversity enhancements and sustainable drainage features. As such, it is considered that the proposal meets criteria iv. of part g of the policy GB7.

The Grey Belt Assessment clearly demonstrates that the site meets the requirements set out within part g of the policy GB7 of the NPPF. These being that the site would utilize grey belt land and would not fundamentally undermine the purposes of the Green Belt, there is a demonstrable unmet need for residential development, it is within a sustainable location and would meet the 'Golden Rules'.

Very Special Circumstances

- 6.22. Notwithstanding that the site is considered to fall within the definition of Grey Belt, and the proposal therefore does not rely on the demonstration of Very Special Circumstances (VSC), it is nevertheless considered appropriate, in the interests of completeness, to have regard to the relevant policy approach to VSC within the Green Belt.
- 6.23. Policy GB6 part 2 of the NPPF states that *"inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposed*

development, is clearly outweighed by other considerations. In making this assessment, substantial weight should be given to the harm to the Green Belt which would be caused, including harm to its openness.”

- 6.24. Kirklees Council's most recent Annual Monitoring Report (AMR) assessment of its 5YHLS was published in December 2025 and claims that the Council can only demonstrate a 4.18 year supply. The latest Housing Delivery Test (HDT) results, published in August 2026, identify housing delivery in Kirklees at 65%, significantly below the 75% threshold set out within the NPPF.
- 6.25. The submitted Affordable Housing Need Report identifies a clear, significant and ongoing need for additional affordable housing across Kirklees, including within Kirkburton. The evidence indicates an annual affordable housing requirement of approximately 1,049 dwellings across the Borough. Affordable housing delivery in Kirkburton Ward has been particularly limited, with only 11 affordable homes delivered since 2021/22 and none in the last two monitoring years. Demand for affordable housing is also acute, with the Council's housing waiting list increasing to 22,190 households and individual affordable homes within Kirkburton attracting hundreds of bids. The proposed development would therefore make a meaningful contribution towards addressing identified affordable housing needs within the Borough and represents a further material benefit of the scheme.
- 6.26. The weight afforded to the provision of housing by the Secretary of State in the context of a sub-five year housing land supply positions is set out in Table 6.1 below. The analysis identifies that the Secretary of State has consistently found that where a council is able to demonstrate less than a 4.5-years supply the provision of housing should be afforded either significant, substantial, very significant or very substantial weight.

Table 5.1: Weight afforded to the provision of housing by the Secretary of State

Decision	Weight Afforded	FYHLS Position
Land to the West of Burley-in-Wharfedale at Sun Lane and Ilkley Road (ref: 3208020)	Very substantial weight	Less than 2.06 years
160 Stanley Road, Stockport (ref: 3205559)	Very substantial weight	2.8 years
Land at and adjacent to Hulton Park, Bolton (ref: 3208426)	Significant weight	3.5 to 3.7 years
Land North of Viaduct, Ledbury (ref: 3244410)	Significant weight	4.22 years
Land at Fiddington, Tewkesbury (ref: 3210903)	Significant weight	4.33 years

Land at Mitchelswood Farm, East Sussex (ref: 3119171)	Significant weight	4.5 years
Land at Hawthorns, Farnham (ref: 3211033)	Significant weight	4.5 years
Land at South West Sittingbourne/Wises Lane, Sittingbourne (ref: 3233606)	Significant weight	4.6 years
97 Barbrook Lane, Tiptree, Colchester (ref: 3223010)	Significant weight	4.7 years
Land at Sandown Park Racecourse, Esher (ref: 3249790)	Significant weight	Less than five years
Whitehouse Farm, Belper (ref: 3198996)	Significant weight	3.7 to 6.6 years
North London Business Park, London (ref: 3189843)	Significant weight	4.8 to 5.1 years

- 6.27. Table 5.2 below identifies that irrespective of the FYHLS position the Secretary of State places significant weight upon the delivery of housing. This is largely due to the scale of the housing crisis this country finds itself within.

Table 5.2: Weight afforded to housing delivery by Secretary of State, irrespective of five-year supply

Decision	Weight Afforded	FYHLS Position
Land West of Knights Hill Village (ref: 3237042)	Substantial weight	In excess of 5 years
Oxford Brookes University, Wheatley Campus (ref: 3230827)	Very substantial weight	In excess of 5 years
Land at Love Lane, Woolwich (ref: 3233519)	Substantial weight	In excess of 5 years
Land at VIP Trading Estate, London (ref: 3233585)	Significant weight	In excess of 5 years

Land to the East of Newport Road and to the East and West of Cranfield Road, Woburn Sands (ref: 3169314)	Significant weight	In excess of 5 years
Land at Former Westferry Printworks Site, London (ref: 3225474)	Significant weight	In excess of 5 years
Land at Burgess Business Park, London (ref: 3225548)	Moderate weight	In excess of 5 years
Land off Station Road, Long Melford (ref: 3214377)	Significant weight	5.67 years
Anglia Square, Norwich (ref: 3225505)	Significant weight	5.89 years
Land off Audlem Road/Broad Lane, Stapeley (ref: 2197532) (CD 7.4)	Significant weight	5.7 to 6.6 years
Land at Sandleford Park, Newbury (3265460)	Significant weight	7.67 years

- 6.28. Given the above evidence it is considered that **substantial positive weight** should be applied to the delivery of housing when determining this planning application.
- 6.29. Taken together the delivery of enhanced levels of affordable and additional market homes given the dire and acute under-delivery of housing across Kirklees should be given very significant weight in the planning balance and should be considered very special circumstances.

Technical Issues

Design Matters

- 6.30. Policy LP24 of the Local Plan states that *“good design should be at the core of all proposals in the district and should be considered at the outset of the development process”*.
- 6.31. A Design and Access Statement has been prepared by Pegasus Group which confirms that the masterplan is founded on best practice urban design principles, community integration and sustainable development, with strong links to the wider area. It also identifies that the proposals respect the local character but also moves the community towards a more sustainable future.

- 6.32. Furthermore, it outlines how the development will be a highly desirable place to live in, while reflecting the local vernacular. The proposals respect the local character, but also move the community towards a more sustainable future.
- 6.33. The proposals have been informed by best practice guidance, including Safer Places, Manual for Streets and ACPO guidance, and align with national policy objectives set out in the NPPF to create safe, inclusive and accessible environments
- 6.34. It is therefore considered that the scheme is in accordance with Policy LP24 and the NPPF.

Flood Risk and Drainage

Policy LP27 outlines that the following:

“Proposals must be supported by an appropriate site specific Flood Risk Assessment in line with national planning policy. This must take account of all sources of flooding set out in the Strategic Flood Risk Assessment and demonstrate that the proposal will be safe throughout the lifetime of the development (taking account of climate change). The proposal must also not increase flood risk elsewhere and where possible should reduce flood risk. Mitigation measures, where necessary, should be proposed.”

- 6.35. A Flood Risk Assessment has been prepared by Haigh Huddleston & Associates and confirms that area of site to be developed for residential use falls within Flood Zone 1. The area of the site to be developed is not at risk of flooding from river or tidal water up to a 1% return period. The flood risk is considered to be acceptable for residential development.
- 6.36. The FRA confirms that infiltration methods are not suitable for the Site and that attenuation measures and restriction of flows are required to ensure there is no increase in flood risk to downstream properties. The drainage strategy will incorporate attenuation storage to manage surface water runoff. In addition, the FRA identifies permeable paving as a measure that could be incorporated within the development and which would facilitate improvements in water quality..
- 6.37. The FRA concludes that, with attenuation, up to and including the 1 in 100 year + 45% climate change storm events and the flow from site restricted to a maximum of 3.5 l/s, there will be a reduction in the flood risk both to the proposed properties on site, as well as the existing properties downstream of the site.
- 6.38. It is therefore considered that the scheme is in accordance with Policy LP27 and the NPPF.

Highway Matters

- 6.39. Policy LP21 states that *“new development will normally be permitted where safe and suitable access to the site can be achieved for all people and where the residual cumulative impacts of development are not severe.”*
- 6.40. A Transport Statement has been prepared by Andrew Moseley Associates which confirms that the proposed development fully accords with national and local transport policy. Future residents of the development would have the opportunity to travel for all key

journey purposes by modes other than the private car, including walking, cycling and public transport.

- 6.41. The proposed site access from Moor Lane has been designed in accordance with relevant DMRB standards and Kirklees guidance and would provide a safe and suitable means of access to the development.
- 6.42. The internal layout of the site and matters relating to parking, refuse collection and internal geometry will be addressed as part of a separate reserved matters application at a later stage.
- 6.43. It concludes that there are no overriding traffic and transportation reasons preventing the local highway authority from recognising that the proposals are acceptable nor why planning permission could not be granted.
- 6.44. It is therefore considered that the scheme is in accordance with Policy LP21 and the NPPF.

Heritage Matters

- 6.45. Policy LP35 states that *“development proposals affecting a designated heritage asset (or an archaeological site of national importance) should preserve or enhance the significance of the asset.”*
- 6.46. A Historic Environment Desk-Based Assessment has been prepared by Lanpro which confirms that the site does not contain any designated or non-designated heritage assets and, as such, the proposals would not result in any direct impacts upon the fabric of any heritage asset. The principal heritage consideration relates to the potential effect of the development upon the setting of the Grade II listed building at 118 Paddock Road (NHLE 1135333).
- 6.47. The Grade II listed building derives its significance from its architectural and historic interest as a vernacular Pennine farmhouse and former agricultural holding, with its setting contributing primarily through its immediate farmstead context and relationship with the surrounding countryside. The proposals have been informed by a heritage-led design approach, incorporating substantial landscaping, structural planting, retention of dry-stone walls, and the retention of key countryside views. Importantly, a substantial landscaped buffer would be provided between the listed building and the proposed development, maintaining physical and visual separation and ensuring that the asset remains legible as a distinct historic rural property rather than becoming enclosed by modern development. The proposed layout also retains open land around the asset and preserves its visual association with the surrounding countryside. As a result, the proposals would preserve the significance of the listed building and its setting, resulting in no harm to its significance.
- 6.48. The assessment concludes that there is very limited potential for significant prehistoric and Roman period archaeological remains within the site. While some limited evidence of medieval agricultural activity may exist due to the site's proximity to Kirkburton and the presence of ridge and furrow features, any such remains would be of no more than local significance. Potential post-medieval agricultural remains are also likely to be of negligible significance. Overall, archaeology is unlikely to represent a material constraint to development of the site.

- 6.49. It is therefore considered that the scheme is in accordance with Policy LP35 and NPPF Policy HE6, which seek to conserve the significance of designated heritage assets and their settings.

Landscape Matters

- 6.50. Policy LP32 states that *“proposals should be designed to take into account and seek to enhance the landscape character of the area”*.
- 6.51. A Landscape Visual Impact Assessment has been prepared by Pegasus Group, which considers the Site and its surrounding context in both landscape and visual terms, evaluating the potential effects of the Proposed Development on landscape features, landscape character and visual amenity, and the extent to which these effects are mitigated through a landscape-led design approach.
- 6.52. The Proposed Development has been informed by a comprehensive landscape framework which prioritises the retention and enhancement of existing landscape features, including trees, hedgerows and dry-stone walls, alongside the introduction of new structural planting, green corridors and areas of public open space. This approach seeks to integrate the development within its rural-urban fringe setting, reinforce green infrastructure and improve ecological connectivity over time.
- 6.53. It is considered that effects on landscape features are localised and appropriately mitigated through the proposed landscape strategy. Additionally, whilst the Proposed Development would result in a permanent change to the character of the Site, effects on landscape character are localised in extent and reduce over time. The development would be integrated into its context through a landscape-led design approach, reflecting the characteristics of the rural-urban fringe. Finally, although the change from pastoral land to residential development would be permanent, long-term visual effects are generally minor to moderate adverse. The development would remain relatively contained from wider areas to the west, south and east, with some elevated views available from the north due to landform.
- 6.54. It is therefore considered that the scheme is in accordance with Policy LP32 and the NPPF.

Air Quality Matters

- 6.55. Policy LP52 outlines how proposals which have the potential to increase pollution must be accompanied by evidence to show that the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution.
- 6.56. An Air Quality Assessment has been prepared by Redmore Environmental, which concludes that air quality factors are not considered a constraint to the development.
- 6.57. The Air Quality Assessment found that construction activities could generate fugitive dust emissions; however, these were assessed in accordance with IAQM guidance and appropriate site-specific mitigation measures were identified. Following implementation of these measures, residual air quality effects from earthworks, construction, and trackout activities are predicted to be not significant.

- 6.58. The Air Quality Assessment found that operational traffic associated with the development would result in negligible changes to NO₂, PM₁₀ and PM_{2.5} concentrations at all sensitive receptors. Dispersion modelling, verified against local monitoring data, concluded that operational air quality effects would not be significant, and a range of mitigation measures have been identified in accordance with West Yorkshire air quality guidance to further minimise vehicle emissions.
- 6.59. It is therefore considered that the scheme is in accordance with Policy LP52 and the NPPF.

Arboricultural Impact

- 6.60. Policy LP33 states that *"the Council will not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity."*
- 6.61. An Arboricultural Impact Assessment has been prepared by James Blake Associates and confirms how the proposals seek to improve and enhance the tree scape of the site and the wider area whilst offering a sustainable approach to development.
- 6.62. All trees to be removed are of medium, low quality or unsuitable for retention and are predominantly located internally to the site thereby minimising the impact of development on the local landscape.
- 6.63. The report concludes that the proposal is acceptable and that it is recommended that the proposal is subject to a planning condition requiring a detailed arboricultural method statement, scheme of new tree planting and a successful tree protection and construction methodology.
- 6.64. It is therefore considered that the scheme is in accordance with Policy LP33 and the NPPF.

Ecology

- 6.65. Policy LP30 outlines that development proposals are required to result in no significant loss or harm to biodiversity in Kirklees through avoidance, adequate mitigation or, as a last resort, compensatory measures secured through the establishment of a legally binding agreement
- 6.66. An Ecological Impact Assessment has been prepared by Futures Ecology and concludes no direct impacts on nearby designated ecological sites are anticipated, and any potential indirect effects can be mitigated through measures such as defined footpaths, resident information packs and ecological management.
- 6.67. The site is predominantly comprised of low-value grassland, although trees and boundary habitats provide ecological value and support protected species. The proposed development retains key habitat features, including trees with bat roost potential, and incorporates additional planting to maintain habitat connectivity. The scheme has also been designed to maximise opportunities for biodiversity enhancement within the Site wherever practicable, with the proposed landscaping and habitat creation measures contributing towards on-site Biodiversity Net Gain delivery. Any residual Biodiversity Net Gain requirements can be secured through off-site habitat enhancement on land under the control of the landowner and/or through an accredited biodiversity offset provider.

The EclA recommends habitat protection during construction, a sensitive lighting strategy, and pre-commencement surveys and precautionary measures for protected species. Subject to the recommended mitigation, ecological impacts can be appropriately managed.

- 6.68. It is therefore considered that the scheme is in accordance with Policy LP30 and the NPPF.

Contamination and Ground Conditions

- 6.69. Policy LP53 states that *“development on land that is unstable, currently contaminated or suspected of being contaminated due to its previous history or geology, or that will potentially become contaminated as a result of the development, will require the submission of an appropriate contamination assessment and/or land instability risk assessment.”*
- 6.70. A Preliminary Geoenvironmental Investigation has been prepared by Lithos which confirms that significant widespread contamination is not anticipated.
- 6.71. In terms of mining and quarrying the land adjacent to the western boundary lies within a Mining Remediation Authority High Risk area due to the conjectured outcrop of the Crow Coal with possible unrecorded shallow mineworkings and mine entries (eg bell pits).
- 6.72. There are known mineworkings in the Black Bed coal, but these are overlain by a sufficient thickness of competent cover, and as such, should not affect surface stability.
- 6.73. There are no known quarries within 100m.
- 6.74. The geoenvironmental assessment identifies potential risks associated with historic coal mining activity; however, these can be appropriately investigated through the recommended programme of trial pitting, rotary drilling, and gas and groundwater monitoring, and do not represent an in-principle constraint to development.
- 6.75. It is therefore considered that the scheme is in accordance with Policy LP53 and the NPPF.

Crime

- 6.76. Policy LP24 outlines that *“proposals should promote good design by ensuring the risk of crime is minimised by enhanced security, and the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-designed security features”.*
- 6.77. A Crime Minimisation Report has been prepared which sets out how the scheme accords with the principles of crime prevention, community safety and Secured by Design in accordance with Kirklees Local Plan Policy LP24 (Design) to establish a high quality, inclusive and safe built environment.
- 6.78. The outline proposals have been informed by crime prevention principles and are designed to promote natural surveillance and reduce opportunities for anti-social behaviour. The masterplan positions dwellings to overlook streets, parking areas, pedestrian routes and open spaces, creating active frontages and increasing visibility

across the development. Rear gardens generally back onto one another to help prevent unauthorised access to private areas.

- 6.79. Landscaping and boundary treatments will be used to clearly distinguish between public and private spaces, create defensible boundaries, and restrict access to intended points of entry. Further details relating to lighting, cycle storage and other security measures will be provided at the reserved matters stage. Overall, the development has been designed in accordance with Designing Out Crime and Secured by Design principles to provide a safe and attractive residential environment.
- 6.80. It is therefore considered that the scheme is in accordance with Policy LP24 and the NPPF.

Public Consultation

- 6.81. A public consultation exercise was undertaken in advance of the submission of the planning application. Information flyers were distributed to 1,123 addresses within the local area, providing details of the proposed scheme and instructions on how to access further information via a dedicated project website. The website included additional details on the proposals and enabled members of the public to submit comments and feedback directly to the applicant team. The comments received were reviewed and considered by the applicant and have informed the evolution and refinement of the proposed design.

7. Planning Balance

- 7.1. The proposal would deliver up to 160 new homes, including a significant proportion of affordable housing. The scheme would provide 20% affordable housing in accordance with Policy LP11 together with a further 15% affordable housing provision in line with the NPPF Grey Belt Golden Rules, resulting in approximately 56 affordable dwellings. This represents a substantial social benefit and would make a meaningful contribution towards addressing both market and affordable housing needs within Kirklees.
- 7.2. The benefits of housing delivery attract significant weight in this case. Kirklees Council currently identifies a housing land supply of only 4.18 years, significantly below the five-year requirement, whilst the latest Housing Delivery Test result records housing delivery of 65%, below the 75% threshold set out in the NPPF. These indicators demonstrate a clear and ongoing shortfall in housing delivery across the Borough. In this context, the proposed development would make an important contribution towards meeting identified housing needs and supporting the delivery of sustainable growth.
- 7.3. The site occupies a sustainable location immediately adjacent to the existing settlement of Kirkburton, with convenient access to schools, local services, public transport and employment opportunities. The proposal would deliver further benefits through increased spending within the local economy, support for construction employment and supply chains, new publicly accessible open space, enhanced green infrastructure, biodiversity enhancements, improvements to pedestrian and cycle connectivity and the retention and reinforcement of existing landscape features.
- 7.4. Whilst the site lies within the Green Belt, the submitted Grey Belt Assessment demonstrates that it constitutes Grey Belt land and that its development would not fundamentally undermine the purposes of the remaining Green Belt across the wider area. The proposal satisfies the requirements of Policies GB7 and GB8 of the NPPF, including demonstrating an evidenced unmet housing need, occupying a sustainable location and providing the required Golden Rule benefits. The development is therefore not inappropriate development and is not required to demonstrate Very Special Circumstances.
- 7.5. Furthermore, the comprehensive technical evidence submitted in support of the application confirms that the development can be accommodated without giving rise to unacceptable impacts. Detailed assessments have demonstrated that matters relating to highways, flood risk and drainage, heritage, landscape and visual impact, arboriculture, air quality, ecology, ground conditions, noise and crime prevention can be appropriately addressed through the proposed design and mitigation measures. No technical objections have been identified which would preclude development of the site.
- 7.6. Taking all matters into account, the proposal would deliver substantial social, economic and environmental benefits, most notably through the delivery of market and affordable housing in an area experiencing significant under-supply. Any impacts associated with the development are limited, localised and capable of mitigation. The benefits of the proposal clearly outweigh any adverse effects and the development therefore represents sustainable development in accordance with the Development Plan and the National Planning Policy Framework. Planning permission should therefore be granted.

8. Conclusion

- 8.1. This Planning Statement has been prepared by Pegasus Group on behalf of the applicant, Persimmon Homes, in support of the outline planning application for residential development and associated works at land at Paddock Road / Moor Lane, Kirkburton, Huddersfield.
- 8.2. Alongside the submitted drawings and accompanying reports, this statement has assessed the proposals against the relevant policies of the adopted Development Plan and National Planning Policy Framework.
- 8.3. It has been demonstrated that the site is Grey Belt and as such is not inappropriate development. If the Council disagrees with this conclusion we also conclude there are very special circumstances due to the Council's inability to demonstrate a five-year housing land supply and the most recent Housing Delivery Test and the desperate need for additional affordable housing.
- 8.4. It is demonstrated that there would be no adverse impacts of granting planning permission which would significantly outweigh the benefits. It is considered that the proposed development accords with the Development Plan overall and there are no material considerations to indicate otherwise. The Local Planning Authority is therefore respectfully requested to approve the application without delay.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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