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Planning Development

Planning Statement – Permission in Principle

Land adj. 240 Dunford Road, Holmfirth, HD9 2SJ

Introduction

This application is submitted in connection with the Town and Country Planning (Permission in Principle) (Amendment) Order 2017.

This is a materially different application to the case refused earlier this year in that:

a) The red line boundary of the application has been reduced on the western side to eliminate the land situated at a lower level than the site. This is considered to materially alter balance in the assessment of the proposal through Grey Belt policy.
b) This application seeks 'permission in principle' only, as opposed to full planning permission.
c) The new NPPF has been published in the meantime, marking a material change in national planning policy, which also impacts upon the way local planning policies are applied.
d) Two of the three reasons for refusal [1] are not relevant to this 'Permission in Principle' stage and would be addressed at the Technical Details stage.

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

This application relates to the first stage or 'permission in principle' for the erection of one dwelling.

[1] Design and insufficient information on trees

[2] Paragraph 001

Site Description

The site is relatively level area former garden land (now vacant) associated with 240 Dunford Road adjoining the site to the south. The site is bounded by walls, fences and hedges, and is located immediately adjacent to the B6106 Dunford Road. The site is situated on the southern edge of the town of Holmfirth, the centre of which is half a mile to the north.

Neighbouring residential properties are located to the north / north-west, south, and east of the site. Agricultural land lies to the west at a lower level.



Application site

Relevant Planning History

2026/62/90818/W – planning application for erection of one dwelling: refused

Policy Designation

The application site is located in the Green Belt in accordance with the Kirklees Local Plan Policies map. The site also lies within the Holme Valley Neighbourhood Development Plan Area and the Strategic Green Infrastructure Network.

The Proposals – Permission in Principle

This application seeks permission in principle for the erection of one dwelling.

The proposal fulfils the criteria in Article 5B of the Town and Country Planning (Permission in Principle) Order 2017 (as amended) for the following reasons:

- It is not a major development

- It is not a habitats development
- It is not a householder development
- It is not a Schedule 1 development requiring an Environmental Impact Assessment

A plan encompassing the Location Plan and Existing & Proposed Site Plans accompanies the application, as required by the Regulations.

Assessment of the Proposals

Government Guidance states: "The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage." [3]

Principle – Housing Supply and Delivery

Nationally, the Government [4] has acknowledged the housing crisis with the immediate decision in 2024 to re-introduce compulsory house targets and the "urgent steps" pledge to build 1.5 million homes within this parliamentary term.

Recent changes to the NPPF include Policy HO7 (Meeting the need for homes), which states:

"In applying the policies in this Framework, substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community, as identified through needs assessments prepared for the area of the local planning authority and other relevant evidence….."

The Local Plan identifies a minimum housing requirement of 31,140 homes between 2013 and 2031 to meet identified needs: this equates to 1,730 homes per annum.

In addition, housing delivery is below the requirement over the previous three years. The last published Kirklees result for the three years to 2025 was reported as 65% [5], which falls markedly below the threshold for passing the test (75% - the lowest of the three thresholds). This also triggers a 20% buffer to be applied to the five-year housing land supply figure going forward, worsening the supply and delivery crisis further for the borough.

Indeed, recent BBC research has shown that housing delivery across the region has dropped in the first year of the Labour Government [6], with the number of houses delivered in Kirklees down from 989 to 840 between April 2024 and April 2025, meaning less than half the required number of houses per annum are being delivered.

[3] Paragraph 012

[4] Government News Story "Chancellor unveils a new era for economic growth 8th July 2024"

[5] 65% - meaning that NPPF Annex D Paragraph 12 states: "…..an evidenced unmet need for housing is deemed to exist for the purpose of applying policy S5(1)(j) in this Framework. This is in addition to the requirements for an action plan and 20% buffer."

[6] https://www.bbc.co.uk/news/articles/cwy2wn09n26o

Location and Land Use – Grey Belt

The case for the proposals is put forward on the following grounds in connection with NPPF Policy GB7 (1) (g) (Grey Belt) in the new National Planning Policy Framework.

NOTE: whilst the relevant provisions of GB7 (g) are addressed in full below, the assessment of the previous planning application earlier this year confirmed that the proposal was accepted by the LPA as Grey Belt under the NPPF definition, and complied with (the now) GB7 (g) criteria (ii) [7] and (iii) [8].

The sole area of dispute with the previous application related to the Green Belt purpose (c): the Council's assessment being that the development would result in encroachment into open countryside, conflicting with Green Belt purpose (c); and "it would erode the character of the locality through encroachment of built form and increased urbanisation of this part of the Green Belt, undermining the Green Belt's function in this location."

The assessment went on to say: "It is considered that the siting of the proposal would fundamentally undermine the purposes of the remaining Green Belt across the area of the plan in this case, on the basis that it would lead to a level of encroachment that has a significant and detrimental impact in relation to this purpose. The development is therefore considered to fail in relation to paragraph 155(a) of the NPPF." [9]

The applicant respectfully disagrees with these conclusions as set out in full below, in particular because in combination with the reduction of the site boundary (pulled away from the open countryside to the west), it is not considered that the proposals would fundamentally undermine the purposes of the remaining Green Belt across the area of the plan, taken together - as per NPPF Policy GB7 (g) (i).

The starting point with any Grey Belt assessment is the NPPF glossary definition which states:

For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in policy GB2.
Addressing each of the relevant points in turn:

a) 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land

The site is former garden land that has since been separated from 240 Dunford Road by virtue of a different ownership (the applicant). It therefore complies with this part of the glossary definition, as "previously developed land and/or any other land"

b) that, in either case, does not strongly contribute to any of purposes (a), (b) or (d) in paragraph 143

[7] Evidenced unmet need for type of development proposed.

[8] The development would be in a sustainable location.

[9] 155(a) stated: "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;"

Policy GB2 (1) in the NPPF specifies the five purposes of the Green Belt:

a) *To check the unrestricted sprawl of large built-up areas;*
b) *To prevent neighbouring towns merging into one another;*
c) *To assist in safeguarding the countryside from encroachment;*
d) *To preserve the setting and special character of historic towns; and*
e) *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.'*

Government Guidance 'Green Belt' provides categories of assessment for assessing these purposes and sets out categories: strong, moderate, and weak or none. [10]

Sites that make a weak or moderate contributions to purposes a, b and d are therefore acceptable (i.e. those that do not 'strongly contribute' to the relevant purposes).

Referring to Purpose a), it is common ground between the applicant and the LPA that the application site does not make a 'strong' contribution as per the Green Belt Government guidance at Paragraph 005 – i.e. the site is adjacent to a large built-up area but includes one or more features that weaken the lands contribution to this purpose: physical features restricting/containing development; the site being partially enclosed by existing development; and the site being subject to other urbanising influences (the main B6106 Dunford Road and large multi-storey former industrial buildings across the road).

Referring to Purpose b), the application site also makes a 'weak or none' contribution as it does not form a gap between towns (again as per the assessment criteria at Paragraph 005 of the Guidance). Again, it is asserted that Purpose b) is not engaged by the current proposals (and the previous officer's assessment agreed).

Similarly, the application site does not "form part of the setting of a historic town" (as per the Guidance wording) and therefore makes no contribution to Purpose d). Again, the LPA agreed with this conclusion in its assessment of the previous case.

It is therefore concluded that the site falls within the definition of Grey Belt.

Turning then to the criteria in Policy GB7 (g) in the NPPF:

'Development where all the following apply:

a. *The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
b. *There is an evidenced unmet need for the type of development proposed;*
c. *The development would be in a sustainable location, with particular reference to policy TR3 of this; and*
d. *In the case of major development involving the provision of housing, the development proposed complies with policy GB8*

[10] Government Guidance 'Green Belt' Paragraph 005 (and now at Annex E of the NPPF)

Referring to **GB7 (g) (i)** the equivalent former NPPF policy was cited by the Council in refusing the previous application.

The previous reason for refusal stated:

"The proposal would erode a sensitive area of the Green Belt and would undermine the Green Belt's function in this location. The proposal would fundamentally undermine the purposes of the remaining Green Belt across the area of the plan in this case due to resultant encroachment into open countryside, thereby undermining the purpose of including land within the Green Belt to assist in safeguarding the countryside from encroachment set out in Paragraph 143(c)."

However, the applicant puts forward the following new and fundamental arguments in relation to the GB7 (1) (i) test:

1) The LPA accepted that proposals did not strongly contribute to Purposes a, b and d.

2) Green Belt purpose (e) (to assist urban regeneration by encouraging the recycling of derelict and other urban land) was not mentioned within the previous case assessment by the LPA, and is presumed not to be an area of concern.

   Nevertheless, it is considered that the proposal would support this purpose because the site is former garden/curtilage area belonging to 240 Dunford Road. It is therefore urban land for the purposes of Green Belt, and the proposal would recycle this land.

3) In terms of Purpose (c) [11], the applicant contends that the proposals / site do not make a strong contribution to this purpose for the following reasons:

   i) The red line boundary has been reduced so that it excludes the strip of land to the west of the site which is of a markedly different character and function. That strip of land was at a lower ground level below a wall retaining the (now) application site (see photo and diagram below). The development would not therefore encroach into undeveloped land to the west (unlike the previous application).

   ii) The site is contained / enclosed by:

      a) Dunford Road and other large scale former industrial development to the east.
      b) Built development (no. 240) and associated garden areas to the south.
      c) A linear boundary on the western side running north to south and which contains the land and differentiates from land to the west.
      d) Existing residential development to the north, and providing further enclosure to the north-west.

      The application site would not break any existing building lines and would not result in an incongruous pattern of development – i.e. extending into open countryside to the west. It is arguably an infill plot as a result of all the above factors.

   iii) The land itself is within the urban envelope, being formerly curtilage land associated with no. 240 Dunford Road – i.e. it is not virgin agricultural land or other greenspace.

[11] to assist in safeguarding the countryside from encroachment

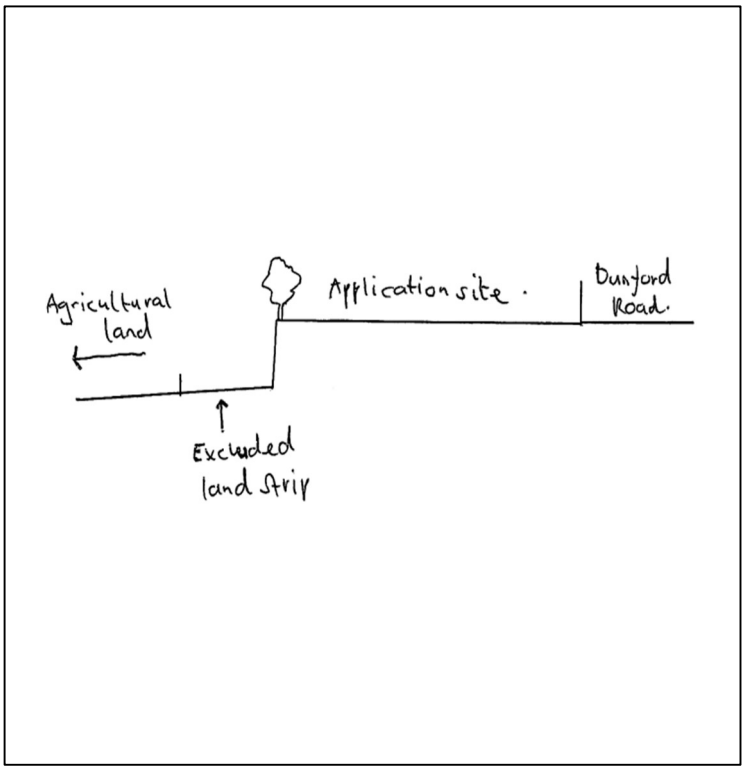
iv) The site is situated immediately adjoins the large built up area of Holmfirth and the immediate area possesses an urban / industrial character & appearance, in particular with regard to the large multi-storey buildings immediately across the road.

As a result, the proposed site is considered to provide a weak contribution towards Purpose c) in terms of safeguarding the countryside from encroachment.

In summary therefore, the proposed site would make a weak or no contribution to the five purposes of Green Belt, and as required by Policy **GB7 (g) (i),** taken together, the proposals would not be considered to *fundamentally undermine the purposes of the remaining Green Belt across the area of the plan.*

The proposed development is therefore considered to comply withy **Policy GB7 (g) (i).**





Strip of land (photo) now excluded from red line boundary, which was more aligned with the level and characteristics of agricultural land to the west.

Referring to **GB7 (g) (ii)**, the proposed development is for one dwelling and as explained in Footnote 41 in the NPPF, the lack of a five year supply of deliverable housing sites, including the relevant buffer where applicable, or where the Housing Delivery Tests was below 75% of the housing requirement over the previous three years, is considered to constitute an *evidenced unmet need* for housing.

The proposed development therefore complies with **GB7 (g) (ii).**

Regarding GB7 (g) (iii), the application site is located approximately 0.8km from Holmfirth town centre to the north, which is either a 2-minute drive or 10 minute -minute walk via direct footpaths from the

application site. The walking / cycling routes to Holmfirth are served by formal footways and lit roads, helping to make them safe.

Holmfirth town centre contains the full range of shops, services, sports & community facilities and a good selection of employment opportunities. The Longley farm factory is a short drive / walk to the south, which is the biggest local employer in the area (employing 100+ people).

Public transport is available immediately adjacent to the site (bus stops next to 240 Dunford Road and at the bottom of Underbank Old Road, 120 metres to the south of the site), serving nearby areas such as Holmfirth , Huddersfield (principal town in the borough), Scholes, Hade Edge, Penistone and Sheffield:

1) 310 service - Huddersfield to Holmfirth (including Scholes and Hepworth): hourly service between approx. 6am and 11pm Monday to Saturday, and hourly between the approx. 9am and 10pm on Sundays.
2) 29 service - Sheffield to Holmfirth via Penistone: three services per day Monday to Saturday.

The proposal site also provides immediate proximity to a wide and useful network of public footpaths and bridleways, that would encourage walking and cycling.

With reference to the DfT Connectivity Tool, the site scores 54, and sits in Band D for the Kirklees area. Given that (i) the highest connectivity score for Kirklees relates to central Huddersfield (83); and (ii) Band D is the top 40th percentile, the relative connectivity score is considered to be good in this instance.

Combined with the analysis above regarding public transport and other sustainable transport mode accessibility, the connectivity of the site is considered to be good with regard to policy TR3 (noting that similar to the previous NPPF version, Policy TR3 states that proposals should take "… Into account the vision for the site, the type of development and its location." (meaning that flexibility must be introduced for rural areas).

Overall (and acknowledging the LPA judge the site to be sustainable in relation to last application), the proposals are therefore considered to be in a sustainable location, in compliance with **GB7 (g) (iii).**

Paragraph **GB7 (g) (iv)** relates to major planning applications, and it is therefore not applicable in this case.

The proposed development is therefore considered to be appropriate development in the Green Belt in principle, in accordance with Policy GB7 (g) in the NPPF.

Holme Valley Neighbourhood Development Plan – Green Belt Policy

Whilst the Holme Valley Neighbourhood Development Plan adopted in 2021 pre-dates the recent changes to national policy in respect of Green (Grey) Belt, and is therefore arguably materially inconsistent to with national decision making policies [12], Policy 6 (Building Homes for the Future) states that housing development will be supported where "the proposed housing is located within existing

[12] NPPF Annex A: Implementation Paragraph 2 - development plan policies which are material inconsistent with national decision-making policies in the framework should be given very limited weight

settlements not over washed by greenbelt or is for housing acceptable in terms of national Green Belt policy".

Amount of Development

Local Plan Policy LP7 states:

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

> *a. developments should achieve a net density of at least 35 dwellings per hectare, where appropriate.*
> *c. lower densities will only be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs.'*

The site is of sufficient size for one house only in terms of the area of land available (0.05 ha), particularly given than access and turning is required for private vehicles, plus the need to provide a reasonable amount of outdoor amenity space. Also, give the size and spacing of surrounding plots on this road, a single house is considered to be appropriate for the development to remain in keeping with the character of the area.

Summary and Planning Balance

The site is just outside the defined settlement boundary of Holmfirth and with regard to NPPF Policy S5 (principle of development outside settlements) Paragraph 5 states:

"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."

With regard to S5 (2), there are no specific national decision-making policies that state that development proposals should be refused in this case.

Recent changes to the NPPF include Policy HO7 (Meeting the need for homes) which 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… "

It is noted that the Council's previous assessment against the now superseded NPPF version concluded at Page 9 (bottom): "This conclusion is drawn particularly in light of the fact the proposal would provide a very limited contribution in terms of meeting an unmet need in relation to housing. Whilst it would meet this requirement in relation to para 155b, the contribution is weighed against the level of identifiable harm created."

However, unlike the previous version of the NPPF, the new NPPF now explicitly states that "*substantial weight* should be given to providing homes which will contribute towards meeting the evidenced accommodation needs of the community /…." This policy was entirely absent from Chapter 5 (Housing)

of the previous NPPF and so the planning balance has materially shifted towards supporting housing of any scale (1 or 100 houses). As such, the provision of one dwelling in this case is considered to be afforded *substantial weight* by NPPF Policy HO7.

The planning balance is considered to be as follows in relation to the NPPF S5 Paragraph 5 test:

a) Meeting the evidenced needs, particularly considering the LPA's insufficient supply and delivery rates (NPPF Policy HO7): **positive substantial weight.**

b) The development would provide local jobs in the form of construction and other related trades during the course of the development, benefiting the local economy: **positive moderate weight**.

c) The development is considered to be sustainably location in accordance with NPPF Policy TR3: **positive moderate weight.**

As such, the appellant considers that the proposals represent *appropriate* development in the Green Belt, in compliance with NPPF Policy GB7 (1) (g), and that the benefits of the scheme would not be substantially outweighed by any adverse effects.

It is therefore respectfully requested that this *Permission in Principle* is granted accordingly.

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