Robert Halstead

Chartered Surveyors & Town Planners

N.C. Willock MRICS MRTPI

Office G of H, Bridge Mills, Huddersfield Road, Holmfirth, HD9 3TW

Tel: 01484 686322 e mail: nick@roberthalstead.co.uk

Planning Development

Planning Statement – Permission in Principle for up to Two Dwellings

Land adj. 149 Latham Lane, Gomersal, Cleckheaton, BD19 4AP

Introduction

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

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. [1]

This application relates to the first stage or 'permission in principle' for the erection of up to two dwellings.

Site Description

The site is a gently sloping area of land to the rear of the dwelling know as 149 Latham Lane, and accessed using the same private drive serving that dwelling. The site contains a number of buildings that have been (or are currently) used for a variety of agricultural and equestrian purposes. However, the property owner has retired and the buildings are becoming superfluous to requirements.

Latham Lane is a semi-rural 'dead end' road (at its northern end). Comprising a small hamlet midway along Latham Lane, neighbouring residential properties are located to the north, south-east and east of the site, while agricultural land lies to the west.

The site lies 1.3 km from the centre of Gomersal to the south, and 1.6 km from the centre of Birkenshaw to the north.

[1] 'Permission in Principle' - Paragraph 001



Agricultural buildings towards the front (east) of the site



Stables / hen huts at western side of the site

Relevant Planning History

None.

Policy Designation

The application site is designated as Green Belt on the Kirklees Local Plan map.

The Proposals – Permission in Principle

This application seeks permission in principle for the erection of up to two dwellings.

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." [2]

Principle – Housing Supply and Delivery

Nationally, the Government [3] 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.

[2] Paragraph 012

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

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% [4], 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 [5], 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.

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.

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 comprises a mix of agricultural and equestrian related buildings / uses, and is therefore a mixed greenfield / brownfield site. Nonetheless, the brownfield / greenfield status of a site is somewhat academic in the context of Grey Belt policy, because the glossary definition includes brownfield or 'any other land'. Appeal decisions nationwide [6] have accepted that greenfield land also falls within the glossary definition – i.e. as 'other land'.

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

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

[4] 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."

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

[6] See for example APP/D3640/W/24/3347530 paragraph 11, or APP/P1805/W/24/3356219 paragraph 5.

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. [7]

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**, the application makes a 'weak or nones' contribution as per the Green Belt Government guidance at Paragraph 005 – i.e. the site is not adjacent to or near to a large built-up area; and is enclosed by existing development (i.e. the existing site buildings and enclosed on two sides by existing dwellings).

For **Purpose B**, the application site also makes a 'weak or none' contribution, as whilst it might weakly be argued it forms a gap between towns, the site comprises only a very small part of this gap, and does not make any material contribution to the visual separation.

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.**

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

Turning then to the criteria of *appropriate development* in the Green Belt in NPPF Policy GB7 (1):

"The following categories of development 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:

(g) 'Development where all 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; and
iv) In the case of major development involving the provision of housing, the development proposed complies with policy GB8

Referring to **GB7 (g) (i),** this states that the assessment must assess the five purposes 'taken together', not individually.

The application site currently comprises agricultural and equestrian buildings and their curtilage / hardstanding areas. The development would be contained entirely within this previously developed area and would not encroach into surrounding undeveloped agricultural fields (countryside).

As such, this proposal is at the very lower end of the scale in terms of **Purpose C**, because the site already contains existing buildings and hardstanding. This contrasts with a considerable number of

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

appeals (including major developments) that have been allowed nationwide on wholly greenfield sites, or on sites where encroachment into the countryside has been considerably greater (see below comments re: Hemel Hempstead appeal for 400+ homes).

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

The application site is not located within an urban area, being beyond the edge of the Gomersal settlement as designated in the Local Plan (i.e. the site is in the Green Belt and the nearest continuous built form is located just to the south-east – which is 'without notation' on the Local Plan Proposals Map). As such, **Purpose E** – to assist in urban regeneration, by encouraging the recycling of derelict and other urban land - is not engaged in this case.

The proposals also comply with Green Belt **Purposes A, B and D** as established above.

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.*

Indeed, within an appeal (since the introduction of Grey Belt policy) for 400+ homes on wholly greenfield land [8], the Inspector stated at Paragraph 153:

"I have found that the appeal site comprises other land that does not strongly contribute to purposes (a), (b), or (d). Even though there is moderate harm to purpose (c), the evidence before this Inquiry does not indicate that the appeal site has a wider strategic role in the functioning of the Borough's Green Belt as a whole. Therefore, in utilising 'Grey Belt' land, the appeal proposal would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the Borough's development plan. This is in line with paragraph 155 (a) of the Framework."

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

Referring to **GB7 (g) (ii)**, the proposed development is for two dwellings 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).**

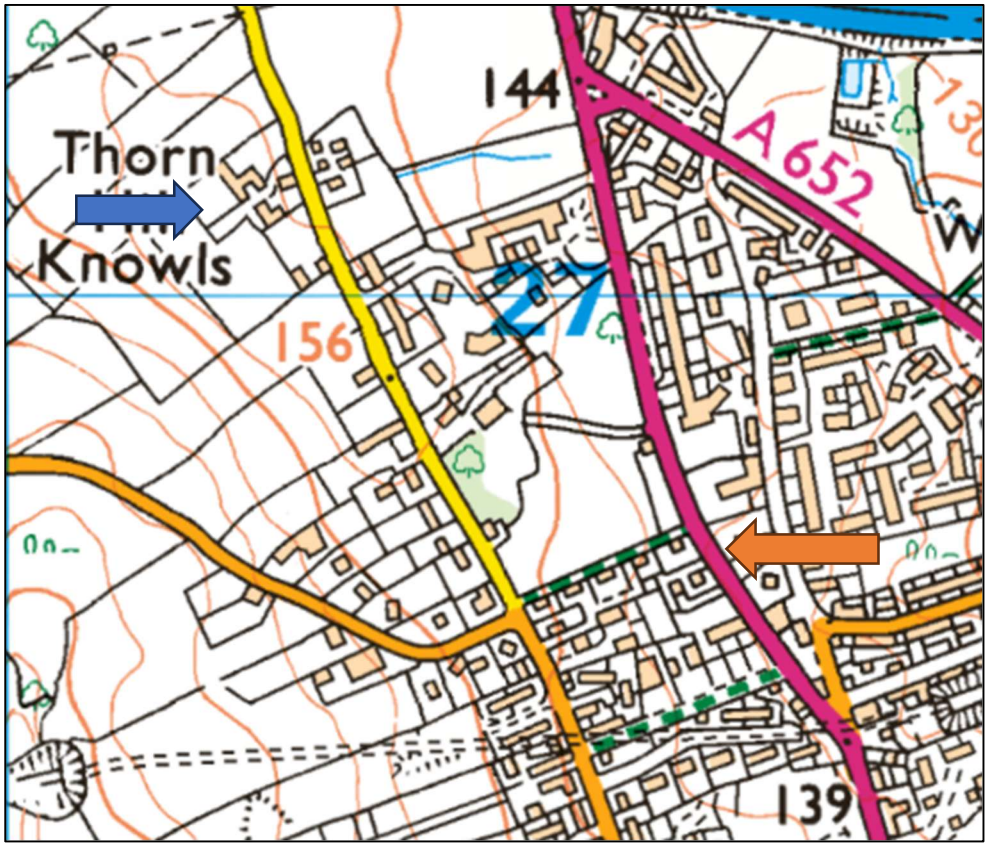
Regarding GB7 (g) (iii), the application site is located 1.3km from Gomersal Local Centre to the south, which is either a 2-minute drive, or a 16 minute walk via direct roads from the application site. The walking routes to Gomersal (including Latham Lane) are served by well lit roads, helping to make them safe. Latham Lane is also very lightly trafficked given the limited number of properties it serves, in addition to there being no through route at its northern end.

Gomersal Local Centre contains the small range of shops, services and community facilities, plus a primary school (Gomersal primary school off Oxford Road).

[8] Appeal decision ref: APP/A1910/W/24/3345435

Public transport is available and offers a very frequent service on nearby Oxford Road, a nine minute walk (650 metres) away (see OS map below showing available public paths linking the site to Oxford Road), serving nearby towns & cities such as Cleckheaton, Huddersfield (the principal town in the borough), Birkenshaw, Brighouse, Heckmondwike, Mirfield, and Leeds:

1) 254/255 service - Huddersfield to Leeds: half hourly service between approx. 6am and 11pm.
2) 261 service – Huddersfield to Heckmondwike: hourly service between approx. 7am and 8pm.



OS Map reproduced on licence – footpaths linking Latham Lane (site blue arrow) with Oxford Road bus stops (orange arrow)

With reference to the DfT Connectivity Tool, the site scores between 50 and 54 and is within 'rural hamlets and isolated dwellings' in the rural-urban classification index. Given this, the site scores within the top 10% percentile on the DfT connectivity matrix for this rural-urban classification, and therefore the relative connectivity score is considered to be very 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 very 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 allowed for rural areas).

Overall, 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.

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.'*

Given the narrow configuration of the site and its irregular shape, the site is considered to be of sufficient size for up to two dwellings, particularly given than access and turning is required for private vehicles, plus the need to provide a reasonable amount of outdoor amenity space. Also, given the size and spacing of surrounding plots in this semi-rural location, two dwellings are considered to be appropriate for the development to remain in keeping with the character of the area (as per the above LP7).

Summary and Planning Balance

The site is just outside the defined settlement boundary of Gomersal 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."

Addressing 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… "

Furthermore, 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 (whether it be 1 or 100 houses). As such, the provision of two dwellings 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:

(a) the proposals represent *appropriate* development in the Green Belt, in compliance with NPPF Policy GB7 (1) (g), and
(b) 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.

Robert Halstead Chartered Surveyors & Town Planners

November 2026

© 2026 Robert Halstead Chartered Surveyors & Town Planners. All rights reserved. No part of this statement may be copied (including being analysed or processed by any Artificial Intelligence devices or software), reproduced, distributed, or transmitted in any form or by any means, including photocopying, recording, or other electronic or mechanical methods, without the prior written permission of the authors.