

PLANNING STATEMENT

Erection of a single dwelling

**Land East of 2 Scopsley Green
Whitley Lower
Dewsbury
WF12 0NF**

February 2023

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Contents

LIST OF FIGURES	4
1 INTRODUCTION	5
Context.....	5
Planning History	5
2 SITE LOCATION AND DESCRIPTION	6
The Site and Surroundings.....	6
Proposed Development.....	6
3 PLANNING POLICY	7
Kirklees Local Plan.....	7
National Planning Policy Framework & Guidance	8
4 PRINCIPLE OF DEVELOPMENT	11
Acceptability in Principle	11
5 MATERIAL PLANNING CONSIDERATIONS	12
Visual Amenity.....	12
Impact on Residential Amenity.....	12
Impact Upon Highway Safety	13
Ecology Impacts	13
Impact to Trees	13
Flood Risk and Drainage	14
6 CONCLUSION	15
Planning Balance.....	15

LIST OF FIGURES

List of figures	
Site in context	1.1

1 INTRODUCTION

Context

- 1.1 This Planning Statement has been prepared by DPA Planning Ltd on behalf of Mr and Mrs Dawkins (the "Applicant") to accompany a planning application for the erection of a dwelling (the "Proposed Development") at Land East of 2 Scopsley Green (the "Application Site").
- 1.2 This report is to be read in conjunction with all other submitted documents which are listed as follows:
- Completed planning portal application form;
 - Design and Access Statement,
 - 001 Site Location Plan;
 - 11039—01 – Topographical Survey;
 - 11039-02 – Elevations; and
 - 30990-1110-P03 – Proposed elevation and floorplans.

Planning History

- 1.1 The application site is a rectangular plot of land which currently forms part of the domestic curtilage of 2 Scopsley Green. The relevant planning history for 2 Scopsley Green is as follows:
- 2022/20080 - Pre-Application advice for the erection of a dwelling on land east of 2 Scopsley Green.
Following the advice received this full planning application has been submitted.
 - 2008/91743 – Erection of single storey extension. Granted.
 - 92/05279 – Erection of two-storey extension. Granted.

2 SITE LOCATION AND DESCRIPTION

The Site and Surroundings

- 2.1 The application site is a plot of land located to the north east of the applicants dwelling, '2 Scopsley Green'. The plot of land currently forms part of the domestic curtilage of 2 Scopsley Green and comprises an area of hardstanding which can be accessed from Scopsley Green and a grassed area which extends towards the north east. The application is located within a predominantly residential area, however it is designated as within the Green Belt.



Figure 1.1: Application site in context

Proposed Development

- 2.1 As detailed within the design and access statement and submitted plans, the applicant wishes to erect a single two-storey dwelling within the plot of land.
- 2.2 The new three-bedroom dwelling has been designed to match the wider street scene with similar architectural features and details. The overall design is simplistic with two gable ends and windows have been arranged to balance the elevations and provide adequate natural lighting to all living spaces without creating overlooking to any neighbouring properties. The development also proposes off street parking for 2 vehicles. Additionally, the new dwelling is proposed to be energy efficient and save on carbon emissions by having with an air source heating and electricity supported by solar panels.

3 PLANNING POLICY

Kirklees Local Plan

- 3.1 Paragraph 2 of the National Planning Policy Framework (NPPF) states that planning law (namely Section 38(6) of the Planning & Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. The development plan for Kirklees Council is the Local Plan, adopted on 27th February 2018.
- 3.2 Relevant Kirklees Local Plan Policies include:
- LP 1 – Presumption in favour of sustainable development
 - LP 2 – Place shaping
 - LP 3 – Location of new development
 - LP 11 – Housing mix and affordable housing
 - LP 20 – Sustainable travel
 - LP 21 – Highway safety
 - LP 22 – Parking
 - LP 24 – Design
 - LP 28 – Drainage
 - LP 30 – Biodiversity and geodiversity
 - LP 33 – Trees
 - LP 51 – Protection and improvement of local air quality
 - LP 52 – Protection and improvement of environmental quality
 - LP 53 – Contaminated and unstable land.
- 3.3 Other guidance includes:
- Kirklees Housebuilders Design Guide (2021)

National Planning Policy Framework & Guidance

- 3.4 The National Planning Policy Framework (NPPF) was last updated in July 2021. Local Planning Authorities (LPAs) are required to take its content into account when preparing their Development Plans and it is a material consideration when making decisions on planning applications or appeals.
- 3.5 Paragraph 7 of the NPPF states that 'The purpose of the planning system is to contribute to the achievements of sustainable development'. According to Paragraph 8, 'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- i) An economic objective
 - ii) A social objective
 - iii) An environmental objective
- 3.6 Paragraph 12 relates to the presumption given to sustainable development 'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'
- 3.7 Section 5 of the NPPF details how a sufficient supply of homes will be delivered. Paragraph 60 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 3.8 Section 12 states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places

in which to live and work and helps make development acceptable to communities. Paragraph 130 goes on to state that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to local character and history.

3.9 Section 13 of the NPPF places importance on protecting green belt land. Paragraph 149 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- 0g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to

meeting an identified affordable housing need within the area of the local planning authority.

There are other relevant areas of policy will be mentioned in the following sections of this report.

4 PRINCIPLE OF DEVELOPMENT

Acceptability in Principle

- 4.1 The application site lies within the green belt as defined within the Kirklees Local Plan Policies Map- Sheet 2 (Figure 1.2). The NPPF at paragraph 149(e) states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, except where they constitute limited infilling within villages.



Figure 1.2: Extract from Kirklees Local Plan Policies Map – Sheet 2

- 4.2 The supporting text within Policy LP59 of the Kirklees Local Plan also states that any application for infill development within the Green Belt will be judged in the first instance on whether the settlement is a village for the purposes of Green Belt policy.
- 4.3 As Whitley Lower has many characteristics of a village, with a frequent bus services, a shop, a public and further community facilities it is considered that it is considered a village.
- 4.4 The proposed development meets the requirements of both the NPPF and Policy LP59 of the Kirklees Local Plan for infill development within the Green Belt. It is therefore considered that the small plot for a single dwelling within an otherwise continuously built-up frontage, is in principle considered acceptable subject to the consideration of other material planning considerations which are discussed in turn in the following section of this report.

5 MATERIAL PLANNING CONSIDERATIONS

Visual Amenity

- 5.1 The design, scale and orientation of the proposed dwelling has been considered so that the development would have a low impact and well assimilated into the surrounding area.
- 5.2 As shown in the submitted plans and support Design and Access statement, the proposed development takes features of the existing dwelling with materials selected to be consistent with the surrounding buildings.

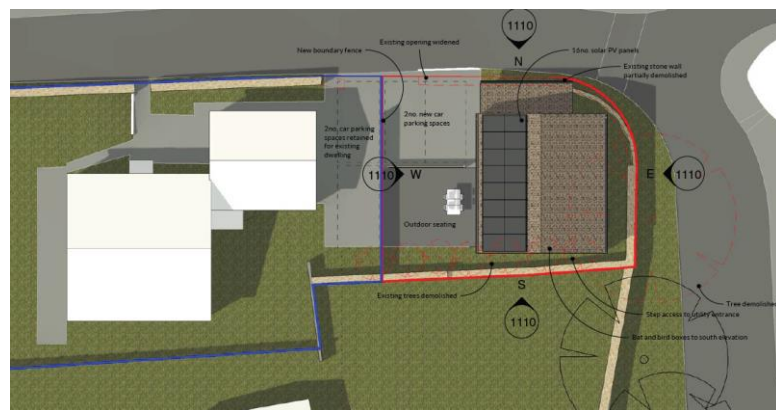


Figure 1.3: Extract from the submitted plans

- 5.3 The design and scale of the proposal has taken account of the recommendations listed in the councils pre application response and therefore retains the local identity and complies with Local Plan policies LP1, LP2 and LP24 and the Kirklees Housebuilders Design Guide.

Impact on Residential Amenity

- 5.4 The plot is large enough to accommodate a single dwelling with two off street parking spaces and will maintain privacy and the amenity of dwellings opposite. Views from the proposed dwelling would not cause overlooking or overbearing to any neighbouring properties and internally the proposed development would fully comply with national space standards. Externally there will be plentiful space for private amenity as well as suitable boundary screening from proposed fencing along the driveway and planting to the rear.

Impact Upon Highway Safety

- 5.5 With regard to transport, Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.6 The site would be accessed via the existing entrance from Scopsley Green. There are no changes proposed to this point of access which has clear visibility, furthermore two off street parking spaces are included in the proposed development as shown in the submitted plans.

Ecology Impacts

- 5.7 Local Plan Policy LP30 refers to biodiversity and geodiversity. This policy requires development proposals to result in no significant loss or harm to biodiversity, minimise the impact on biodiversity and provide net biodiversity gains through good design and habitat creation where opportunities exist.
- 5.8 The application site is identified as being located within the Bat Alert Layer on the Council's mapping system. The proposal would not involve any demolition, and as such, it is considered that the proposal would be unlikely to pose harm to bats or bat roosts.
- 5.9 Policy LP30 of the Kirklees Local Plan, Principle 9 of the Housebuilders Design Guide SPD and the Biodiversity Guidance Note states that biodiversity net gain is required for all development. A bat and a bird box have been proposed to the south elevation as indicated in the submitted plans. These will ensure that the development provides a net biodiversity gain through good design by incorporating biodiversity enhancements.

Impact to Trees

- 5.10 In order to open up the application site and enhance natural lighting for the proposed dwelling, trees are to be removed as indicated in the proposed plans. During pre-application the Council's Trees officer had been consulted regarding the tree removal and confirmed that there are no protected trees on the site. The only tree in close proximity is a small cherry growing adjacent to

the road. Whilst the cherry provides some public amenity, it is not in a location that would be desirable in the long term.

Flood Risk and Drainage

- 5.11 The application site is located within Flood Zone 1 which is the minimum classification for land with regards likely risk of flooding. The existing connections to foul and surface water drainage on site will be utilised.
- 5.12 The internal arrangement has been designed to ensure a simple and efficient drainage strategy. Foul and surface water drainage will be kept separate until the last point before discharging from the site. Drainage is proposed to discharge into the mains sewer.

6 CONCLUSION

Planning Balance

- 6.1 Paragraph 2 of the NPPF states that planning law (namely Section 38(6) of the Planning & Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.
- 6.2 The applicant has directly responded to suggestions from the planning officer from the pre application. The design and scale of the development is appropriate for the application site. With the principle of this infill development in the Green Belt considered acceptable and other material considerations assessed without concerns there are no national or local policies which identify this type of development as unsustainable or unacceptable.

