

SUPPLEMENTARY PLANNING STATEMENT

re

OUTLINE APPLICATION

For

Demolition of existing stable block and store

and

Erection of 3 No. dwellings including means of access, appearance, layout and scale

at Mount Pleasant, Plains Lane

Marsden, Huddersfield HD8 6AN

Application Reference 2024/93046

1.0 INTRODUCTION

1.1 This supplementary statement is submitted in support of the above application in the light of -:

- 1) an email response from Lucy Taylor, the case officer, dated 4 December and
- 2) matters contained in the revised version of the National Planning Policy Framework (NPPF) issued on 12 December. I deal with each in turn.

2.0 EMAIL 4 DECEMBER

2.1 It is pleasing to note that the view is expressed that "... there could be scope for redevelopment (on the basis that it) would not have a greater impact on the openness of the Green Belt." However, the following is noted, "As submitted the scheme fails to comply with local and national Green Belt policies."

2.2 Issues identified are:-

- a) – a much more intense use than the existing stable;
- b) – a greater footprint;
- c) – set at a higher topographical ground level and
- d) – require a significant extent of engineering operations (new access, parking arrangements and retaining structures).

2.3 In response -:

- a) – It is accepted that the proposed use will be more intensive but there is clearly no highway reason why that would be unacceptable.
- b) – taking into account the overall footprint of the concrete slab on which the existing stables are built and its extension in front of the stable doors, the slab's footprint totals 258m². Additionally, the existing garage has a footprint of 36m² giving a total existing footprint of 294m². The footprint of the proposed houses is only 214m², i.e. 80m² less.
- c) – The ground floor of the houses is set at a lower level, not a higher level, than the existing stables – they will be dug in more. It is accepted that being 2 – storeys in height, with the first-floor accommodation being located in the roof space, the ridge line of the houses in relation to surrounding land will be higher than that of the stables, but only by approximately one metre. As such, in the wider context, that additional height will be

insignificant, as shown in the before and after photographs in the previously submitted Background Information.

d) - it is accepted that the new access will require retaining stone walls which will be provided to the rear of the sight-lines at the new vehicular entrance. The parking area will not be defined by retaining walls - it will be set down below the level of the surrounding land, the difference in level being achieved by sloping down at an appropriate gradient. There will be an increase (unseen from outside the site) in the height of the wall which currently retains land immediately adjacent to the concrete slab in front of the stable doors as well as very low natural stone walling immediately to the front of the houses defining their very modest gardens.

2.4 Accordingly, it is considered that the proposals will result in only a very marginally greater impact on the openness of the Green Belt.

2.5 However, as argued at paragraph 4.3 of the Planning Statement previously submitted, it is considered that very special circumstances exist to justify a favourable response to the application.

2.6 These very special circumstances are my clients' commitment to firstly, build the houses to exemplary certified Passivhaus standard using expertise required in business over the past 25 years; and – secondly, to develop a community food growing project on the land they own as defined by the blue line on the submitted location plan.

2.7 Both commitments are backed up by a willingness to sign S106 obligation to ensure that these are undertaken.

2.8 It is noted that Lucy Taylor's email fails to acknowledge these commitments in her approach to the application. In my view they constitute very special circumstances sufficient to justify approval.

2.9 The revised NPPF – Grey Belt

2.10 The revised version introduces the classification of certain land as 'grey belt'. It is defined as land in the Green Belt compromising previously developed land and/or any other land that, in either case, does not strongly contribute to a number of purposes served by the Green Belt.

2.11 It is argued in the submitted Planning Statement that the site of the stables compromises previously developed land. As such it should be regarded as grey belt.

2.12 The revised NPPF now includes a new paragraph 155 which sets out that, inter alia, the development of houses in the Green Belt should not be regarded as inappropriate where certain criteria are met.

2.13 In this case the proposal -:

- a) – would not fundamentally undermine the purposes of the remaining Green Belt across the Kirklees Local plan area;
- b) would meet a demonstrable unmet need given the shortfall in Kirklees' housing delivery; (see paragraph 2.15 below)
- c) – would be in a sustainable location close to bus and rail travel options;
- d) – Golden Rules' contributions are not required as the proposal does not constitute major development.

2.14 Accordingly, the proposal to develop housing essentially on the footprint of the existing stables is not, by definition, inappropriate.

2.15 The revised NPPF – Presumption in Favour of Sustainable Development

2.16 The Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and as such it is accepted that relevant Local Plan policies for the supply of housing land are out-of-date. This now triggers the NPPF presumption in favour of sustainable development. As set on in NPPF paragraph 11d, this means that for decision making “Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (NPPF Footnote 8), granting permission unless: (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed (NPPF Footnote 7) ; 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes...”

2.17 With regards to paragraph 11d it is acknowledged that the Green Belt is defined as a protected area in the NPPF Footnote 7 but it is considered that the impact of the proposal on the Green Belt does not provide a strong reason for refusal.

2.18 With regard to paragraph 11d (ii) it is considered that any adverse impacts from development will be outweighed by the benefits that will accrue. As set out in para.2.6 above, it is considered that the very special circumstances set out provide sound reasons why permission should be granted.

3.0 CONCLUSION

3.1 It is concluded that the email from Lucy Taylor fails to give sufficient weight to the policy compliant nature of the proposals and the benefits that the proposals will bring in terms of providing an exemplar of energy efficiency, in terms of the community benefit and in terms of meeting a serious housing need;

3.2 In my view, taking those matters fully into account, leads to the logical decision to approve the application.

Malcolm Sizer

Malcolm Sizer Planning Ltd.

January 2025