



# **PLANNING STATEMENT**

**PROPOSED DWELLING**

**AT**

**17 JAGGER LANE  
KIRKHEATON  
HUDDERSFIELD  
HD5 0QZ**

**JUNE 2017**

*CLIENT:*

## Introduction

This Planning Statement has been prepared to support a planning application for a new dwelling to replace outbuildings at 17 Jagger Lane, Kirkheaton, Huddersfield.

The site lies within a small group of houses and associated outbuildings on Jagger Lane, which is to the west of Kirkheaton. The site is bounded by Jagger Lane to the north, residential properties on Jagger Lane to the east, and open land to the south and west.

The site currently contains a garage and outbuildings, which are all in residential use and which are part of the land owned by 17 Jagger Lane.

The site lies within the green belt in the development plan for the area.

## Summary of Proposed Development

The proposed dwelling will replace the existing garage and outbuildings.

## Planning History

A planning application for alterations to convert existing outbuilding to dwelling including formation of new access was approved in December 2013. A start on site was made by the applicant in terms of works to construct the proposed access road.

A planning application for the demolition of existing buildings and erection of 1 dwelling was refused in August 2016. The reason for refusal stated -

*1. The application site is located within the designated Green Belt, whereby, as set out in the National Planning Policy Framework (NPPF), the construction of new buildings, subject to certain exceptions, is regarded as inappropriate development. The proposed dwelling does not meet any of the exceptions for new buildings within the Green Belt. Furthermore, very special circumstances to justify the development that*

*would clearly outweigh the harm caused to the Green Belt by reason of its inappropriateness, and any other harm, have not been demonstrated. The proposal represents inappropriate development that would result in a form of development that would reduce the openness of this part of the Green Belt and result in encroachment into the countryside. Furthermore, the design of the dwelling is such that it would fail to respect the character of the area and would therefore harm the visual amenity of this part of the Green Belt. The proposal is contrary to chapters 9 and 7 of the NPPF and Policies BE1(i,ii) and BE2 (i) of the Kirklees Unitary Development Plan.*

It is conceded that the supporting information provided with this application did not provide evidence as to why the proposed scheme was not inappropriate development in the green belt and that little justification was provided as to the design of the new building. The principle of development is therefore set out below and a separate Design Statement has been provided with the application to justify the design of the proposed dwelling.

## **Planning Policy**

The planning permission granted in 2013 allowed for the conversion of the existing garage to a dwelling in line with national and local planning policy (under para 90 of the NPPF).

The scheme that was refused in December 2016 proposed that, in the interests of sustainable construction and improved design / visual impact, an amended dwelling design could be accommodated in principle within the site (given that the 2013 permission would be a fallback position).

It is contended that there have been no material changes to either national or local planning policies since the permission in 2013 and the refused application in 2016. Therefore, the principle of a new dwelling on this site is still considered to be acceptable, subject to detail, by virtue of the 2013 permission.

The principle of a replacement building within the green belt is set out in para 89 of the NPPF -

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

.....

- *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*

.....

The building to be replaced (the outbuilding) is in residential use and has previously had a permission for a continued residential use as a separate dwelling. In addition, further residential outbuildings within the site will be demolished (see Development Appraisal) - the demolition of these buildings was not included as part of the 2016 refusal.

## **Development Appraisal**

For the reasons set out above, it is held that the general principle of a new dwelling on this site has been established by virtue of the 2013 permission. As such, it is contended that matters such as curtilage size and the impact of domestic paraphernalia were agreed with the LPA within that permission.

The issues raised by the LPA in respect of the refused 2016 application in terms of inappropriateness are held to be overcome by the consideration of the proposed development within para 89 of the NPPF as set out above.

There will be no overall negative impact on the openness of the green belt as the cumulative volume of buildings to be demolished (the garage and associated outbuildings) is set out below -

Existing Garage - 186 cubic metres

Existing Outbuildings - 152 cubic metres

Total existing volume = 338 cubic metres

Proposed Dwelling - 338 cubic metres

Therefore, the effect on the openness of the green belt will be exactly neutral and the new building will not be materially larger than the one(s) it replaces.

Full details of the design rationale for the scheme are contained in an supporting Design Statement submitted with the application. This Design Statement is held to overcome the second part of the reason for refusal, in that the proposed scheme is considered to fully respect the character of the local area and therefore to not harm visual amenity.

Access to the site is off Jagger Lane (as existing) with sufficient space within the site to allow for the parking and manoeuvring of vehicles. The access will be constructed from crushed stone so as to reflect the nature of the area.

## **Conclusion**

Therefore, given the information above, it is considered that the amended scheme has effectively addressed the concerns of the LPA with respect to the refused application given that a) a dwelling has previously been approved on this site; b) the proposed dwelling will have an overall neutral impact on the openness of the green belt; c) the amended design