

Design & Access Statement

Land Adjacent to 52 Ingham Road

Dewsbury

West Yorkshire

WF12 0AQ

Erection of One Detached Dwelling

August 2023

Planning Management

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CONTENTS

Page

- 1. INTRODUCTION - 2
- 2. SITE AND SURROUDINGS - 3
- 3. PROPOSED DEVELOPMENT - 5
- 4 INVOLVEMENT- 8
- 5. HISTORY - 9
- 6. RELEVANT PLANNING POLICY - 10
- 7. ASSESSMENT - 13
- 8. CONCLUSION -21

1.0 INTRODUCTION

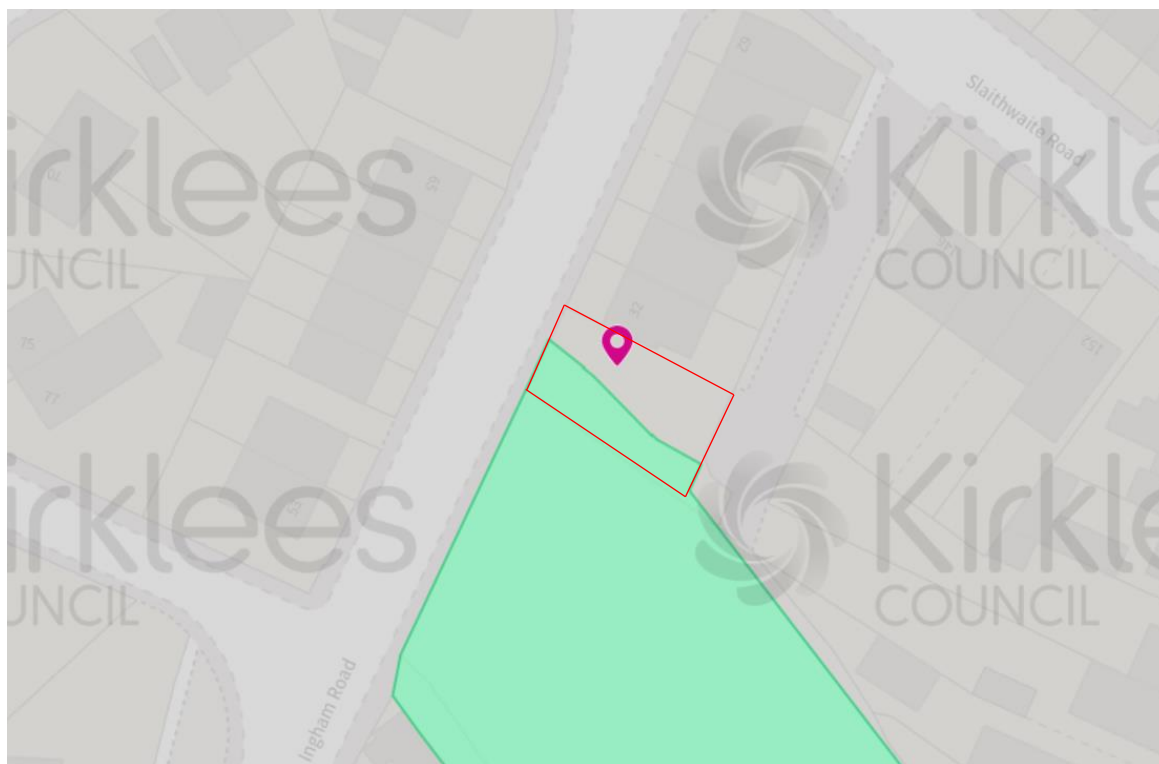
- 1.1 This Design and Access Statement is submitted by 'Planning Management' on behalf of the applicant Mr Altaf Moosa who is currently in the process of acquiring the Freehold of the proposed land from Kirklees Councils Property Section. The land is located adjacent to the gable of the end terrace dwelling No.52 Ingham Road, Dewsbury. The land proposed was historically used as a garage site (single garage), an application was then submitted and approved in 2008 for it to be an extended garden area of No.52 Ingham Road, however it was not formerly adopted as such. The land is currently vacant, has no formal purpose, and has been in this disused state for at least the past 15 years, although maintained.
- 1.2 The Vision for Kirklees is for a mix of high-quality housing which offers choice and meets the needs of all communities including affordable housing. The challenges of an ageing population will have been addressed and a range of housing and employment choices available to attract and retain younger age groups within the district to build sustainable communities.
- 1.3 In terms of housing delivery, the government's aspirations for housing delivery and shift in emphasis to focus more on home ownership options means that the council will need to enable a variety of approaches and work creatively and collaboratively with development partners to deliver housing growth and tenures which meet needs.
- 1.4 National planning policy states that the Local Plan should identify and plan to meet the full objectively assessed needs for market and affordable housing within the relevant market area. This includes an assessment of current demographic information, market trends, affordability and other relevant information.
- 1.5 The application site would be a small windfall site. The total number of new homes built on windfall sites since 1999/2000 (excluding residential gardens) was 15,165 (an average of 892 per annum). Windfall sites have therefore been a reliable source of supply in Kirklees over the past 17 years. The "brownfield first" policy in previous national planning policy and the council exceptions approach to greenfield development during much of this period restricted the development of greenfield housing allocations. This may have led to an increase in delivery on windfall sites as particularly brownfield sites were developed in the absence of available greenfield capacity.
- 1.6 However, National planning policy changes have removed restrictions on the development of greenfield sites and as the Local Plan allocates significant capacity on new housing sites it is unlikely that past levels of windfall completions will be sustained throughout the Local Plan period.
- 1.7 The applicant would like to work with the Council in order to secure approval for the proposed use.

2.0 SITE AND SURROUNDINGS

- 2.1 The application site is located adjacent to the end terrace and its gable elevation No.52 Ingham Road, Dewsbury. The site is grassed over and is relatively flat and measures approximately 9m x 18.5m. Vehicular access into the site is provided from the front along Ingham Road which leads to a small hardstanding area, a prefabricated garage previously stood at the site but is now removed. The site is currently fenced off. An unadopted vehicular access from Slaithwaite Road is located to the rear of the site.
- 2.2 52 Ingham Road is a two storey dwelling of traditional Victorian design and constructed of natural stone to the front, finished in cream render to the side, and red brick to the rear. Natural slates are used for the roof with upvc used for the window and door frames. The property has been extended to the rear by a single storey extension. A number of properties along this terrace are either extended by single storey extensions or two storey flat roofed extensions. The other end terrace (north) positioned on the corner of Ingham Road and Slaithwaite Road (Fredsters) is in mixed use with a takeaway use at ground level and accommodation on the upper floors.
- 2.3 Directly to the south of the site is Urban Green Space (Ingham Road Allotments). It should be noted that a small portion of the site also includes this Urban Green Space allocated under the Council's Local Plan (2019).
- 2.4 The surrounding area is predominately residential with a mixture of detached, semi detached and terraced properties in the vicinity of the site.



Above: The site is located to the south of 52 Ingham Road and to the north of Ingham Road Allotments.



The Councils Local Plan above indicates the site located in the defined urban area. It is also noted that a portion of the land coloured green is allocated as Urban Green Space as part of the wider Ingham Road Allotments (south).

3.0 PROPOSED DEVELOPMENT

- 3.1 The applicant is applying for planning permission to construct one detached dwelling. The proposed dwelling would consist of a living room, separate sitting room, kitchen/dining room, and an integral garage at ground floor, three bedrooms and a bathroom on the first floor. Storage space would be provided in the loft. The garden areas of the dwelling would be provided to the front, back and to the side of the dwelling.
- 3.2 The dwelling design originates from the existing terrace dwellings along Ingham Road. The proposed dwelling would consist of similar features including dual pitched roof design, well-proportioned windows with stone heads and cills, natural stone along the front elevation with red brick walls to the front and rear and a slate roof construction.
- 3.3 The elevation heights, window sizes and openings have been designed as a continuation of neighbouring dwellings, whilst the part two and single storey elements to the rear are proportionate in size. Usable private garden space for the future owners of the property would be to the rear and side of the dwelling. Shrub planting and lawned areas would be introduced to the site in order to reduce any hard appearance of the dwelling when viewed from the street/close quarters.
- 3.4 In terms of parking, the proposal would provide two car parking spaces for the dwelling. This would include a parking space within the integral garage, and the second space externally located to the rear. The existing front vehicular access would be omitted and replaced by a pedestrian pathway only. Vehicular access would be from Slaithwaite Road via the unadopted back street.
- 3.5 The bin storage area would be located in the rear amenity space.



Above image shows the site to the front with No.52 Ingham Road to the left. The application site is large in size and mainly disused.



Above image shows the unadopted road to the rear via Slaithwaite Road which would be used for access to the rear of the proposed site.



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PROPOSED FRONT ELEVATION
SCALE 1:100

■ FASCIA TO
FRONT ELEVATION



Above image shows the context of the site.

4.0. INVOLVEMENT

- 4.1 No formal pre-application advice in this instance has been sought from the Council. However, informal discussions have taken place with the Council's acquisitions team in relation to the disposal of this land. It has been established that a Design & Access Statement is required to explain and justify the development using policy and guidance. The scheme put forward is an acceptable proposal providing quality development in this area.
- 4.2 This Statement has been submitted as part of this planning proposal to provide a reasoned justification of the proposal using local and national planning policy and guidance.
- 4.3 The issues of Highways safety, amenity of the surrounding area, design and the principle of the development are taken into consideration in the assessment below.

5.0 HISTORY

5.1 A history check has been undertaken which has revealed the below planning history for the site, the relevant planning history includes;

[Application 2022/91873](#)

[Erection of single and two storey extensions and associated alterations](#)

[52, Ingham Road, Thornhill Lees, Dewsbury, WF12 0AQ](#)

[Received on 27-May-2022](#)

[Application refused, comment period has ended](#)

[Application 2022/91809](#)

[The proposal is for erection of single storey rear extension. The extension projects 4m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 4m, the height of the eaves of the extension is 3m](#)

[52, Ingham Road, Thornhill Lees, Dewsbury, WF12 0AQ](#)

[Received on 25-May-2022](#)

[Application other, comment period has ended](#)

[Application 2008/92306](#)

[CHANGE OF USE FROM GARAGE SITE TO GARDEN](#)

[LAND ADJACENT,52 INGHAM ROAD,DEWSBURY,WF12 0AQ](#)

[Received on 20-Jun-2008](#)

[Application approved, comment period has ended](#)

[Application 2008/91675](#)

[CHANGE OF USE FROM GARAGE SITE TO GARDEN](#)

[LAND ADJACENT,52 INGHAM ROAD,DEWSBURY,WF12 0AQ](#)

[Received on 02-May-2008](#)

[Application refused, comment period has ended](#)

[Application 86/05706](#)

[Erection of extension to form kitchen and bathroom](#)

[52, Ingham Road , Thornhill Lees, Dewsbury,](#)

[Received on 18-Dec-1986](#)

[Application approved](#)

6.0 RELEVANT PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that decisions should be made in accordance with the development plan unless material considerations indicate otherwise.

6.2 The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019). It states that 'Our vision needs to consider what Kirklees should be like in the future if the needs and aspirations of those who live, work in or visit Kirklees are to be met whilst retaining the characteristics that make it attractive and distinctive. It also needs to be flexible to allow us to respond to future challenges in a way that is right for Kirklees and its residents and businesses.'

6.3 The statement vision for Kirklees is that people will have access to a range of local facilities including services, health-care and education provision, and adequate infrastructure. Places will be well-connected encouraging sustainable travel including increased opportunities for walking and cycling and improved links to other parts of the Region and beyond.

6.4 The following Local Plan policies have relevance to the proposal:

LP 1 ACHIEVING SUSTAINABLE DEVELOPMENT

LP 2 PLACE SHAPING

LP3 LOCATION OF NEW DEVELOPMENT

LP7 EFFICIENT AND EFFECTIVE USE OF LAND AND BUILDINGS

LP11 HOUSING MIX AND AFFORDABLE HOUSING

LP21 HIGHWAY SAFETY

LP 22 PARKING

LP 24 DESIGN

LP 30 BIODIVERSITY

LP61 URBAN GREEN SPACE

SUPPLEMENTARY PLANNING DOCUMENTS (SPDS)

Housebuilders Design Guide (June 2021)

Highway Design Guide SPD (November 2019)

NPPF (2021)

- 6.5 The NPPF clearly states ‘that the purpose of the planning system is to contribute to the achievement of sustainable development’ (paragraph 7). Paragraph 10 confirms that ‘in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development’. Paragraph 11 states that a presumption in favour of sustainable development is at the heart of the NPPF. It goes on to say that ‘for decision-taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay;
or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 6.6 Paragraph 122 of the NPPF states that planning policies and decisions should support development that makes efficient use of land, taking into account:
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- 6.7 Paragraph 130 of the NPPF, advises that Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 6.8 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.
- 6.9 The general perspective of the NPPF is that planning should proactively drive growth and support sustainable economic development. It also states that planning should make effective use of land by reusing land that has been previously developed and sets out a presumption in favour of sustainable development. The government

is committed to ensuring that the planning system does everything it can to support sustainable economic growth.

National Planning Practice Guidance (NPPG)

- 6.10 The government published its NPPG on 6 March 2014. This is intended to complement the NPPF and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all previous planning Circulars and advice notes have been cancelled. Specific reference will be made to the NPPG or other national advice in the Analysis section of the report, where appropriate.

7.0 ASSESSMENT

7.1 The proposed site is located within the urban boundary of Dewsbury as designated within the Councils Proposal Map. A portion of the land is Urban Green Space (Allotments). The site has no other land use designations.

Principle

7.2 Policy LP1 of the Kirklees Local Plan (KLP) states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

7.3 Policy LP3 (Location of new development) states that Development will be permitted where it supports the delivery of housing and employment growth in a sustainable way.

7.4 Whilst Policy LP7 (Efficient and effective use of land and buildings) states that to ensure the best use of land and buildings, proposals:

c. should give priority to despoiled, degraded, derelict and contaminated land provided that it is not of high environmental value;

7.5 Policy LP11 (Housing Mix) states that all proposals for housing must aim to provide a mix (size and tenure) of housing suitable for different household types which reflect changes in household composition in Kirklees in the types of dwelling they provide, taking into account the latest evidence of the need for different types of housing.

7.6 The proposed development of the land will bring a largely disused piece of land into a suitable and sustainable use that would provide quality accommodation for existing families living in the area. It is positioned in a sustainable location, and an opportunity has arisen where investment can be made to bring the land to a more suitable functional use and where it would not have a negative impact on the surrounding area.

7.7 The site is well located in relation to residential dwellings, typical family housing accommodation in an urban area so as to support urban regeneration and protect the countryside.

7.8 The proposal would provide good quality housing accommodation, which is much needed in this inner urban area close to Slaithwaite Road Local Centre to the north which consists of an Asian supermarket, takeaway,

and hair and beauty salon. The dwelling would complement the character of the area by bringing a large sized unused land into functional use. The proposal would consider the needs of the local community, protect the surrounding built environment and provide the future occupiers with services within walking distance reducing the need to travel.

- 7.9 The effect on residential amenity by reason of noise or other nuisance would be minor given its location amongst other similar residential uses. There may be some noise penetration from cars using Ingham Road, however this is not considered to be overwhelming, furthermore, good level of acoustics would be provided throughout the construction of the dwelling to meet regulatory standards.
- 7.10 The proposed development would provide access and parking arrangements and where all existing and proposed dwelling would retain and have sufficient garden space. In addition to the above, privacy would be maintained, and no serious detriment would occur to the character of the area enjoyed by other residents. This is further discussed below.
- 7.11 It is also considered that the proposal would not have a detrimental effect on the safe and efficient operation of the existing transport and road infrastructure. Highways safety is further discussed in the relevant section below.
- 7.12 In respect of the above policies, the surrounding area is predominantly residential, and therefore residential is considered as a complimentary use to the existing character of the area. In addition, the site is located in a sustainable area with good access and facilities, and which makes efficient use of the land whilst delivering an appropriate use for the site. The NPPF as mentioned above states the Government's objective of significantly boosting the supply of homes.
- 7.13 In light of the above it is considered that the principle of providing a residential unit at the application site is acceptable.

Urban Green Space

- 7.14 Policy LP61 (Urban Green Space) states that Development proposals which would result in the loss of urban green space (as identified on the Policies Map) will only be permitted where:
- a. an assessment shows the open space is clearly no longer required to meet local needs for open space, sport or recreational facilities and does not make an important contribution in terms of visual amenity, landscape or biodiversity value.

7.15 A small portion of the site to the south is allocated as Urban Green Space as explained. An assessment is therefore provided below which considers the loss of this space to residential development. However, it should be noted that this would not be a total loss of the open space but would be a loss of a very small portion of the Ingham Road allotments, and which does not make an important contribution in terms of visual amenity or landscape value. Please see photos below;



March 2003.



November 2012.



October 2008.

- 7.16 The above images show the site from the 2008 up to 2023 (present). This clearly shows the allotments sectioned off from the proposed site by green palisade fencing for a period of at least 15 years. As seen by the images above, the allocated urban space within the site is disused, does not contribute to the allotments and is overgrown. The open space is clearly no longer required to meet local needs for open space and does not make an important contribution in terms of visual amenity, landscape or biodiversity value.
- 7.17 Given the above, the proposed site would be better used to provide housing in this location where it would meet the mentioned national and local policy and guidance.

Amenity

- 7.18 Local Plan policy LP24 states that proposals should ensure good design by ensuring developments minimise the impact on residential amenity of future and neighbouring occupiers.
- 7.19 It has already been established above that the principle of providing residential accommodation at the site would be acceptable, consideration should also be given to the immediate surrounding area and mainly to the existing dwellings surrounding the site. The area in general and in its wider context is described as established residential, and the proposal would therefore complement the existing land uses around the area. It is however important to ensure that the proposal would not impact unduly on matters such as overlooking, overshadowing, noise, and other pollution effects.

7.20 In relation to noise it should be acknowledged that there would be some road noise from the somewhat busy Ingham Road during daylight hours. However, the site is close to existing residential properties, and in this location, where Ingham Road itself is not a main road, and with sufficient acoustics, the noise from neighbouring uses and the road will not have a significant impact on the amenity of future occupiers or from external noises. The rear elevation would face an unadopted cul de sac with no passing traffic.

7.21 In respect of other matters, it is important that the development provides adequate space about buildings. The SPD provides guidance;

‘For two storey houses typical minimum separation distances are advised’:

- 21 metres between facing windows of habitable rooms at the backs of dwellings;
- 12 metres between windows of habitable rooms that face onto windows of a non-habitable room;
- 10.5 metres between a habitable room window and the boundary of adjacent undeveloped land; and
- for a new dwelling located in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metres distance from the side wall of the new dwelling to a shared boundary.

7.22 The guidance goes on to state that ‘Normally new build developments should seek appropriate separation distances for servicing, accommodating future adaptations and creating attractive street scenes. **These should be in keeping with the character and context of the site** and proportionate to scale of the dwellings’.

7.23 It is considered that there would be no concerns regarding the distances to both the side and rear elevations, the side elevations of the dwellings would not provide habitable rooms and more than 21m would be provided between the rear elevation and neighbouring buildings.

7.24 Although a distance of only 17m would be provided from the proposed front elevation of the dwelling to the terrace properties on the other side of Ingham Road (where 21m as a guide should be provided), this distance from habitable room to habitable room is considered acceptable in this instance given the context and character of the area which is described as urban and close knit. As such, there would be no overlooking from the proposed dwelling given this would be in keeping with the surrounding context of the site.

7.25 In terms of overshadowing, the proposed dwelling would not be any taller and would continue the streetscape and building line along the important front elevation. The rear elevation includes a part two, part single storey outrigger, however, the two storey element has been positioned away from the neighbouring property No. 52

Ingham Road, in addition, this property has a 3m single storey extension which has a similar projection to the rear to that of the proposed dwelling.

- 7.26 Given the design and distances to neighbouring properties, the proposed dwelling would not cause overshadowing that would be detrimental to the amenity of any neighbouring occupiers. These distances, and the design proposed is therefore in accordance with the guidance provided in the SPD.
- 7.27 As explained above, the proposed development would adequately provide the level of amenity that would be expected for a residential property within this area. The proposal would be compatible with the density and character of the surrounding development.
- 7.28 With regard to the living conditions of future occupiers of the property, it is noted that each habitable room within the building would be provided with natural light and ventilation, with an outlook onto the garden areas and road to the front and beyond.
- 7.29 Bin storage areas would be provided to the back/side of the site away from the main public vantage points and away from the Ingham Road frontage. Sufficient garden space would be provided to the front and rear of the dwelling for children to play and for residents to sit out. Landscaping would ensure the space remains private to the occupiers of the property.
- 7.30 In light of the above, it is considered that the development would provide adequate space about buildings, so as to protect future residents from any excessive levels of overshadowing and/or loss of privacy and a good standard of living accommodation. The application is therefore acceptable in this respect and would meet with the expectations of Policies along with the relevant requirements of the National Planning Policy Framework.

Design

- 7.31 Local Plan policy LP24 states that: 'Proposals should promote good design by ensuring:
- a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape, and;
 - c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers;'

- 7.32 Paragraph 130 of the National Planning Policy Framework states that ‘decisions should ensure that developments will function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping’.
- 7.33 The property externally has been designed to continue the features of the adjacent properties along Ingham Road. The external features of similarity include window sizes and window design, fenestrations, and a dual pitched roof.
- 7.34 It should also be noted that the front elevation would be the most prominent where it would be viewed by people walking along Ingham Road and from passing vehicles. As such, the roof has been designed to be pitched and gable ended to match the existing terraces, whilst the materials proposed for the dwelling would include natural coursed stone for the walls and natural slate for the roof to match.
- 7.35 The brickwork, roof materials, windows frames and doors used would match those used on these neighbouring dwellings. The materials for the dwelling and their detail can be confirmed as a condition of any approval if necessary.
- 7.36 It is considered that the design would not undermine the character of the area or the traditional surrounding built environment as a whole and would be acceptable in this location and position where nearby properties consist of a variety of buildings and dwelling types, including dwelling with two storey outriggers. The overall appearance is not considered harmful and would complement the character of the area in this location.
- 7.37 In light of the above, the proposal would result in no undue harm to visual amenity and would be acceptable to the overall character and appearance of the area and the street scene. The application would therefore accord in this regard with Policy LP24 of the Local Plan and the relevant parts of the NPPF, and SPD.

Highways

- 7.38 Policy LP21 of the Local Plan requires all proposals to ensure the safe and efficient flow of traffic within the development and on the surrounding highway network; and where needed, provide new infrastructure or improvements on or off site to ensure safe access from the highway network for pedestrians, cyclists, public transport users and private vehicles.
- 7.39 Paragraph 111 of the NPPF makes clear 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**’.

- 7.40 Kirklees Council has not set local parking standards for residential and non-residential development. However, as an initial point of reference for residential developments, it is considered that new:
- 2 to 3 bedroom dwellings provide a minimum of two offstreet car parking spaces.
- 7.41 The application site is seldom used and is vacant and has not formed part of the extensive side garden area of No.52 Ingham Road, as such the proposed development would be quite intensive by comparison. The site is located in close proximity to Dewsbury Town Centre and a number of Local Centres and therefore in an accessible location. The plans show two dedicated off-street parking spaces would be provided for the dwelling to the rear which would be sufficient for dwellings of this size with 3 bedrooms.
- 7.42 Also, given its location close to a main road (Slaithwaite Road) which links into the town centre, with excellent bus links and parking available on side streets and in the vicinity, sufficient provision for a development of this size in a location as sustainable as this (close to the main town centre and major bus route) is justified.
- 7.43 In addition, although parking and turning would be within an unadopted the cul de sac, the proposal would not affect or impact the current situation. Furthermore, the addition of a possible 2 extra cars using the road by way of this development would not strain the surrounding highways.
- 7.44 It is not expected that this proposal would impact negatively upon the surrounding highway network.
- 7.45 Bin storage would be provided in the rear/side yard area where refuse would also be collected from, similar to the neighbouring dwellings.
- 7.46 Given the details, it is considered the proposed development can safely be provided without resulting in harm to pedestrian and highway safety. As demonstrated the proposal would provide sufficient parking and would be in accordance with Policy LP21 of the Councils Local Plan and Paragraph 111 of the NPPF where the proposal would not have a **severe** cumulative impact to warrant refusal of the application.

8.0 CONCLUSION

8.1 It has been demonstrated that the proposed development can be carried out in full compliance with the Council's policies in the Local Plan and the National Planning Policy Framework. The development would provide good quality family accommodation which would bring a positive contribution into the local area without creating a significant detrimental impact on the amenity of the local occupiers and residents.

8.2 Given the above, the proposal should be supported in full by the Council.