

Planning Statement_

Stables at The Piggery
Burnt Platts Lane
Slaithwaite
Huddersfield
HD7 5UZ

Conversion and Extension of Existing Stable Block to Create Self-Contained Dwelling_

July 2024_

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1.0 Introduction_

Background

- 1.1 Eight One Two Architects Ltd have been instructed by Mr Colin Downen, to prepare a planning statement to support a detailed planning application for the following development, namely:

"Conversion and Extension of Existing Stable Block at The Piggery, Burnt Plats Lane, Slaithwaite to create single dwelling with access and associated works."

- 1.2 This statement will address the relevant national and local planning policies that deal with the principle of the proposed development, and the pertinent planning matters associated with the scheme. This will be addressed as set out below:

Section 2 - Application Site Context
Section 3 - Planning History
Section 4 - Relevant Planning Policy – National Planning Policy Framework
Section 5 - Relevant Planning Policy – Kirklees Development Plan
Section 6 - Other Material Considerations
Section 7 – Conclusions

Principle of Development

- 1.3 The National Planning Policy Framework is supportive as a matter of principle of the efficient and effective use of land and buildings, and the delivery of new homes to meet identified needs, especially when such delivery is associated with the conversion of existing buildings.
- 1.4 It is our view that the development subject of this application is compliant with the core principles of local and national planning policy. Further, that there are other material considerations which also weigh in favour of the grant of consent, and we would therefore kindly request that this application be approved without delay.

Submitted Documentation

- 1.5 This application is supported by the following documents and drawings:

- Existing and Proposed Elevations and Floor Plans;
- Site Layout Plan (Existing and Proposed);
- Location Plan;
- Drainage Assessment and Plans;
- Preliminary Ecological Appraisal;

- Structural Survey; and
- Planning Statement.

2.0 Application Site Context_

- 2.1 The application site is located within the Green Belt on the outskirts of the settlement of Slaithwaite.
- 2.2 The site currently comprises of a two storey dwelling set on a large plot with a number of existing outbuildings, including the stable block subject of this application. The site is located within a rural location, but there are a number of residential properties located adjacent to the application site, and in the wider locality, this is not an isolated location. The proposed use is therefore deemed to be compatible with the character of the wider local area.
- 2.3 Whilst located within the Green Belt and outside of the defined settlement boundary for Slaithwaite, the site is relatively well located for access to the village centre for key local services and including shops, eating establishments, supermarkets, recreation spaces, employment opportunities and education establishments. The development and use proposed is therefore deemed to be compatible with the local area.
- 2.4 The property is well related to the main highway network, with sufficient space on site to secure the required level of off street car parking to service the development. The site will be served with a separate access to the existing dwelling, and both properties will retain sufficient space on site for parking and amenity purposes. The site is accepted not to be well served by public transport, but is close enough to the settlement of Slaithwaite to secure access by alternative modes of travel. The impact on the highway network from the scheme as submitted is deemed to be de minimus.
- 2.5 From a review of the Historic England mapping service, the site subject of this application is not understood to be listed. The site is also not understood to be located within a defined Conservation Area. Whilst there are noted to be a number of heritage assets located in the local area, they are in our view a sufficient distance from the site to be unaffected by the scheme as proposed.
- 2.6 From a review of the Environment Agency Flood Map, it is noted that the application site is not located within an area at risk from flooding.
- 2.7 We are not aware of any Tree Preservation Orders on site or that will be affected by the proposed development.

Proposed Development

- 2.8 The development subject of this application comprises the conversion of the existing stable block, and minor extension of the existing building to create a self contained single dwelling. The proposals seek to deliver a detached two bedroom property, with secure access, car

parking and extensive areas of amenity space and landscaping to service the need of the development.

- 2.9 The existing structure has been shown within the as submitted structural survey to be capable and suitable for conversion, and whilst minor additions are proposed, including a minor increase in the height of the ridge, none of the proposed physical alterations are deemed to be disproportionate to the original building, and will have no greater impact on the openness of the Green Belt than the existing arrangement.
- 2.10 The application site already benefits from a separate vehicular access point, and the development has been designed to ensure that the amenities of both existing and proposed occupiers are protected, with the existing dwelling in the main orientated to the south, on the other side of the property. The existing garages serving The Piggery adds further screening, with planting and landscaping also proposed to create a clear delineation of the site curtilages, and to clearly demarcate the new site boundaries, as well as enhancing biodiversity on site.
- 2.11 The scheme includes the provision of a package treatment plant to service the needs of the proposed new dwelling, with the details of the same included within the as submitted drainage plans and documentation.
- 2.12 Given the nature of the proposed use and the justification set out within this report, the scheme as submitted is deemed to be acceptable as a matter of principle.

3.0 Planning History_

- 3.1 Having reviewed the planning history for the site attention is drawn to the provisions of the following application:

Application Ref: 95/62/92955/W1

Description of Development: Change of Use of Existing Building and Land to Stables, Riding School and Livery Yard, Formation of Schooling Area and Alterations to Access

Decision: Approved and implemented

Date of Decision: 19th January 1996

4.0 Relevant Planning Policy and Legislation – National Planning Policy Framework_

- 4.1 The development subject of this detailed application needs to be assessed against the provisions of the Development Plan, which comprises the Revised National Planning Policy Framework and the adopted Kirklees Development Plan. This section of the report will focus on the national planning policy position, with local policies addressed at Section 5.

Revised National Planning Policy (NPPF) December 2023

- 4.2 The Revised National Planning Policy Framework was last updated in December 2023, and sets out the Government's planning policies for England, and how these are expected to be applied. Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The NPPF is a material consideration in the decision-making process, and a summary of paragraphs considered material to the evaluation of this proposed development read as follows:

Section 2 - Achieving Sustainable Development

"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):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
- c) an environmental objective—to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."*

"Paragraph 10: So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development."

"Paragraph 11: Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; "

"Paragraph 12: 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."

Section 4 - Decision Making

"Paragraph 38: Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible."

"Paragraph 39: Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community.

"Paragraph 47: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing."

Section 5 - Delivering a Sufficient Supply of Homes

"Paragraph 60: 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. The overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community."

“Paragraph 70: *Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:*

- a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;*
- b) use tools such as area-wide design assessments and Local Development Orders to help bring small and medium sized sites forward;*
- c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and*

- d) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes*

“Paragraph 76: *Local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes if the following criteria are met:*

- a) their adopted plan is less than five years old; and*
- b) that adopted plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded.*

Section 8 – Promoting Healthy and Safe Communities

“Paragraph 96: *Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which:*

- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;*
- b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and*
- c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and*

accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling."

"Paragraph 97: To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
- b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;*
- c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;*
- d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and*
- e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services."*

Section 9 - Promoting Sustainable Transport

"Paragraph 108: Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;*
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;*
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;*
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*
- e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places."*

"Paragraph 114: In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users;*

- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."

"Paragraph 115: 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."

"Paragraph 116: Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations."

Section 11 - Making Effective Use of Land

"Paragraph 123: Planning policies and decisions should 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. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land."

"Paragraph 124: Planning policies and decisions should:

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;

- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and
- e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers."

"Paragraph 125: Local planning authorities, and other plan-making bodies, should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them. This should include identifying opportunities to facilitate land assembly, supported where necessary by compulsory purchase powers, where this can help to bring more land forward for meeting development needs and/or secure better development outcomes."

"Paragraph 128: 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;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed and beautiful, attractive and healthy places."

Section 12 - Achieving Well-Designed and Beautiful Places

"Paragraph 131: Advises that the creation of high quality, beautiful and sustainable 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process."

Section 13 – Protecting Green Belt Land

"Paragraph 152: Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances." "

"Paragraph 153: When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."

"Paragraph 154: 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
- g) 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."

"Paragraph 155: Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order."

Section 15 – Conserving and Enhancing the Natural Environment

"Paragraph 180: Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate."

- 4.3 **Summary:** The scheme as proposed seeks to secure planning permission for the conversion and extension of the existing building, and the creation of a single dwelling. The site will deliver a high quality single storey home, with good amenity standards for proposed residents on a suitable site. The scheme will deliver on site car parking to service the needs of the development, with site access remaining as per the existing for The Piggery, and there is therefore no detrimental impact on access and the wider highway network. In relation to environmental impact the scheme is supported by the relevant reports to demonstrate that it is acceptable in relation to ecology and drainage, and will in reality have no greater impact on the wider environment than the existing arrangement.
- 4.4 Whilst the scheme proposes new development, the element of new building is in reality limited in scale and nature, proportionate to the scale of the existing building, and has been designed to respect and reflect the character of the existing site, and to ensure that there is no greater harm on the openness of the Green Belt than the existing arrangement. The building has been shown to be suitable and capable for conversion within the as submitted structural report, and the proposals are therefore clearly compliant with national guidance in relation to suitable development within the Green Belt. The scheme is therefore clearly acceptable and appropriate as a matter of principle.
- 4.5 In addition, it is understood from the Kirklees Interim Housing Position Statement to Boost Supply dated October 2023 that the Council can only demonstrate 3.96 supply of deliverable housing sites. Given that the original adopted Local Plan is now more than five years, the provisions of paragraph 76 as set out above apply, as does the tilted balance detailed at paragraph 11d. In addition, in line with the provisions of paragraph 79 of the Framework, given that the latest Housing Delivery Test confirms that the Council has below than 75% housing delivery over the preceding three year period, that there is therefore a clear presumption in favour of sustainable development. Given that the Council are not therefore understood to be able to demonstrate a five year supply of land indicates that the Council should be seeking to support and promote schemes such as that proposed which will assist in delivering new homes, in suitable locations, on a previously developed site as a matter of principle, and particularly given that the proposal secures the effective and efficient use of an existing building.
- 4.6 It is clear for the reasons set out above that the development proposed is in accordance with the paragraphs and requirements of the National Planning Policy Framework. Therefore, in line with the provisions of paragraph 11 of the Framework, we would kindly request that the Council seek to support the development as currently proposed, and to work with us towards a positive determination of this application.

5.0 Relevant Planning Policy – Kirklees Development Plan _

- 5.1 The Development Plan currently comprises of the Kirklees Local Plan (adopted February 2019), and the provisions of a number of Supplementary Planning Documents.
- 5.2 It is understood from a review of the local authority Proposals Map that the site subject of this application is located within the Green Belt, within a Biodiversity Opportunity Zone and Mineral Safeguarding area.
- 5.3 Included below is a list of the adopted key determinative development plan policies of relevance to the assessment of this application:

Kirklees Local Plan (2019)

- Policy LP1 – Presumption in Favour of Sustainable Development;
 - Policy LP2 – Place Shaping;
 - Policy LP3 – Location of New Development;
 - Policy LP7 – Efficient and Effective Use of Land and Buildings;
 - Policy LP11 – Housing Mix and Affordable Housing;
 - Policy LP20 – Sustainable Travel;
 - Policy LP21- Highways and Access;
 - Policy LP22 – Parking;
 - Policy LP24 – Design;
 - Policy LP26 – Renewable and Low Carbon Energy;
 - Policy LP28 – Drainage;
 - Policy LP30 – Biodiversity and Geodiversity;
 - Policy LP32 – Landscape;
 - Policy LP52 – Protection and Improvement of Environmental Quality;
 - Policy LP57 - The Extension, Alteration or Replacement of Existing Buildings in the Green Belt; and
 - Policy LP60 – The Re-use and Conversion of Buildings in the Green Belt.
- 5.4 Given the nature of development being proposed within this scheme, particular attention is drawn to the provisions of policies LP7 which is noted to read as follows:

- “LP7: To ensure the best use of land and buildings, proposals:
- a. should encourage the efficient use of previously developed land in sustainable locations provided that it is not of high environmental value;
 - b. should encourage the reuse or adaptation of vacant or underused properties;
 - c. should give priority to despoiled, degraded, derelict and contaminated land provided that it is not of high environmental value;

d. will allow for access to adjoining undeveloped land so it may subsequently be developed.

Housing density should ensure efficient use of land, in keeping with the character of the area and the design of the scheme:

- a. developments should achieve a net density of at least 35 dwellings per hectare, where appropriate;
- b. higher densities will be sought in principal town centres and in areas close to public transport interchanges
- c. lower densities will only be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs;
- d. more detailed density requirements may be set out in area actions plans, neighbourhood plans, supplementary planning documents and development briefs, where appropriate."

- 5.5 **Comment:** The development subject of this application seeks to secure the effective and efficient use of an existing building and a previously developed site within an area deemed compatible with residential uses. The scheme will deliver much needed new homes given the current under provision within Kirklees, and within a suitable location.
- 5.6 The proposed scheme given the proposed scale and layout is not felt to result in harm to the amenities of neighbouring properties, and no greater impact on the wider local environment than the existing arrangement. The site benefits from sufficient land to deliver outdoor amenity space to meet the amenity needs of the proposed residents, without resulting in harm or a lack of amenity space associated with the existing dwelling.
- 5.7 The site is therefore deemed to be suitable and appropriate for the scale and form of development proposed. The proposal is therefore deemed to be consistent with the provisions and principles of Policy LP7.
- 5.8 In addition to the policies detailed above, given the sites location within the Green Belt, attention is also drawn to the provisions of Policies LP57 and LP60 which read as follows:

"Policy LP57 - Proposals for the extension, alteration or replacement of buildings in the Green Belt will normally be acceptable provided that:

- a. in the case of extensions the original building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and of other associated buildings will be taken into account.

Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building;
b. in the case of replacement buildings, the new building must be in the same use as and not be materially larger than the building it is replacing;
c. the proposal does not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access; and
d. the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting."

"Policy LP60 - Proposals for the conversion or re-use of buildings in the Green Belt will normally be acceptable where;

- a. the building to be re-used or converted is of a permanent and substantial construction;
- b. the resultant scheme does not introduce incongruous domestic or urban characteristics into the landscape, including through the treatment of outside areas such as means of access and car parking, curtilages and other enclosures and ancillary or curtilage buildings;
- c. the design and materials to be used, including boundary and surface treatments are of a high quality and appropriate to their setting and the activity can be accommodated without detriment to landscape quality, residential amenity or highway safety."

- 5.9 The requirements of Policy LP57 are noted and the scheme as proposed is deemed to be compliant with the key principles in that the proposed extensions will remain subservient to the original building, which has thus far not been extended, and which will continue to appear as the dominant feature on site. The proposal will have no greater impact or result in greater harm on the openness of the Green Belt than the existing arrangement and will not result in any significant greater levels of hardstanding and built development on site than the original structure.
- 5.10 In relation to the matter of design and proposed use of materials, as shown on the application drawings the structure will remain much as per the original arrangement with materials to match the existing, namely timber.
- 5.11 In response to the provisions of the policy LP60, it is clear that the existing structure is of a permanent and substantial construction, and this has been further shown in the as submitted structural report. The scheme secures the existing access and outdoor amenity areas, and the scale and design of the proposed extensions are deemed to be proportionate, and therefore

acceptable as a matter of principle, and will have no greater impact on the local area, visual amenity, or the openness of the Green Belt than the existing arrangements.

Other Relevant Policy Documents

- 5.12 In addition to the adopted planning policies referred to above, there are noted to be a number of adopted Supplementary Planning Documents in Kirklees. These documents include the Affordable Housing and Housing Mix SPD (March 2023), Quality Space SPD (June 2021), House Extensions and Alterations SPD (June 2021), Open Space SPD (June 2021) and the Highway Design Guide SPD (November 2019).
- 5.13 The scheme is not felt to contradict or undermine the provisions of other supplementary planning documents.

Development Plan Summary

- 5.14 For the reasons set out above, it is our view that the development subject of this application represents an acceptable and appropriate form of development given it relates to the conversion of an existing structurally sound building in the Green Belt. The scheme will secure the effective and efficient use of an existing building with extensions of a scale, form and design which will remain proportionate to the original building. The nature and scale of use will also be commensurate with the wider local area, and with the use and character of adjacent properties.
- 5.15 The proposed use of the application site is therefore deemed to be compliant with the provisions of the Development Plan, and there is therefore a legitimate expectation that the Council will be supportive of the scheme as a matter of principle.

6.0 Other Material Considerations _

- 6.1 Section 70(2) of the 1990 Act requires that the authority, in dealing with the application, shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations. It has been demonstrated above that the proposed development is in accordance with the relevant provisions of the Development Plan, including national and local plan policy. In addition to this, material considerations exist that weigh further in favour of the development, including:
- **Sustainable Development:** The scheme as submitted represents a sustainable form of development given it comprises of the effective and efficient use of an existing building to deliver an additional dwelling. The proposed design of the scheme has been developed to respect the character, form and use of materials of the existing building, and to ensure the protection of the privacy and amenity of the proposed residents, neighbouring residents and the visual amenities of the street scene.
 - **Character of the Area:** The application site is located within an area characterised by residential uses. The development is therefore deemed to be consistent with the use and character of the locale, and will not harm the amenities or character of the local area.
 - **Housing Provision:** The National Planning Policy Framework sets out a need for local authorities to deliver the homes that people need in the right locations. The Framework further requires the application of the tilted balance and a presumption in favour of sustainable new homes, when local authorities either have a plan in excess of five years in age. In this case the Kirklees Local Plan is five years old as of the 27th February 2024. Furthermore, the Council are understood to no be able to demonstrate a viable supply of five years worth of housing land. This proposal seeks to secure consent for the delivery of a further dwelling on site, and whilst only delivering a single dwelling is a material consideration.
- 6.2 As such, whilst we remain of the view that the development proposed is compliant with the policies, provisions and principles of the Development Plan when read as a whole, there are also a number of clear material benefits to the development which also tip the balance in favour. There is therefore a legitimate expectation that consent will be granted for this application.

7.0 Conclusions_

- 7.1 It has been demonstrated throughout this submission that the development subject of this application accords with the relevant statutory duties and the Development Plan when read as a whole. The proposed development is acceptable in principle, by virtue of the provisions of the National Planning Policy Framework and the Kirklees Development Plan. Furthermore, there are other material considerations which further weigh in favour of the grant of consent, and these have been dealt with in detail above.
- 7.2 Section 70(2) of the Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that where an application accords with the relevant Development Plan and material considerations are in favour, applications should be determined positively. As such, based on the above principles, we would therefore kindly request that the Council seek to support this proposal in principle, and to work with us on a positive determination.
- 7.3 Should you require any further information in advance of validation of the application, or during the assessment process, please do not hesitate to contact us.