

UDP

KIRKLEES UNITARY DEVELOPMENT PLAN

WRITTEN STATEMENT – REVISED WITH EFFECT FROM 28 SEPTEMBER 2007

As a result of a Direction issued by the Secretary of State for Communities and Local Government, from 28 September 2007 some of the policies in the UDP continue to have effect ('saved policies') and some do not as they were not saved. This updated version of the UDP contains explanatory text for each not saved policy. Further information about policy saving can be found on the Kirklees website at

<http://www.kirklees.gov.uk/business/regeneration/udp/savedPolicies.aspx>

UDP

KIRKLEES UNITARY DEVELOPMENT PLAN

2. THE DEVELOPMENT FRAMEWORK

2.1 STRATEGY

2.3 LAND WITHOUT NOTATION ON THE PROPOSALS MAP

2.5 URBAN OPEN LAND

2.11 Urban Greenspace

2.15 Provisional Open Land

2.19 Green Corridors

2.30 GREEN BELT

2.34 Outdoor Sport and Outdoor Recreation in the Green Belt

2.38 The Extension of Buildings in the Green Belt

2.39 The Re-use of Buildings in the Green Belt

2.44 Infill Development in the Green Belt

2.45 The Extension of Domestic Gardens into the Green Belt

2.47 Storthes Hall University Site

2. THE DEVELOPMENT FRAMEWORK

STRATEGY

- 2.1 The main function of the plan is to reconcile conflicts between the need for development, including the provision of infrastructure, and the need to protect the built and natural environment. In order to work towards the reconciliation of such conflicts a development framework is required. This defines where development can and cannot be accepted if open land within towns and the countryside around towns are to continue to provide the benefits of visual amenity, opportunities for recreation and habitats for wildlife and to contribute to a sense of place.

D1 DEVELOPMENT PROPOSALS WHICH WOULD LEAD TO A LOSS OF VALUABLE OPEN LAND WITHIN TOWNS OR OF OPEN COUNTRYSIDE WILL NOT NORMALLY BE PERMITTED.

- 2.2 The development framework is based on the policies set out in this chapter together with the provision made in the plan for specific types of development, principally the allocations for housing and business and industry which are shown on the proposals map. Within the built-up areas undeveloped land is either subject to a general policy which applies where there is no specific notation on the proposals map, or to specific urban open land policies. The countryside, and especially undeveloped land between settlements, is protected by green belt policies which are based on a general presumption against inappropriate development.

LAND WITHOUT NOTATION ON THE PROPOSALS MAP

- 2.3 Large parts of the urban areas are not subject to notation on the proposals map principally because comprehensive zoning is considered to impose too much rigidity on the plan, especially as it is clearly not possible to anticipate where proposals for the redevelopment or change of use of property will occur. However, absence of notation does not mean that no policies will be applicable to development proposals which might arise in these areas. There are non site specific policies relating to types of location such as residential areas and to types of development such as house extensions or change of use of houses to business use. Nevertheless, there will be many development proposals to which no specific policy applies. These proposals will need to be determined on their merits taking into account the general considerations which underlie the policies in the plan and the allocations on the proposals map.
- 2.4 Proposed development to which no specific policy applies will need to fit in with the plan's proposals for other land to avoid prejudicing their implementation and thereby frustrating the objectives of the plan. In this context the proposal will itself need to avoid contributing to the over-development of built-up areas (sometimes referred to as "town cramming") and the unnecessary use of energy through encouraging greater car usage. It will also need to avoid detriment to highway safety, residential and visual amenity, the character of the surroundings and wildlife interests. The overloading of infrastructure,

Kirklees Unitary Development Plan, Written Statement

Policies struck through ceased to have effect from 28 September 2007 (having been "not saved" by the Secretary of State). An explanatory note is provided for each not saved policy.

such as drainage, will also need to be avoided. Finally, as with any planning application, the Council may take into account any other material planning consideration, defined in PPG1 as any consideration which relates to the use and development of land and can fairly be related to the application concerned.

D2 PLANNING PERMISSION FOR THE DEVELOPMENT (INCLUDING CHANGE OF USE) OF LAND AND BUILDINGS WITHOUT NOTATION ON THE PROPOSALS MAP, AND NOT SUBJECT TO SPECIFIC POLICIES IN THE PLAN, WILL BE GRANTED PROVIDED THAT PROPOSALS DO NOT PREJUDICE:

- i THE IMPLEMENTATION OF PROPOSALS IN THE PLAN;**
- ii THE AVOIDANCE OF OVER-DEVELOPMENT;**
- iii THE CONSERVATION OF ENERGY;**
- iv HIGHWAY SAFETY;**
- v RESIDENTIAL AMENITY;**
- vi VISUAL AMENITY;**
- vii THE CHARACTER OF THE SURROUNDINGS;**
- viii WILDLIFE INTERESTS; AND**
- ix THE EFFICIENT OPERATION OF EXISTING AND PLANNED INFRASTRUCTURE.**

URBAN OPEN LAND

- 2.5 Undeveloped land not included in the green belt and not allocated for development constitutes 'urban open land'. This takes a number of forms: parks and other public open space, playing fields, allotments, unused land, and agricultural land (usually grazing land). Private gardens and land which constitutes the grounds of large buildings such as factories, offices and hospitals are not included as urban open land because they form amenity and operational space ancillary to residential, industrial and other uses. However, the grounds of schools and colleges have been included as urban open land where they contain playing fields because these represent an extensive and valuable open land resource.
- 2.6 Some urban open land contains buildings; these are mainly in school grounds, but parks and sports grounds may contain pavilions and changing rooms and land in agricultural use may contain farm buildings and scattered dwellings. Most of the urban open land identified in the District is in public ownership, with about 36% privately owned. Much, but by no means all, urban open land has public right of access.

Kirklees Unitary Development Plan, Written Statement

Policies struck through ceased to have effect from 28 September 2007 (having been "not saved" by the Secretary of State). An explanatory note is provided for each not saved policy.

- 2.7 Urban open land fulfils several valuable functions enhancing the quality of life in urban areas. It contributes to the character and visual amenity of many built-up areas, it provides opportunities for recreation and outdoor sport close to where people live and it provides a range of habitats supporting plants and animals.
- 2.8 Some types of urban open land have more value in these terms than others; for example, areas of woodland are likely to be more significant in terms of visual amenity and habitat value than open grassland. However, grass playing fields are important for outdoor sport. Some land with little intrinsic quality may be of value simply because there is no other undeveloped land in the vicinity.
- 2.9 All urban open land sites in excess of 0.4 hectares throughout the District have been assessed to determine their relative value in terms of the factors outlined in paragraph 2.7. On the basis of this assessment most of these sites have been designated either as urban greenspace or provisional open land. Some urban open land sites do not fall into either of the above categories because they are of low value as open land. As they also tend to have little potential for development because of location, slope, access problems or other reasons it is not appropriate to allocate them for a specific use, and they are without notation on the proposals map. Therefore, should development proposals be forthcoming on any of these sites policy D2 will apply. (All areas of urban open land less than 0.4 hectares in extent are also without notation on the proposals map and are similarly covered by policy D2.) Particular considerations apply to some types of urban open land, namely public open space, private playing fields and allotments.¹
- 2.10 The amounts of urban open land designated as urban greenspace and provisional open land and without notation are shown in figure D1 and compared with the area of green belt and the amount of land committed to development.

Figure D1 Policy breakdown of the plan area	Hectares	%	%
a. Total plan area (i.e. Kirklees excluding area within national park)	36398	100	-
b. Area subject to green belt policy	25718	71	-
c. (=a-b) Non-green belt area, i.e. "urban area"	10680	29	100
d. Area subject to urban greenspace policy	1577	4	15
e. Area subject to provisional open land policy	332	1	3
f. Urban open land sites in excess of 0.4 hectares without policy notation	141	-	1
g. Land allocated for development	681	2	6
h. (=c-(d+e+f+g)) "Built up area". (including areas of urban open land less than 0.4 hectares in extent).	7949	22	74

¹ See policies R7A and R9

Kirklees Unitary Development Plan, Written Statement

Policies struck through ceased to have effect from 28 September 2007 (having been "not saved" by the Secretary of State). An explanatory note is provided for each not saved policy.

Urban Greenspace

- 2.11 Those areas of urban open land of identifiable value, irrespective of ownership, are shown on the proposals map as urban greenspace. All areas of public open space and school grounds containing playing fields, in excess of 0.4 hectares, are included in this designation. The total area shown as urban greenspace amounts to almost 1600 hectares or some 15% of the land in Kirklees not covered by green belt. In order to safeguard these sites it will be appropriate to resist development proposals except those which would maintain or enhance a site's value as open land. Proposals of this nature would involve development such as the provision of changing facilities within an area of playing fields or the establishment of a play area within an area of grazing land. Clearly, any development which can be accepted in these terms will need to be carefully conditioned to ensure that it does not prejudice the amenity or ecological value of the site or its use for sport and recreation.
- 2.12 Exceptionally, there may be a case for areas within designated urban greenspace to be released for development not associated with open land uses where it can be shown that the proposed development would result in a specific benefit to the community. The community benefit might take the form of improved school accommodation or sport, recreation, health or social facilities. The development providing the community benefit would not necessarily be located within the greenspace; other types of development may be acceptable within the greenspace provided that it enabled the community benefit to be realised. Usually, only small parts of areas designated as urban greenspace should be considered for development because one of the main functions of urban greenspace is to safeguard the balance within urban areas between the amount of land which is built-up and the amount of open land. It would also need to be demonstrated that the functions of the urban greenspace concerned (for example, providing for sport and recreation) and its quality (for example, as represented by important landscape features) could be maintained.
- 2.12a It may be that development proposals come forward which include alternative urban greenspace provision, for example, the relocation of a playing field to enable a housing development to take place. Where the alternative provision can be demonstrated to be genuinely equivalent in both quantitative and qualitative terms to what currently exists the proposal will be acceptable. However, in the case of the relocation of a playing field or an area for informal recreation the alternative provision will not be considered to be equivalent if current users would be significantly inconvenienced by the need to travel a greater distance to the new location.

D3 ON SITES DESIGNATED AS URBAN GREENSPACE PLANNING PERMISSION WILL NOT BE GRANTED UNLESS THE DEVELOPMENT PROPOSED:

- i IS NECESSARY FOR THE CONTINUATION OR ENHANCEMENT OF ESTABLISHED USES OR INVOLVES CHANGE OF USE TO**

ALTERNATIVE OPEN LAND USES, OR WOULD RESULT IN A SPECIFIC COMMUNITY BENEFIT, AND, IN ALL CASES, WILL PROTECT VISUAL AMENITY, WILDLIFE VALUE AND OPPORTUNITIES FOR SPORT AND RECREATION; OR

- ii INCLUDES ALTERNATIVE PROVISION OF URBAN GREENSPACE EQUIVALENT IN BOTH QUANTITATIVE AND QUALITATIVE TERMS TO THAT WHICH WOULD BE DEVELOPED AND REASONABLY ACCESSIBLE TO EXISTING USERS.**

2.13 Some areas of urban greenspace contain buildings, usually school premises set within playing fields. Factors such as school reorganisation may render these buildings partly or wholly redundant. In these circumstances a change of use or redevelopment to accommodate purposes not associated with open land uses will be appropriate, provided that the use and quality of the associated open land could be safeguarded or enhanced. It would not, therefore, normally be appropriate to increase significantly the area covered by buildings or car parking.

D4 THE CHANGE OF USE OR REDEVELOPMENT OF REDUNDANT BUILDINGS LOCATED WITHIN DESIGNATED URBAN GREENSPACE FOR PURPOSES NOT ASSOCIATED WITH OPEN LAND USES WILL NORMALLY BE PERMITTED PROVIDED THAT THE USE AND QUALITY OF THE ASSOCIATED OPEN LAND WILL BE SAFEGUARDED.

2.14 As urban greenspace includes the most important urban open land it will also be appropriate for such resources and means as the Council may have for the acquisition and improvement of open land for public enjoyment to be directed to these areas.

Provisional Open Land

2.15 Urban open land sites assessed as having less quality than those designated as urban greenspace but nevertheless having identifiable value as open land are designated as provisional open land. These sites are also judged to be capable of development either now or when new infrastructure such as roads and sewers can be provided. The aim of the provisional open land designation is to maintain the character of the land so designated at least during the period until the plan is reviewed when it will be considered for allocation for development.

2.16 Reviews of the plan are required at least every 5 years. The reassessment of provisional open land will involve determining for each site whether in the prevailing circumstances there is a case for releasing some or all of the land for development, or whether it should be maintained as provisional open land until the next review of the plan. Reallocation of provisional open land as green belt or urban greenspace will occur only in exceptional circumstances.

Kirklees Unitary Development Plan, Written Statement

Policies struck through ceased to have effect from 28 September 2007 (having been "not saved" by the Secretary of State). An explanatory note is provided for each not saved policy.

- 2.17 It is intended that there will be an early review of the plan in the context provided by updated regional planning guidance which will take into account the latest population projections. The review will follow the guidance in PPG2 concerning safeguarded land, so that, exceptionally, some land may be removed from the provisional open land designation because it is unfavourably located in terms of achieving sustainable development.
- 2.18 In view of the function of POL and its value as open land, development will generally not be appropriate. However, it is recognised that some forms of development will not prejudice the function and value of the land and may also help to ensure that the land is properly looked after. It will therefore be appropriate to permit development required in connection with established uses, or change of use to an alternative open land use or to temporary uses which would not prejudice the possibility of development after the plan is reviewed, nor be detrimental to the character of the site and its surroundings.

D5 ON SITES DESIGNATED AS PROVISIONAL OPEN LAND PLANNING PERMISSION WILL NOT BE GRANTED OTHER THAN FOR DEVELOPMENT REQUIRED IN CONNECTION WITH ESTABLISHED USES, CHANGES OF USE TO ALTERNATIVE OPEN LAND USES OR TEMPORARY USES WHICH WOULD NOT PREJUDICE THE CONTRIBUTION OF THE SITE TO THE CHARACTER OF ITS SURROUNDINGS AND THE POSSIBILITY OF DEVELOPMENT IN THE LONGER TERM.

Green Corridors

- 2.19 Contiguous areas of urban open land and those which are linked by features such as watercourses, railways (used or disused) or treelined routes, provide "green corridors". The identification of these corridors is based primarily on their value as habitats enabling plants and animals to exist and thrive within the urban area. There is no standard width to a green corridor; they can vary between the width of a stream to the full extent of an area of open land through which a corridor feature such as a stream or disused railway passes. There is evidence that a corridor framework increases the viability of wildlife in urban areas by avoiding fragmentation and isolation of habitats and, clearly, such a framework will enable a closer integration of semi-natural and built environment, improving the quality of urban life.
- 2.20 The benefits of green corridors are not confined to habitat protection and potential opportunities for wildlife movement through the urban area. Green corridors provide visual breaks giving character and identity to built-up areas. The presence of vegetation, particularly trees, in green corridors can help to regulate the local climatic harshness which is a feature of urban areas and can ameliorate pollution by trapping dust, absorbing some air pollutants and noise and screening industrial or commercial areas which are visually intrusive or brightly lit.

Kirklees Unitary Development Plan, Written Statement

Policies struck through ceased to have effect from 28 September 2007 (having been "not saved" by the Secretary of State). An explanatory note is provided for each not saved policy.

- 2.21 The corridors themselves can enable people to walk or possibly cycle through urban areas in unpolluted and uncongested surroundings. There are also opportunities to observe wildlife which provide educational and recreational benefits within urban areas rather than being confined to the relatively remote urban periphery. Public access is therefore the second key factor in establishing green corridors although it will not be appropriate where there would be detriment to wildlife interests.
- 2.22 Watercourses with undeveloped margins and woodlands are potentially the most valuable elements in green corridors. However, even playing fields or grazing land, which provide little habitat value, can be significant as physical links in a corridor across which human and animal movement can occur and footpaths could be provided, and around which planting could be carried out.
- 2.23 Canals and larger watercourses have not been designated as green corridors. While they undoubtedly function as green corridors over parts of their length they also have special characteristics which merit a specific policy approach.² They can, however, be considered to be a significant element in the emerging green corridor network.
- 2.24 Green corridors are shown on the proposals map. Where a green corridor follows a watercourse or a railway formation and a corridor boundary is not represented it is taken to be the "outside" of the margin of the watercourse or railway formation. Where green corridors pass through areas designated as urban greenspace and provisional open land or land allocated for development the line of the corridor is indicative only. A definitive boundary is not necessary because any development proposed within these areas must be considered in the context of the whole site; where a green corridor is shown within the site the development proposal will need to be considered in the light of policy D6. The corridor notation within areas of urban greenspace and provisional open land is intended to ensure that these areas are maintained as links in a green corridor. Within sites allocated for development provision will need to be made to maintain a green corridor along the line indicated or a suitable alternative line which will ensure the continuity of the corridor. Briefs prepared by the Council for the development of allocated land will provide guidance on appropriate treatment of green corridors.
- 2.25 The edges of green corridors tend to be vulnerable to the adverse effects of adjoining land uses. For example, noise and disturbance from industry can reduce the habitat value of an adjoining corridor edge. It will therefore be appropriate to apply policy D6 to development proposed not only for land within a corridor but also for land adjoining the corridor. In the latter case, however, measures required to safeguard the corridor will be likely to be less extensive than those required in respect of development within the corridor.

² See policies R18 and R19

- 2.25a Some green corridors are shown on the proposals map without defined boundaries. In these cases the definition of "adjoining land" is as follows:

where green corridors are shown following watercourses or railway formations the adjoining land is that which borders the identifiable margin of the watercourse or limit of the railway formation;

where green corridors pass through urban greenspace, provisional open land or land allocated for development the adjoining land is the area defined by the boundary of the urban greenspace, provisional open land or allocation.

D6 DEVELOPMENT PROPOSALS INVOLVING LAND WITHIN OR ADJOINING A GREEN CORRIDOR WILL BE CONSIDERED IN TERMS OF THEIR IMPACT ON:

- i PLANTS WITHIN THE GREEN CORRIDOR AND ANIMALS USING IT;**
- ii ANY WATERCOURSE, WATER AREA OR WETLAND WITHIN THE GREEN CORRIDOR;**
- iii THE VISUAL QUALITY OF THE GREEN CORRIDOR;**
- iv PUBLIC ACCESS ALONG THE GREEN CORRIDOR; AND**
- v THE PHYSICAL CONTINUITY OF THE GREEN CORRIDOR.**

PLANNING PERMISSION WILL NOT NORMALLY BE GRANTED UNLESS IT CAN BE DEMONSTRATED THAT THE GREEN CORRIDOR WILL BE SAFEGUARDED OR AN ALTERNATIVE GREEN CORRIDOR WILL BE ESTABLISHED AND THAT THERE WILL BE NO DETRIMENT TO WILDLIFE OR RESTRICTION TO PUBLIC ACCESS.

- 2.26 Wherever development is proposed which would affect a green corridor the Council may seek agreement with the applicant to incorporate as part of the development measures to enhance the quality of the corridor. These might involve planting specific tree or shrub species, creating water areas or providing footpath or cycle links.

- 2.27 The proposals map also identifies breaks in green corridors where there is no obvious corridor feature or area of undeveloped land. The provision of a physical link such as a footpath or planted area which would narrow or close the gap would increase the continuity of the corridor. Should a development proposal be made for land in a gap identified on the proposals map it will be appropriate to seek to secure measures which would help to bridge the gap.

D7 DEVELOPMENT PROPOSALS INVOLVING LAND WITHIN A GREEN CORRIDOR GAP IDENTIFIED ON THE PROPOSALS MAP SHOULD INCLUDE MEASURES WHICH WOULD HELP TO ESTABLISH THE CONTINUITY OF THE GREEN CORRIDOR.

- 2.28 While the control of development is a significant means of protecting and, in some cases, enhancing green corridors, the Council and other owners of land within green corridors can achieve similar or greater protection and enhancement by their management practices. The Council can take a lead in this by adopting appropriate management practices on its own land and encouraging other landowners to take similar action.
- 2.29 Green corridors are intended to secure environmental protection and enhancement in the face of urban development pressures and are therefore not defined within the green belt where there is a presumption against inappropriate development. Nevertheless, the concept of the corridor has a role to play in the countryside where habitats are under threat from some land uses and forms of land management. Therefore wildlife corridors exhibiting a range of habitats have been defined where development proposals will be expected to include specific provision for the safeguarding of nature conservation interests.³

GREEN BELT

- 2.30 Areas in Kirklees to which green belt policies apply were first defined in the West Riding County Development Plan and Town Maps prepared in the 1960's. The West Yorkshire Structure Plan, approved in 1980, confirmed the general area of the green belt in the District and subsequently local plans identified detailed boundaries which in places are different from those originally defined in the County Development Plan and Town Maps.
- 2.31 PPG2 states that the essential characteristic of green belts is their permanence and requires that their protection must be maintained as far as can be seen ahead. It is therefore important when deciding on green belt boundaries that they are drawn so that provision is made for the accommodation of development over the long term. However, Strategic Guidance precludes a review of existing green belt boundaries established in local plans except where regeneration is constrained by a lack of suitable employment sites. The local plan green belt boundaries have only been altered where necessary to accommodate new allocations for business and industry. PPG2 also states that landscape quality is not a material factor in the designation or continued protection of the green belt.
- 2.32 The purposes of the green belt in West Yorkshire have been defined by the Secretary of State in Strategic Guidance as:
- regulating the growth of urban areas,
 - preventing the coalescence of settlements,

³ See Chapter 3 paragraphs 3.9 – 3.12

Kirklees Unitary Development Plan, Written Statement

Policies struck through ceased to have effect from 28 September 2007 (having been "not saved" by the Secretary of State). An explanatory note is provided for each not saved policy.

- preserving the open land that extends into the urban area for recreational and amenity use,
- providing for easy access to open country, and
- assisting in the process of urban regeneration.

Within the green belt there is therefore a presumption against development which is inappropriate to the attainment of these purposes. PPG2 sets out types of development which are not inappropriate within the green belt, reflecting both established uses typically to be found within the areas which are designated as green belt, and the need to maintain an open character which is the key feature which must be maintained if the green belt is to function successfully. Although some development will be appropriate within the green belt it will be important that it is not detrimental to visual amenity because this would be undesirable and could be prejudicial to the achievement of the purposes of the green belt.

~~D8 — WITHIN THE GREEN BELT, EXCEPT IN VERY SPECIAL CIRCUMSTANCES TO BE DEMONSTRATED BY APPLICANTS, PLANNING PERMISSION WILL NOT BE GRANTED FOR INAPPROPRIATE DEVELOPMENT, IE:~~

~~i — THE CONSTRUCTION OF NEW BUILDINGS OTHER THAN FOR AGRICULTURE AND FORESTRY, ESSENTIAL FACILITIES FOR OUTDOOR SPORT AND OUTDOOR RECREATION, LIMITED AFFORDABLE HOUSING WHICH COMPLIES WITH POLICY H11, CEMETERIES AND OTHER USES OF LAND WHICH PRESERVE THE OPENNESS OF THE GREEN BELT AND DO NOT CONFLICT WITH THE PURPOSES OF INCLUDING LAND WITHIN IT, NAMELY :~~

~~REGULATING THE GROWTH OF URBAN AREAS;~~

~~PREVENTING THE COALESCENCE OF SETTLEMENTS;~~

~~PRESERVING THE OPEN LAND THAT EXTENDS INTO THE URBAN AREA FOR RECREATIONAL AND AMENITY USE;~~

~~PROVIDING FOR EASY ACCESS TO OPEN COUNTRY; AND~~

~~ASSISTING IN THE PROCESS OF URBAN REGENERATION; —~~

~~AND~~

~~ii — THE CARRYING OUT OF ENGINEERING AND OTHER OPERATIONS AND CHANGES OF USE UNLESS THEY MAINTAIN THE OPENNESS OF THE GREEN BELT AND DO NOT CONFLICT WITH THE PURPOSES OF INCLUDING LAND WITHIN IT (SET OUT IN i ABOVE).~~

~~**DEVELOPMENT WHICH IS APPROPRIATE SHOULD NOT DETRACT FROM THE VISUAL AMENITY OF THE GREEN BELT BY REASON OF SITING, MATERIALS OR DESIGN.**~~

Policy D8 was not saved because PPG2 covers what constitutes inappropriate development in the green belt, the relevant text of which follows:-⁴

Planning Policy Guidance 2: Green Belts (PPG2)

3. Control Over Development

Presumption against inappropriate development

para 3.1 The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved, except in very special circumstances. See paragraphs 3.4, 3.8, 3.11 and 3.12 below as to development which is inappropriate.

para 3.2 Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development.

para 3.3 Green Belt policies in development plans should ensure that any planning applications for inappropriate development would not be in accord with the plan. These exceptional cases would thus be treated as departures from the development plan, to be referred to the Secretary of State under the Town and Country Planning (Green Belt) Direction 2005.

New buildings

para 3.4 The construction of new buildings inside a Green Belt is inappropriate

⁴ To assist applicants the Council has identified text from relevant sources which it considers provides the most appropriate guidance as to how the issues in this unsaved policy should be addressed in planning applications. However, the selected text is intended to provide general guidance only, is not necessarily exhaustive and does not constitute legal or other professional advice. The Council recommends that applicants should always obtain their own expert advice.

unless it is for the following purposes:

- *agriculture and forestry (unless permitted development rights have been withdrawn - see paragraph D2 of Annex D) (set out under replacement guidance for UDP policy D12);*
- *essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it (see paragraph 3.5 below);*
- *limited extension, alteration or replacement of existing dwellings (subject to paragraph 3.6 below);*
- *limited infilling in existing villages (under the circumstances described in the box following paragraph 2.11), and limited affordable housing for local community needs under development plan policies according with PPG3 (now PPS3) (see Annex E, and the box following paragraph 2.11); or*
- *limited infilling or redevelopment of major existing developed sites identified in adopted local plans, which meets the criteria in paragraph C3 or C4 of Annex C.*

para 3.5 Essential facilities (see second indent of paragraph 3.4) should be genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. Possible examples of such facilities include small changing rooms or unobtrusive spectator accommodation for outdoor sport, or small stables for outdoor sport and outdoor recreation.

*para 3.6 Provided that it does not result in disproportionate additions over and above the size of the **original** building, the extension or alteration of dwellings is not inappropriate in Green Belts. The replacement of existing dwellings need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces. Development plans should make clear the approach local planning authorities will take, including the circumstances (if any) under which replacement dwellings are acceptable.*

Re-use of buildings

para 3.7 With suitable safeguards, the re-use of buildings should not prejudice the openness of Green Belts, since the buildings are already there. It can help to secure the continuing stewardship of land, especially by assisting farmers in diversifying their enterprises, and may contribute to the objectives for the use of land in Green Belts. The alternative to re-use may be a building that is left vacant and prone to vandalism and dereliction.

para 3.8 The re-use of buildings inside a Green Belt is not inappropriate development providing:

- (a) it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it;*
- (b) strict control is exercised over the extension of re-used buildings, and over any associated uses of land surrounding the building which might conflict with the openness of the Green Belt and the purposes of including land in it (e.g. because they involve extensive external storage, or extensive hardstanding, car parking, boundary walling or fencing);*
- (c) the buildings are of permanent and substantial construction, and are capable of conversion without major or complete reconstruction; and*
- (d) the form, bulk and general design of the buildings are in keeping with their surroundings.* (Conversion proposals may be more acceptable if they respect local building styles and materials, though the use of equivalent natural materials that are not local should not be ruled out).*

* Footnote to PPG2 explains that if a planning application is submitted for the re-use of a building which the local planning authority considers has a significant adverse effect on the landscape in terms of visual amenity, it may be appropriate in connection with any proposed structural changes to impose conditions to secure an improvement in the external appearance of the building.

Planning Policy Guidance 2: Green Belts (PPG2)

Mining operations, and other development

para 3.11 Minerals can be worked only where they are found. Their extraction is a temporary activity. Mineral extraction need not be inappropriate development: it need not conflict with the purposes of including land in Green Belts, provided that high environmental standards are maintained and that the site is well restored. Mineral and local planning authorities should include appropriate policies in their development plans. Mineral planning authorities should ensure that planning conditions for mineral working sites within Green Belts achieve suitable environmental standards and restoration. Relevant advice is in MPG2 and MPG7. Paragraph 3.13 below is also relevant to mineral extraction.

para 3.12 The statutory definition of development includes engineering and

other operations, and the making of any material change in the use of land. The carrying out of such operations and the making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt. (Advice on material changes in the use of buildings is given in paragraph 3.8 above).

Land use objectives

para 3.13 When any large-scale development or redevelopment of land occurs in the Green Belt (including mineral extraction, the tipping of waste, and road and other infrastructure developments or improvements), it should, so far as possible contribute to the achievement of the objectives for the use of land in Green Belts (see paragraph 1.6). This approach applies to large-scale developments irrespective of whether they are appropriate development, or inappropriate development which is justified by very special circumstances. Development plans should make clear the local planning authority's intended approach.*

* Footnote to PPG2 refers to C4 of Annex C regarding the redevelopment of major developed sites, which states the following:-

Planning Policy Guidance 2: Green Belts (PPG2)

Annex C

Redevelopment

C4 *Whether they are redundant or in continuing use, the complete or partial redevelopment of major developed sites may offer the opportunity for environmental improvement without adding to their impact on the openness of the Green Belt and the purposes of including land within it. Where this is the case, local planning authorities may in their development plans identify the site, setting out a policy for its future redevelopment. They should consider preparing a site brief. Redevelopment should :*

- (a) have no greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it, and where possible have less;*
- (b) contribute to the achievement of the objectives for the use of land in Green Belts (paragraph 1.6 - see also paragraph 3.13);*
- (c) not exceed the height of the existing buildings; and*

Kirklees Unitary Development Plan, Written Statement

Policies struck through ceased to have effect from 28 September 2007 (having been "not saved" by the Secretary of State). An explanatory note is provided for each not saved policy.

(d) not occupy a larger area of the site than the existing buildings (unless this would achieve a reduction in height which would benefit visual amenity).

2.32a PPG2 also indicates that limited extension of buildings and limited infilling will be appropriate in the green belt.⁵

2.32b Any planning application for inappropriate development in the green belt will be treated as a departure from the plan and will be referred to the Secretary of State.

2.32c In addition to defining the purposes of including land in green belts PPG2 also sets out objectives for the use of land within them as follows:

- to provide opportunities for access to the open countryside for the urban population;
- to provide opportunities for outdoor sport and outdoor recreation near urban areas;
- to retain attractive landscapes, and enhance landscapes, near to where people live;
- to improve damaged and derelict land around towns;
- to secure nature conservation interest; and
- to retain land in agricultural, forestry and related uses.

2.32d PPG2 also advises that when any large scale development or redevelopment including mineral extraction, waste disposal or road building, occurs in the green belt it should "so far as possible, contribute to the objectives for the use of land in green belts". Therefore when the Council is mindful to grant planning permission for large scale development or redevelopment in the green belt or has the opportunity to comment on road proposals or other development which is the responsibility of other agencies, it will investigate the opportunities afforded by the proposal to secure some or all of the defined objectives. In particular the Council will seek the restoration of derelict land, and additional tree planting and other measures to enhance wildlife habitats. In cases where the Council is empowered to grant planning permission the attainment of land use objectives will be secured, where practical, through conditions, or alternatively will be sought through legal agreements.

[PARAGRAPH 2.33 AND POLICY D9 DELETED]

⁵ See policies D11 and D13

Outdoor Sport and Outdoor Recreation in the Green Belt

- 2.34 Outdoor sport and outdoor recreation are appropriate uses within the green belt. In order to accommodate such uses a degree of built accommodation may be proposed, for example, changing rooms or storage for maintenance equipment, in addition to the laying out of pitches or courses. As the principal objective of green belt policy is to maintain an open character by preventing development it follows that any new building, or parking areas, associated with an appropriate green belt use should be no more than is genuinely required to enable that use to be carried on. Even then the consequent impact on the green belt may render a proposal unacceptable. Clearly, it will be preferable if an existing building can be converted to provide the accommodation required. Provision of accommodation for spectators, including car parking, should be unobtrusive and will not be acceptable where it would create a significant and essentially urban element in the landscape as this would be prejudicial to maintaining the open character of the green belt.
- 2.35 In order to accommodate proposals for outdoor sport or recreation the highway access will need to have adequate capacity. If road improvements are necessary it will be important that these do not create a visual element prejudicial to the aim of maintaining an open character.
- 2.36 The sporting or recreational use and associated development will also need to be assimilated without detriment to the landscape, trees or wildlife interests or to established recreational opportunities, such as public rights of way and access areas, all of which are important elements in the green belt. Where the establishment of the new use can bring about positive environmental gains through the restoration of derelict or degraded land, or improvements to the landscape and wildlife opportunities, the essential character of the green belt will be enhanced.
- 2.37 The sporting activity to be accommodated, by its nature and intensity, may be unacceptable in some locations because the noise and other disturbance it would generate, both on site and on the road network leading to the site, would be harmful to the amenity of local residents or people visiting the area for recreation.

D10 IN THE GREEN BELT PROPOSALS FOR OUTDOOR SPORT AND OUTDOOR RECREATION, INCLUDING RELATED FACILITIES, WILL BE CONSIDERED HAVING REGARD TO:

- i THE SCALE AND SITING OF ANY ANCILLARY BUILDINGS, SPECTATOR ACCOMMODATION, ACCESS ROADS AND PARKING AREAS WHICH SHOULD NOT EXCEED WHAT IS ESSENTIAL FOR THE SPORTING OR RECREATIONAL ACTIVITIES PROPOSED;**
- ii THE EFFECT ON THE LANDSCAPE, TREES OR WOODLAND, WILDLIFE OR THE ENJOYMENT OF ANY PUBLIC RIGHT OF WAY OR ACCESS AREA; AND**
- iii THE LEVEL OF TRAFFIC MOVEMENT, NOISE AND OTHER DISTURBANCE WHICH WOULD BE GENERATED.**

The Extension of Buildings in the Green Belt

2.38 The open character of the green belt can be maintained primarily by preventing the growth of built development. However, there are many buildings within the green belt, a large proportion of which are old and likely to be unsuitable to modern requirements, although this may be true of buildings of any age. One means by which they can be adapted to meet current needs is by extension. If building extensions are to be accepted in the green belt it is essential that they should neither prejudice its open character nor be discordant in themselves or in relation to the host building. Consequently they should normally be small in relation to the existing building and designed to harmonise with it. This will avoid detriment to the established character of the area. This consideration will be especially relevant when an extension is proposed to a building which has already been extended.

D11 PROPOSALS FOR THE EXTENSION OF BUILDINGS WITHIN THE GREEN BELT WILL BE CONSIDERED HAVING REGARD TO:

i THE IMPACT ON THE OPENNESS AND CHARACTER OF THE GREEN BELT;

ii THE SIZE OF THE EXTENSION IN RELATION TO THE EXISTING BUILDING WHICH SHOULD REMAIN THE DOMINANT ELEMENT;

AND, IN THE CASE OF TRADITIONAL BUILDINGS,

iii THE EFFECT ON THE CHARACTER OF THE EXISTING BUILDING.

IN THE CASE OF PROPOSALS TO EXTEND BUILDINGS WHICH HAVE ALREADY BEEN EXTENDED THE PROPOSAL SHOULD HAVE REGARD TO THE SCALE AND CHARACTER OF THE ORIGINAL PART OF THE BUILDING.

The Re-use of Buildings in the Green Belt

2.39 Buildings in the green belt which are unused represent a wasted resource and can be eyesores. Therefore, provided that proposals will not prejudice the openness and visual amenity of the green belt, the re-use of such buildings will be beneficial, especially where this assists the diversification of the rural economy, provides a community facility, secures the future of worthwhile buildings or enhances landscape quality. Nevertheless, proposals involving buildings with an existing use for business and industry will also be subject to policy B4 to ensure that potential benefits to local economic activity are not lost by the acceptance of other uses for these buildings.

2.40 However, given that the most important attribute of the green belt is its openness, it will not be appropriate to permit the re-creation of buildings which have virtually fallen down, or the permanent re-use of temporary buildings.

- 2.41 The re-use of buildings may involve the construction of parking areas or vehicle accessways, or the widening and up-grading of existing tracks. Such development will not be appropriate where there would be adverse consequences for visual amenity or the character of the surrounding area.

~~**D12 PROPOSALS FOR THE RE-USE OF BUILDINGS IN THE GREEN BELT WILL BE CONSIDERED HAVING REGARD TO:**~~

- ~~i THE DEGREE OF COMPLETENESS AND THE PERMANENCE OF THE BUILDINGS AND THE EXTENT OF DEMOLITION AND REBUILDING INVOLVED; AND~~
- ~~ii THE EFFECT OF THE PROPOSAL ON THE OPENNESS OF THE GREEN BELT, THE CHARACTER OF THE AREA, VISUAL AMENITY, LANDSCAPE AND WILDLIFE.~~

Policy D12 was not saved because PPG2 provides detailed advice on the re-use of buildings in the green belt, the relevant text of which follows:-⁶

<p><i>Planning Policy Guidance 2: Green Belts (PPG2)</i></p> <p><i>3. Control Over Development</i></p> <p><i>Re-use of buildings</i></p> <p><i>para 3.7 With suitable safeguards, the re-use of buildings should not prejudice the openness of Green Belts, since the buildings are already there. It can help to secure the continuing stewardship of land, especially by assisting farmers in diversifying their enterprises, and may contribute to the objectives for the use of land in Green Belts. The alternative to re-use may be a building that is left vacant and prone to vandalism and dereliction.</i></p> <p><i>para 3.8 The re-use of buildings inside a Green Belt is not inappropriate development providing:</i></p> <p><i>(a) it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it;</i></p> <p><i>(b) strict control is exercised over the extension of re-used buildings,</i></p>

⁶ To assist applicants the Council has identified text from relevant sources which it considers provides the most appropriate guidance as to how the issues in this unsaved policy should be addressed in planning applications. However, the selected text is intended to provide general guidance only, is not necessarily exhaustive and does not constitute legal or other professional advice. The Council recommends that applicants should always obtain their own expert advice.

and over any associated uses of land surrounding the building which might conflict with the openness of the Green Belt and the purposes of including land in it (e.g. because they involve extensive external storage, or extensive hardstanding, car parking, boundary walling or fencing);

(c) the buildings are of permanent and substantial construction, and are capable of conversion without major or complete reconstruction; and

(d) the form, bulk and general design of the buildings are in keeping with their surroundings. (Conversion proposals may be more acceptable if they respect local building styles and materials, though the use of equivalent natural materials that are not local should not be ruled out).*

* Footnote to PPG2 explains that if a planning application is submitted for the re-use of a building which the local planning authority considers has a significant adverse effect on the landscape in terms of visual amenity, it may be appropriate in connection with any proposed structural changes to impose conditions to secure an improvement in the external appearance of the building.

*para 3.9 If a proposal for the re-use of a building in the Green Belt does not meet the criteria in paragraph 3.8, or there are other specific and convincing planning reasons for refusal (for example on environmental or traffic grounds), the local planning authority should not reject the proposal without considering whether, by imposing reasonable conditions, any objections could be overcome. It should not normally be necessary to consider whether the building is no longer needed for its present agricultural or other purposes.** Evidence that the building is not redundant in its present use is not by itself sufficient grounds for refusing permission for a proposed new use.*

** Footnote to PPG2 explains that in the case of a tenanted agricultural building, the value in planning terms of the existing use should however be taken into consideration.

Planning Policy Guidance 2: Green Belts (PPG2)

ANNEX D: RE-USE OF BUILDINGS – ADDITIONAL ADVICE

Agricultural buildings

D1 *It is important to discourage abuse of permitted development rights. Local planning authorities should examine particularly carefully applications for re-use made within four years of the substantial completion of agricultural buildings erected under the General Development Order. This should alert them to the possibility that, when it was substantially completed, the building was in breach of planning control because there was no genuine agricultural justification.*

D2 *When granting permission for the use of agricultural buildings for non-agricultural purposes, local planning authorities should consider whether proliferation of farm buildings constructed under permitted development rights could have a seriously detrimental effect on the openness of the Green Belt. If so, they should consider whether it would be reasonable to attach a condition withdrawing these rights for new farm buildings in respect of that particular agricultural unit or holding. Such a condition should be used with great care, and must fairly and reasonably relate to the proposed development. While a restriction on additions to a particular group of farm buildings without specific permission might be reasonable, a restriction which sought to cover the whole of a large holding in connection with the re-use of a single building might well be unreasonable. Authorities should, where appropriate, include in their local plans a policy indicating the factors that they would take into account. If permitted development rights have been withdrawn, very special circumstances would need to be established for a new agricultural building to be permitted.*

Listed buildings

D4 *If a building is listed, listed building consent may be needed for its conversion as well as planning permission (see PPG15).*

The majority of the countryside in Kirklees is defined as being within the green belt and therefore the content of Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) should also apply. The most relevant sections are set out as follows:-

Planning Policy Statement 7: Sustainable Development in Rural Areas

Re-use of buildings in the countryside

para 17. The Government's policy is to support the re-use of appropriately located and suitably constructed existing buildings in the countryside

where this would meet sustainable development objectives. Re-use for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of building. Planning authorities should therefore set out in LDDs their policy criteria for permitting the conversion and re-use of buildings in the countryside for economic, residential and any other purposes, including mixed uses.

These criteria should take account of:

- the potential impact on the countryside and landscapes and wildlife;*
- specific local economic and social needs and opportunities;*
- settlement patterns and accessibility to service centres, markets and housing;*
- the suitability of different types of buildings, and of different scales, for re-use;*
- the need to preserve, or the desirability of preserving, buildings of historic or architectural importance or interest, or which otherwise contribute to local character.*

para 18. Local planning authorities should be particularly supportive of the re-use of existing buildings that are adjacent or closely related to country towns and villages, for economic or community uses, or to provide housing in accordance with the policies in PPG3 (now PPS3), and subject to the policies in paragraph 7 of this PPS in relation to the retention of local services.

2.42 Where the Council considers that a sensitive design is necessary to protect the character of the building or its surroundings, or to avoid an adverse impact on visual amenity, permitted development rights may be removed when planning permission is granted so that subsequent alterations to the building, the erection of structures such as sheds and walls and the provision of drives and hardstandings will be subject to planning control.

2.43 Where permitted development rights might allow the building proposed for re-use to be replaced by a new structure elsewhere within an associated agricultural or other land holding, the Council will give consideration to the removal of these rights as a condition of a planning permission. Such a condition would apply to those parts of the holding where the erection of a building would be prejudicial to the openness or established character of the area.

D12A WHEN PLANNING PERMISSION IS GRANTED FOR THE RE-USE OF BUILDINGS IN THE GREEN BELT CONDITIONS WILL BE IMPOSED REMOVING PERMITTED DEVELOPMENT RIGHTS FROM SPECIFIED AREAS WITHIN THE ASSOCIATED LAND HOLDING WHERE THE ERECTION OF STRUCTURES PERMITTED UNDER THE GENERAL

PERMITTED DEVELOPMENT ORDER WOULD PREJUDICE THE OPENNESS AND ESTABLISHED CHARACTER OF THE GREEN BELT.

Infill Development in the Green Belt

- 2.44 Many small settlements lie within the green belt. They may contain small sites which could be developed without prejudice to the open character of the green belt. However, development will only be appropriate where it is genuinely small scale and will occupy a small gap in a definable frontage or a small site largely surrounded by development. It will also need to harmonise with its surroundings so that there is no detriment to visual or residential amenity or highway safety.

D13 WITHIN EXISTING SETTLEMENTS IN THE GREEN BELT INFILL DEVELOPMENT WILL NORMALLY BE PERMITTED WHERE:

- i THE SITE IS SMALL, NORMALLY SUFFICIENT FOR NOT MORE THAN TWO DWELLINGS, AND WITHIN AN OTHERWISE CONTINUOUSLY BUILT-UP FRONTAGE, OR**
- ii THE SITE IS SMALL AND IS LARGELY SURROUNDED BY DEVELOPMENT, AND**
- iii NO DETRIMENT WILL BE CAUSED TO ADJOINING OCCUPIERS OF LAND OR TO THE CHARACTER OF THE SURROUNDING AREA.**

INFILL DEVELOPMENT SHOULD BE IN HARMONY WITH EXISTING DEVELOPMENT IN TERMS OF DESIGN AND DENSITY AND CAPABLE OF SAFE ACCESS FROM THE HIGHWAY.

The Extension of Domestic Gardens into the Green Belt

- 2.45 The extension of domestic gardens into the green belt may not prejudice the open character of the green belt where it constitutes infill between existing gardens or the rounding off of a settlement. In some cases the use itself may not be prejudicial but the erection of structures such as sheds and greenhouses or the construction of access roads, drives or vehicle hardstandings under permitted development rights would introduce features which would be harmful to the established character of the area.

~~**D14 PLANNING PERMISSION FOR THE EXTENSION OF DOMESTIC GARDENS INTO THE GREEN BELT WILL NOT BE GRANTED UNLESS THERE WOULD BE NO HARM TO THE ESTABLISHED CHARACTER OF THE AREA.**~~

Policy D14 was not saved because the issues it refers to are covered in PPG2, the relevant text of which follows:- ⁷

Planning Policy Guidance 2: Green Belts (PPG2)

3. Control Over Development

Presumption against inappropriate development

para 3.1 The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved, except in very special circumstances. See paragraphs 3.4, 3.8, 3.11 and 3.12 below as to development which is inappropriate. (see replacement guidance for UDP policy D8);

para 3.2 Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development.

Mining operations, and other development

para 3.12 The statutory definition of development includes engineering and other operations, and the making of any material change in the use of land. The carrying out of such operations and the making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt. (Advice on material changes in the use of buildings is given in paragraph 3.8 above).

⁷ To assist applicants the Council has identified text from relevant sources which it considers provides the most appropriate guidance as to how the issues in this unsaved policy should be addressed in planning applications. However, the selected text is intended to provide general guidance only, is not necessarily exhaustive and does not constitute legal or other professional advice. The Council recommends that applicants should always obtain their own expert advice.

Kirklees Unitary Development Plan, Written Statement

Policies struck through ceased to have effect from 28 September 2007 (having been "not saved" by the Secretary of State). An explanatory note is provided for each not saved policy.

- 2.46 Where the Council takes the view that if planning permission were to be granted subsequent development permitted by the General Permitted Development Order would be harmful to the character of the area, consideration will be given to the removal of these rights as a condition of a planning permission.

Storthes Hall University Site

- 2.47 Huddersfield University acquired the former Storthes Hall Hospital in 1993 to provide both teaching facilities and student accommodation with associated recreation and sporting facilities. The University's master plan for the site envisages the extension of existing buildings, infilling and redevelopment to achieve this. Planning permission was granted for the redevelopment of part of the hospital complex involving extensive demolition and the construction of accommodation for 1500 students. This scheme was substantially completed in 1995.

- 2.48 As the hospital complex is a "major developed site" in the green belt, annex C of PPG2 (1995) provides guidance on what further development may be appropriate. In accordance with this guidance the hospital site is identified on the proposals map and proposals for development within the boundary shown will be subject to policy D15. It is considered that through the operation of policy D15 future development on the land included within this boundary will have no greater impact on the openness of the green belt, and the purposes of including land within it, than the original hospital buildings. The policy also provides scope for that impact potentially to be reduced through the relocation of buildings within the site.

D15 WITHIN THE BOUNDARY SHOWN ON THE PROPOSALS MAP, PROPOSALS FOR THE EXTENSION OF BUILDINGS, INFILLING (IE, THE FILLING OF SMALL GAPS BETWEEN BUILT DEVELOPMENT) AND REDEVELOPMENT (IE, THE REPLACEMENT OF BUILDINGS EITHER IN THE SAME LOCATION OR ELSEWHERE WITHIN THE BOUNDARY) TO ACCOMMODATE THE ACTIVITIES OF THE UNIVERSITY, TOGETHER WITH PROVISION FOR SURFACE CAR PARKING, WILL BE ACCEPTABLE PROVIDED THAT:

- i THEY ACCORD WITH THE TERMS OF A SITE DEVELOPMENT BRIEF;**
- ii THERE WILL BE NO DETRIMENT TO THE OPENNESS OF THE GREEN BELT, TO THE ESTABLISHED CHARACTER OF THE SITE, TO VISUAL AMENITY OR TO THE AMENITY OR PRIVACY OF OCCUPIERS OF EXISTING OR PROPOSED BUILDINGS;**
- iii NO BUILDING WILL EXCEED THE HEIGHT OF THE EXISTING BUILDINGS;**
- iv THE SAFE CIRCULATION OF VEHICLES WITHIN THE SITE WILL NOT BE PREJUDICED;**

Kirklees Unitary Development Plan, Written Statement

Policies struck through ceased to have effect from 28 September 2007 (having been "not saved" by the Secretary of State). An explanatory note is provided for each not saved policy.

v **A HIGH STANDARD OF LANDSCAPING IS ACHIEVED;**

AND, IN THE CASE OF REDEVELOPMENT,

vi **NEW BUILDINGS WILL NOT OCCUPY A LARGER AREA THAN THE BUILDINGS TO BE REPLACED UNLESS THIS WOULD ACHIEVE A REDUCTION IN HEIGHT WHICH WOULD BENEFIT VISUAL AMENITY.**

2.49 The Council has approved a brief to provide additional detailed guidance on the control of development. The brief establishes the extent of the hospital footprint, and hence the extent of the scope for redevelopment in accordance with PPG2, annex C, paragraph 5; provides guidelines on the extension of buildings, infilling and the provision of car parking and on design and landscaping; and identifies areas of visual importance to be protected.