



PLANNING STATEMENT

**OUTLINE RESIDENTIAL DEVELOPMENT
(LAYOUT AND MEANS OF ACCESS)**

AT

15 SHELLEY WOODHOUSE LANE

SHELLEY WOODHOUSE

HUDDERSFIELD

HD8 8NB

JULY 2017

CLIENT:

Background

This Planning Statement (PS) has been prepared to support an outline planning application (layout and means of access) for residential development on land adjacent to 15 Shelley Woodhouse Lane, Shelley Woodhouse, Huddersfield.

Site Context

The site lies within the settlement of Shelley Woodhouse to the east of Shelley Woodhouse Lane and some 200m from the junction of Shelley Woodhouse Lane with Huddersfield Road (B6116). The village of Shelley is approximately 1km to the west and the village of Skelmanthorpe is approximately 1km to the east.

The site lies adjacent to 15 Shelley Woodhouse Lane and has existing residential properties on either side. The site contains a disused residential garage but is otherwise overgrown. There is open land to the rear and access to the site is from Shelley Woodhouse Lane.

The site is within the green belt in the Kirklees Unitary Development Plan (UDP), which remains the local plan for the area.

Summary of proposed scheme

Residential development - one unit with access from Shelley Woodhouse Lane

Planning history

A previous planning application for a single dwelling on the site (2007/92633) was refused in August 2007.

Planning Policy Context

National planning policy guidance is provided by the National Planning Policy Framework (NPPF).

As the site is in the green belt, then section 9: “Protecting green belt land” is material to this application. Paragraph 87 states –

As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Furthermore, the first part of paragraph 89 states –

A local planning authority should regard the construction of new buildings as inappropriate in Green Belt.....

However, the second part of paragraph 89 states there are exceptions whereby development will not be regarded as inappropriate. One of these exceptions is “limited infilling in villages” –

A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

.....

- *limited infilling in villages....*

Section 7: “Requiring good design” states, at paragraph 61 –

Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Local planning policy guidance is provided by the Kirklees Unitary Development Plan (UDP).

Many of the UDP policies that relate to the proposed development and that are covered above were not “saved” in 2007. Several UDP policies on green belts were not saved as it was considered that they repeated national planning policy.

However, a policy that was retained in relation to proposed infill sites in the green belt is policy D13. This states that –

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.

There are other policies within the UDP relating to the proposed development. In terms of design, policy BE1 states –

All development should be of good quality design such that it contributes to a built environment which:

- i creates or retains a sense of local identity;*
- ii is visually attractive;*
- iii promotes safety, including crime prevention and reduction of hazards to highway users;*
- iv promotes a healthy environment, including space and landscaping about buildings and avoidance of exposure to excessive noise or pollution;*

v is energy efficient in terms of building design and orientation and conducive to energy efficient modes of travel, in particular walking, cycling and use of public transport.”

It is considered that the criteria within Policy BE2 are also relevant –

*New development should be designed so that:
it is in keeping with any surrounding development in respect of design, materials, scale, density, layout, building height or mass;
the topography of the site (particularly changes in level) is taken into account;
satisfactory access to existing highways can be achieved; and
existing and proposed landscape features (including trees) are incorporated as an integral part of the proposal.”*

The layout of the site is set out in policy BE12 (space about buildings) –

New dwellings should be designed to provide privacy and open space for their occupants, and physical separation from adjacent property and land. The minimum acceptable distances will normally be:

- i 21.0m between a habitable room window of a dwelling and a habitable room window of a facing dwelling;*
- ii 12.0m between a habitable room window of a dwelling and a blank wall or a wall containing the window of a non-habitable room;*
- iii 10.5m between a habitable room window of a dwelling and the boundary of any adjacent undeveloped land; and*
- iv 1.5m between any wall of a new dwelling and the boundary of any adjacent land (other than a highway).*

Distances less than these will be acceptable if it can be shown that, by reason of permanent screening, changes in level, or innovative design, no detriment would be caused to existing or future occupiers of the dwellings or any adjacent premises or potential development land which may be affected.

With respect to transport, policy T10 states that development proposals should not create or materially add to highway safety or environmental problems.

Development appraisal

It is contended that the proposed development represents an infill site for the purposes of paragraph 89 of the NPPF and policy D13 of the UDP.

A previous application for a dwelling was refused in 2007. This decision was not appealed. The reasons for refusal are set out below -

- 1) *The site lies within an area which has received approval as green belt within which it is intended that new development be severely restricted. The proposed new dwelling is neither appropriate to the green belt nor are there special reasons why it should be permitted in this case. It is therefore contrary to Policy D8 of the Kirklees Unitary Development Plan.*
- 2) *The site does not form part of a continuously built up frontage nor is it surrounded by development; in such circumstances the proposed does not constitute infill development and would detract from the open character of the Green Belt contrary to Kirklees Unitary Development Plan Policy D13.*
- 3) *The proposed fails to provide adequate turning facilities for domestic vehicles to the detriment of road safety contrary to Kirklees Unitary Development Plan Policy T10.*

With reference to the reasons for refusal as set out above, policy D8 of the UDP no longer applies as it has been superseded by the NPPF. It is considered that, with reference to para 89 of the NPPF and policy D13,

the site lies within the built-up area of Shelley Woodhouse, which is a short distance from the services and facilities of both Shelley and Skelmanthorpe.

Furthermore, it is argued that the site forms part of an “existing settlement” for the purposes of policy D13 and a “village” for the purposes of the NPPF. The plans provided to support the application show a layout for a single, small, detached property which is considered to be on a “small site” within the same policy.

A disused residential garage also exists on the site and it is held that the existence of this garage, plus a lack of any further boundaries, means that the site has been, and indeed continues to be, in residential use. As such, the principle of the use of the land for residential purposes has been established.

Therefore, for the purposes of the policies within the NPPF and the development plan, it is contended that the site comprises infill development within an existing settlement or village. The site is small and is both part of a continuously built-up frontage and is also largely surrounded by development.

No detriment will be caused to adjoining occupiers as space about buildings standards can be satisfied and there will be no detriment to the character of the surrounding residential area. The development will harmonise with the surrounding area and is capable of safe access from the highway.

Access to the site is from Shelley Woodhouse Lane and this is an existing access that previously served a residential garage. As such, it is argued that there would be no intensification of the existing use. There is adequate turning space within the site for vehicles to manoeuvre.

Other material considerations

It is considered that there is no ecological value to the site (see supporting Ecology Report) and that there are no issues of contamination, flood

risk, or protected trees. A CMRA has also been provided to support the application.

Conclusion

It is concluded that the construction of a dwelling in this location does not represent inappropriate development within the green belt, as the proposed development can be considered to be a limited infill plot within an existing village by virtue of the fact that it is a small plot within an otherwise continuously built-up frontage and which is also largely surrounded by development. Therefore, the principle of development is held to comply with UDP policy D13 and paragraph 89 of the NPPF.