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## Appeal Decision

Site visit made on 30 October 2025

by **N Unwin BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4 February 2026

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**Appeal Ref: APP/Z4718/W/25/3372174**

**Land Off Stocks Moor Road, Stocks Moor, Huddersfield, West Yorkshire  
HD4 6XQ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
  - The appeal is made by Mr Marcus Hall (Construction Industry) against the decision of Kirklees Metropolitan Council.
  - The application Ref is 2025/60/91236/E.
  - The development proposed is for the erection of single dwelling.
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. The application was submitted in outline, with access to be considered at this stage. The remaining matters of appearance, scale, layout and landscaping are therefore reserved for later consideration. I have dealt with the appeal on this basis.

### Main Issues

3. The main issues are:
  - Whether the proposal would constitute inappropriate development in the green belt having regard to the National Planning Policy Framework (the Framework); and
  - The effect of the proposal on the character and appearance of the area.

### Reasons

#### *Inappropriate development*

4. The Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; and that the essential characteristics of Green Belts are their openness and their permanence.
5. Paragraph 155 of the Framework states that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate 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 a demonstrable unmet need for the type of development proposed;
  - c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
  - d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.
- 6. Both main parties are in agreement that the proposal would be within a sustainable location with the proposal within a reasonable walking distance of the settlement of Stocksmoor which contains amenities and services such as a train station. There is additionally a demonstrable unmet need for the type of development proposed given the inability of the Council to currently demonstrate a five-year supply of deliverable housing sites. I see no reason to take an alternative view, even taking into account the interested party representations in this regard. As the proposal does not comprise major development, the Framework's 'Golden Rules' are not applicable. As such, the proposal would comply with criteria (b), (c), and (d) of Paragraph 155 of the Framework.
- 7. The Framework defines grey belt land as land that does not strongly contribute to any of purposes (a) check the unrestricted sprawl of large built-up areas, (b) prevent neighbouring towns merging into one another, or (d) preserve the setting and special character of historic towns, in paragraph 143 of the Framework. The land does not have to be previously developed to be grey belt. The appellant contends that the appeal site forms grey belt land and the Council do not dispute this. The appeal site is not within the vicinity of any large built up areas or towns, including historic towns. Based on the evidence submitted and my observations on site, I am of the view that the appeal site could reasonably be described as grey belt land.
- 8. Given the relative scale of the site compared to the Green Belt as a whole, any encroachment into the countryside would be negligible. Accordingly, it would not fundamentally undermine the purposes (taken together) of the remaining Green Belt in the plan area. The requirements of paragraph 155(a) of the Framework are therefore also satisfied.
- 9. The proposal would be located within grey belt and would meet the requirements under Paragraph 155 of the Framework. The Council have not referred me to any relevant local planning policy in this matter. It would not therefore be inappropriate development within the Green Belt. As such, there is no requirement to demonstrate that very special circumstances exist to justify the development. Nevertheless, I must still consider whether there is any other harm.

#### *Character and appearance*

- 10. The appeal site forms a section of land on the edge of, but outside the settlement of Stocksmoor. The site forms part of an undeveloped section of open agricultural land on the southern side of Stocks Moor Road separating Stocksmoor from the smaller cluster of development at Whitestones Road. The open, undeveloped nature of this area provides a definitive visual break between development, with a notable absence of any ribbon development in between. This absence of development is a notable characteristic of this land, inclusive of the appeal site. Thus, this area, including the appeal site possesses a rural character offering an

unrestricted vista to the south positively contributing to the character and appearance of the area particularly when viewed from Stocks Moor Road.

11. The proposal would introduce a single dwelling to the south of Stocks Moor Road. There would be a notable distance between the proposal and the development forming Stocksmoor and Whitestones Road on the southern side of Stocks Moor Road. The proposal would intrude within the undeveloped open agricultural land appearing a visually discordant and urbanising presence, disconnected from the two clusters of development to the east and west. Its visual presence from Stocks Moor Road would be enhanced by the slightly elevated position of the appeal site and therefore its prominence within the street scene. Whilst matters relating to appearance, scale, layout and landscaping are reserved, any residential development within this location would disrupt the natural rural grain of the landscape, interrupting the undeveloped vista to the south from Stocks Moor Road, eroding the rural character of the area.
12. The appellant has drawn my attention to various appeal decisions they consider relevant to this proposal. However, these are all for much larger scale development and thus would not be comparable to that before me. Moreover, the effect of any development on the character and appearance of an area is highly context specific. These decisions therefore do not alter my view that the introduction of a single dwelling into a plot surrounded by open, undeveloped land would be discordant with, and harmful to, the character of the area. These decisions do not therefore weigh in favour of the proposal.
13. For these reasons, the proposal would unacceptably harm the character and appearance of the area. Consequently, in this regard, it would conflict with the relevant provisions of Policy LP24 of the Kirklees Local Plan Strategy and Policies (2019) (the Local Plan) and Chapter 12 of the Framework. When read together these require development to respect and enhance the character of the landscape, and are sympathetic to local character and landscape setting.

### **Other Matters**

14. I note the appellant has selected Self-build and Custom Build within the application form. Given I have not been presented with any mechanism to secure this, I cannot afford this matter any weight. As I am dismissing the appeal for other reasons, I have not considered the implications of this for the issue of Biodiversity Net Gain any further.

### **Planning Balance**

15. It is common ground that the Council cannot currently demonstrate a five-year supply of deliverable housing sites. The evidence indicates that the current supply is 3.96 years and in this circumstance paragraph 11(d) of the Framework is engaged. The evidence does not indicate that paragraph 11(d)(i) applies to the proposal. Therefore, I shall consider the proposal against the test in paragraph 11(d)(ii).
16. The development would result in unacceptable harm to the character and appearance of the surrounding area, contrary to the aforementioned policy of the Local Plan which is highly consistent with the Framework and to which I therefore attach significant weight. This is sufficient to bring the development into conflict with the development plan when read as a whole. Development that conflicts with the

development plan should normally be refused unless material considerations indicate otherwise.

17. The development would provide a dwelling within a reasonable walking distance of services and facilities, therefore making a small but beneficial contribution to the supply of housing land; as well as providing social and economic benefits during construction and after occupation. Housing delivery is supported by the Framework and, therefore, this benefit weighs in favour of the proposal. However, the contribution that would be made by a single dwelling would be modest and, therefore, the weight attached to these benefits is limited.
18. Overall, whilst there is a shortfall in the five-year housing land supply, in the specific circumstances of this case, the adverse impacts of the development would significantly and demonstrably outweigh the benefits of the development when assessed against the policies of the Framework, when taken as a whole. Therefore, the presumption in favour of sustainable development does not apply.

### **Conclusion**

19. The proposal conflicts with the development plan when considered as a whole and the material considerations do not indicate that a decision should be made other than in accordance with the development plan. Therefore, the appeal is dismissed.

*N Unwin*

INSPECTOR