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Residential and Commercial Planning : Planning Applications, Appeals and Enforcement

PLANNING AND DESIGN AND ACCESS STATEMENT

PROPOSED RESIDENTIAL DEVELOPMENT ON LAND OFF CUMBERWORTH LANE, DENBY DALE

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(REV MAY 24)**

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1. INTRODUCTION

- 1.1 This planning statement is produced in support of a reserved matters application for the residential development of ten dwellings on land situated off Cumberworth Lane, Denby Dale
- 1.2 Outline planning permission was granted for the residential development of up to 10 dwellings on the land on 7 January 2021 with all matters reserved for future approval.
- 1.3 The purpose of this statement is to provide an evaluation of the site, together with a review of relevant local and national planning policies before presenting a case in support of the application taking into account all material planning considerations.

2. THE SITE AND SURROUNDINGS

- 2.1 The site is predominantly rectangular in shape and is greenfield land covering an area of around 0.5 hectares. To the north of the site is farmland, to the south, east and west are residential properties. Also to the west is the existing access onto Cumberworth Lane, which is located in between Nos 5 and 6.
- 2.3 The access is currently an informal drive, running east to west from Cumberworth Lane and currently serves up to 3 properties.

3. THE APPLICATION PROPOSALS

- 3.1 The application seeks reserved matters approval for 10 dwellings with three different house types proposing 3 bedroom dwellings.
- 3.2 The layout is formatted to suit the shape and contours of the land, so there is a central internal access road with rows of houses to either side and at the eastern end.
- 3.3 The dwellings will be a mix of split level two and three storey plots, with all units constructed in artificial stone with artificial blue slates.
- 3.4 The development would be served by one single point of access from Cumberworth Lane.
- 3.5 Parking is provided in a combination of integral garages and outdoor parking. There would be cycle storage and refuse storage for each unit.
- 3.6 Each plot would have private garden areas which would be separated by fencing on individual boundaries.

4. PLANNING POLICY CONTEXT

National Policy

- 4.1 The latest version of the National Planning Policy Framework (“NPPF”) was published in 2023.

4.2 Paragraph 7 advises that the purpose of the planning system is to contribute to the achievement of sustainable development, with the objective of sustainable development being to meet the needs of the present without compromising the ability of future generations to meet their own needs.

4.3 Paragraph 8 refers to the three dimensions to sustainable development - economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- *an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
- *a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*
- *an environmental role– contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.*

- 4.4 The Government has made clear its expectation, through the Framework, that the planning system should positively embrace well-conceived development to deliver the economic growth necessary and the housing we need to create inclusive and mixed communities. With regard to decision-taking, Paragraph 11 confirms this means approving development proposals that accord with the development plan 'without delay'. Where the development plan is absent, silent or out-of-date, planning permission should be granted, provided the impacts do not significantly and demonstrably outweigh the benefits.
- 4.5 Paragraph 60 confirms that it is the Government's objective to significantly boost the supply of homes and in doing so ensure that a sufficient amount and variety of land can come forward where it is needed.
- 4.6 Paragraph 70 advises that small and medium sized sites can make an important contribution to meeting the housing requirements of an area and that local planning authorities should give great weight to the benefits of using suitable sites within existing settlements.
- 4.7 Paragraph 123 requires planning policies and decisions to promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 4.8 Paragraph 128 advises that both planning policies and decisions should support development that makes efficient use of land.

- 4.9 Paragraph 131 advises that good design is a key aspect of sustainable development, creating better places in which to live and work and helping to make development acceptable to communities.

Local Policy

- 4.10 The statutory development plan consists of the Kirklees Local Plan which was adopted on 27 February 2019. The site forms part of a wider housing allocation in the Local Plan.
- 4.11 Policy LP1 advises of a positive approach when considering development proposals that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
- 4.12 Policy LP7 advises that housing density should ensure the efficient use of land, in keeping with the character of the area and developments should achieve a net density of at least 35 dwellings per hectare, where appropriate.
- 4.13 Policy LP11 says that all proposals for housing will be of high quality and design and contribute to creating mixed and balanced communities in line with the latest evidence of housing need. It goes onto say 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. For schemes of more than 10 dwellings or those of 0.4ha or greater in size, the housing mix should reflect the proportions of households that require housing, achieving a mix of house size and tenure.

- 4.14 Policy LP21 advises that proposals should demonstrate that they can accommodate sustainable modes of transport and be accessed effectively and safely by all users. New development will normally be permitted where safe and suitable access to the site can be achieved for all people and where the residual cumulative impacts of development are not severe.

5. DESIGN AND ACCESS STATEMENT

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 The principle of residential development has already been established by the outline permission granted in 2021 (ref 2019/93906).
- 5.3 The case for the application is therefore based on the individual reserved matters as follows.

Layout

- 5.4 The layout reflects the terms of the outline permission in proposing 10 units.
- 5.5 The density level is a suitable figure given that some parts of the site are not developable due to the levels and it is considered that the extent of development fits comfortably into the general character and grain of existing established housing in the local area, complying with the requirements of Policy LP7 of the Local Plan and paragraph 124 of the Framework.

- 5.6 All properties will have private garden areas and in curtilage parking, both integral and outdoor. Drawing No 23-058-10 rev D shows the level of amenity space provided which is sufficient to comply with the requirements of Policy LP11.
- 5.7 The layout of the dwellings and the distances achieved between windows to windows has been designed to meet recommended minimum distance standards.
- 5.8 There is a good mix of housing in terms of size and type, three different house types for 10 plots is an appropriate mix.
- 5.9 In overall terms the layout respects the established character and appearance of the surroundings and is consistent with the requirements of local and national policies.
- 5.10 With regard to affordable housing (policy HS6) this will be addressed via the conditions discharge process having regard to condition 5 on the outline planning permission.

Appearance

- 5.11 As stated there are three different house types proposed on what is an informal layout of the site. The proposal is for a high quality design which would enhance the character of the surroundings.
- 5.12 Artificial stone and artificial blue slates are proposed for all of the units, with high performance upvc windows and composite doors. The materials proposed with

this application are appropriate to the local surroundings having regard to the advice in Policy LP11 and paragraph 126 of the NPPF.

Scale

- 5.13 The scale of the dwellings is that house types 1 and 2 will be two and three storey units and house type 3 will be two storeys.
- 5.14 The scale is appropriate to the established character of the area which includes a range of property styles. The site is also very much one that can be seen in its own context given its relative isolation from any nearby dwellings.

Landscaping

- 5.15 Landscaping proposals are shown on drawing number 23-056-10, which proposes retention of existing trees and lawned garden areas which future residents will be expected to tailor to their own requirements. Hard landscaping will be in the form an block paving with various finishes.

Access

- 5.16 Access will be one from single point from Cumberworth Lane, as existing, and is designed to be to adoptable standards. The general highway arrangement details are shown on drawing number 23-058-10 rev D.
- 5.17 In total 24 parking spaces are provided with a minimum of two spaces per unit with visitor parking also included.

5.18 The proposals satisfy the requirements of Policy LP21.

6. CONCLUSION

6.1 The proposals address conditions 1 and 2 of the outline permission and provide the details relating to appearance, layout, access, landscaping and scale. A high quality layout and design is put forward and the overall proposals as put forward are considered to comply with the key areas of policy advice in the Local Plan and the NPPF.