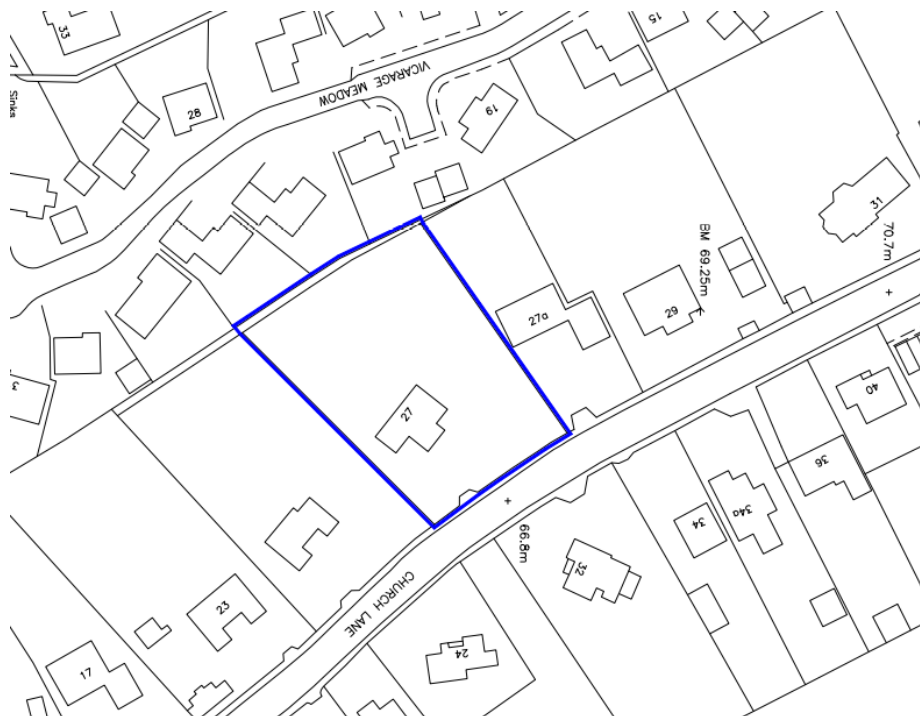


PLANNING JUSTIFICATION STATEMENT

OUTLINE APPLICATION

Dated: 3rd November 2020

Applicant:	Mr G Young
Proposed Development:	Outline application for the erection of a single detached dwelling
Site Address:	27 Church Lane, Mirfield WF14 9HX



Contents:

- 1 Introduction**
- 2 Proposal**
- 3 Purpose of Development**
- 4 Site Description**
- 5 Planning Policy Context**
- 6 Planning Justification**

1 Introduction

- 1.1 This statement has been prepared in support of our outline planning application for the erection of a single dwelling at 27 Church Lane, Mirfield.
- 1.2 It must be read in conjunction with the full planning application documents and drawings. Any illustrations within this document do not take precedence over the formal application scheme drawings and are intended primarily to illustrate points made in the text.

2 Proposal

- 2.1 Outline Planning Consent is sought for the following:
- **Erection of a single detached dwelling**
 - **Means of access**
 - **Siting**

3 Purpose of Development

- 3.1 The proposed development will deliver a new home in an area where there is high demand new housing. It will utilise an over-sized garden plot and is regarded as infill development that makes the most efficient use of the site.

4 Site Description

- 4.1 The site lies within the development limits of Mirfield. It comprises 1160 sqm of land within an over-sized garden plot. It is bounded on all sides by large suburban housing. The site itself has no allocation on the new Kirklees Local Plan.
- 4.2 The site has a frontage to Church Lane and contains several mature trees. Of these, 5 oak trees and a beech tree are protected by two Tree Preservation Orders and these lie in the front portion of the site. A further two trees adjacent to the site at 27a Church Lane are also afforded the same protection.



Figure 1: Aerial Location Plan (courtesy of Google Earth Pro)

- 4.3 The plot lies approximately 0.9km from Mirfield Town Centre and 0.75km from Ravensthorpe District Centre. Both centres contain a full range of local services. A regular bus service operates along the A644 Huddersfield Road giving direct access to both centres. The nearest bus stop lies 335m from the site at the junction of Church Lane and Huddersfield Road.



Figure 2: Close-up aerial photo of site (courtesy of Google Earth Pro)

4.5 There is no recent planning history for the site. However, an outline application for a single detached dwelling and garage was approved in 1989 (ref: 89/60/02385/A2) and this was renewed in 1992 (Ref: 92/60/05322/A2).

4.6 Site Details

Post Code: WF14 9HX

Grid Reference: SE21212020

Easting: 421216 Northing: 420207

5 **Planning Policy Context**

5.1 Consideration has been given to national, regional and local planning policy & guidance in the preparation of our development proposal. A description of the most relevant policies are as follows:

5.3 Kirklees Local Plan

The new Kirklees Local Plan was adopted in February 2019. It forms part of the statutory development plan for the district. The most relevant policies are:

- LP 1 – Presumption in favour of sustainable development
- LP 7 – Efficient use of land & buildings
- LP 11 – Housing Mix and Affordable Housing
- LP21 – Highway Safety and Access
- LP22 - Parking
- LP24 – Design
- LP28 - Drainage
- LP33 - Trees
- LP52 – Protection and improvement of environmental quality

5.4 National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 2012 and revised July 2018, together with Circulars, Parliamentary Statements and associated technical guidance. The NPPF constitutes the most relevant guidance for local planning authorities and is a material consideration in determining applications. The following chapters are most relevant:

- Chapter 2: Achieving sustainable development
- Chapter 5: Delivering a sufficient supply of homes
- Chapter 11: Making efficient Use of land
- Chapter 12: Achieving well designed places
- Chapter 15: Conserving and enhancing the natural environment

6 **Planning Justification**

Principle of Development

- 6.1 The proposed site lies within the development limits of Mirfield. The land is part of a large garden plot and is surrounded by housing. The site is suitable for residential development. It will contribute to the supply of housing and help achieve a mix of different house types in North Kirklees in an area where there is clear demand for family housing. This is not a greenfield site and it lies in a sustainable location with good access to public transport and local amenities. There is a presumption in favour of developing such sites under Local Plan Policy LP1 and in Chapter 2 of The Framework and therefore the principle of development for housing purposes is accepted.
- 6.2 It is considered that the proposal will deliver sustainable economic development and that it satisfies the requirements of Policy LP3 (Location of new development) as set out below.

Policy LP3

Location of new development

Development proposals will be required to reflect the Spatial Development Strategy, Policy LP1 Presumption in Favour of Sustainable Development and Policy LP2 Place Shaping. This means:

1) Development should reflect:

- a. the settlement's size and function; and
- b. place shaping strengths, opportunities and challenges for growth; and
- c. spatial priorities for urban renaissance and regeneration; and
- d. the need to provide for new homes and jobs;

2) Development will be permitted where it supports the delivery of housing and employment growth in a sustainable way, taking account of the following criteria:

- a. delivering the housing and job requirements set out in the Local Plan;
- b. the need to maintain a supply of specific deliverable sites, in accordance with national policy and enabling the delivery of allocations set out in the Local Plan or in Neighbourhood Plans;
- c. ensuring that opportunities for development on brownfield (previously developed) sites are realised early in the plan, subject to maintaining a five year supply of housing land and to delivering the overall housing and jobs requirements;
- d. ensuring delivery of housing and jobs in smaller settlements to meet local housing and employment needs;
- e. ensuring that proposals have regard to connecting links to existing green and blue infrastructure networks;
- f. co-ordinating housing and employment land delivery with the provision of new infrastructure.
- g. providing access to a range of transport choices and access to local services.

- 6.3 We also consider that our proposal accords with other relevant Policies of the Kirklees Local Plan and will not prejudice the implementation of any site-specific designations contained within it. Detail policy requirements are explained below.

Scale, Design, Visual Impact

- 6.4 Chapter 11 of the NPPF and Local Plan Policy LP7 of the adopted Kirklees Local Plan seeks to make the most efficient use of land in order to meet the need for new housing. Paragraphs 122 and 123 require local authorities to consider housing densities and to avoid low densities where there is a shortage of land to meet housing demand.
- 6.5 A single detached dwelling is proposed for this site. The opportunity to achieve a higher density on this site is limited due to several mature trees that are in good condition and are protected by TPO's. It is also considered that a single dwelling is the most appropriate form of development for this site as it reflects the distinctive character of the surrounding area. This is predominantly low density, consisting of large detached dwellings set within generous garden plots behind boundary walls. It is considered the development proposed will retain this character. Any attempt to increase the size and density on this plot will compromise policies LP22 (parking),

LP33 (trees) and LP24 (design). A single dwelling is therefore the most appropriate scale of development for this site.

- 6.6 This is an outline application. At this stage permission is sought for access and siting only. The proposed single dwelling will be set back on the plot to protect mature trees along the frontage. It will be served directly from Church Lane by a new private drive. It is anticipated that the dwelling will be two-storey and constructed of building materials to match and compliment adjacent properties. The house will have a footprint of 128 sqm. Detail design of the proposed house type will be submitted under a separate reserved matters application.

Amenity

- 6.6 The proposed new dwelling will benefit from a front garden that will provide access, parking and turning. To the rear is an enclosed private amenity space. Given the proposed siting of the proposed dwelling it is anticipated that a detail scheme can be designed to satisfy space about building standards and protect the privacy and amenity of neighbouring properties to comply with Kirklees Local Plan Design Policy LP24.
- 6.7 The proposed garden area is several times greater than the footprint of the proposed house.

Environmental Protection

- 6.8 The site comprises previously undeveloped land. Old maps show that the land was part of Blake Hall Park, and consisted of open parkland that surrounded a large manor house. In the late 1920'S plots of land fronting Church Lane were sold off and a number of large dwellings erected. This included 27 Church Lane. Land immediately to the north of 27 Church Lane (i.e. the proposed building plot) has always been garden. Therefore, the risk of potential land contamination is negligible.
- 6.9 It is considered that the proposal satisfies the criteria set out in Policy LP 52 and LP 55 in the adopted Local Plan

Highways

- 6.10 The proposed dwelling will be served by a private drive taken from Church Lane. To facilitate this requires the removal of 2 mature oak trees identified as specimens T8 and T9 in our tree survey and identified as such on plan 364-P02. Both trees were classified as unsuitable for retention by our arboriculturist as they suffer from severe decay. The new access has a splay at the entrance and provides a sightline of 2.4m x

43m to the kerb-line in both directions. This is shown on our proposed drawing 364-P02.

- 6.11 A bin store will be constructed at the entrance from Church Lane to house wheelie bins for both general and green waste. This is also shown on our proposed drawing.
- 6.13 Adequate car parking provision (i.e. 3 spaces plus a double garage for a 4 or 5 bed dwelling) have been illustrated on our proposed drawing. This complies with Kirklees Local Plan Parking Policy LP22.
- 6.14 It is considered our submitted proposal satisfies Policy LP21 (Highway Safety).

Ecology

- 6.15 The site is currently cultivated as a private garden. It is considered to be of relatively low ecological value. However, it must be noted that the scheme proposes to retain the majority of the mature trees on the site and those that are to be felled will be replaced with appropriate species planted elsewhere on the plot. Once the new house is built the gardens will remain.

Trees

- 6.16 There are 27 trees and 1 group within the site. Many of these trees (particularly those at the front of the site) are worthy of retention. However, 4 trees (T8 - Oak, T9-Oak, T12 - Beech and T17 – Poplar) are in a poor condition and recommended for removal by One World Arboriculture in their tree report. All three trees were found to be suffering from severe decay/ damage, displaying signs of hollowing and rot. A fourth tree T14 (Hawthorn) is also proposed to be removed. This was identified as having minor defects including hollowing, dead wood and suffering from continuous removal of branches. Two further trees (T7 – Sycamore and T13 – Cherry) are required to be removed to facilitate the development. Their removal and replacement provide the opportunity to set back the new dwelling towards the rear of the plot and by doing so retain and protect most of the other mature trees at the front of the site. A further 6 trees (T18, T19, T20, T21, T22A - Poplars and T22 - Acacia) are considered to be poor species and it is considered their removal and re-planting with more appropriate species will improve the overall quality of planting within the site.
- 6.17 The new access road utilises the space created by the removal of trees T7 and T8 to provide a meandering drive to serve the dwelling and provide adequate parking and turning. Due to the proximity of trees at the front of the house various protection

measures are proposed. These include use of a 'Cellweb' system for the construction of the private drive and the erection of fences to provide adequate tree protection during the build phase. (see section our Tree Impact Assessment and drawing 364-P02 for details).

- 6.18 To facilitate the new development the removal of T9 (Sycamore) and T12 (Beech) are necessary to provide the necessary parking and turning within the site. Both are described in the tree survey as being in fair to good condition and having a moderate amenity value. A re-planting scheme is proposed as part of our scheme

Foul Water

- 6.19 It is proposed to connect to the existing main sewer.

Surface Water

- 6.20 It is proposed to discharge all surface water to soak-away.
- 6.21 All hard-standings for vehicle turning and parking will be permeable and comply with Environment Agency's "Guidance on the permeable surfacing of front gardens (Sept 2008)". Proposals are contained in our proposed block plan 364-P02. This satisfies the requirements outlined in Condition 9 of our outline consent. This complies with policy LP28.

Landscaping

- 6.20 Details of all hard and soft landscaping will be submitted for approval under a separate reserved matters application

Materials

- 6.21 Details of all construction materials will be submitted for approval under a separate reserved matters application. Nevertheless, it is anticipated that the proposed dwelling will be constructed of materials that match and complement those of adjacent dwellings.

Conclusion

- 6.21 The principle of developing this site for housing purposes is set out above in accordance with Kirklees Local Plan Policy PLP1 (Presumption in favour of sustainable development), PLP3 Location of New Development) and PLP11 (Delivering a mix of housing).
- 6.22 Our outline scheme meets highway, environmental and design policies set out in the in the detailed environmental policies contained in the Local Plan. Our proposal is the most appropriate use of the site helping to deliver the supply of new homes in an area where there is high demand.
- 6.23 The scheme has been carefully designed to minimise the loss of protected trees. Two decaying trees have been removed to facilitate the new access. Other ornamental and small trees to the rear have been removed and replaced with more suitable species under a replanting scheme recommended by our arboriculturist.
- 6.24 We therefore ask that you give this proposal your favourable consideration.