



**RESIDENTIAL DEVELOPMENT (1NO. DETACHED DWELLING)**

**LAND ADJ. 28 STRINGER HOUSE LANE, EMLEY, HUDDERSFIELD,  
HD8 9SU**

**PREPARED FOR: SHAUN HENLEY  
PREPARED BY: TOM SHIELS  
CHECKED BY: JAMES ROBERTS MRTPI**

## 1.0 INTRODUCTION

This statement has been prepared to support a full planning application for a detached dwelling house on land adj. 28 Stringer House Lane, Emley. The site is located immediately in between existing residential dwellings, and forms a small gap in the otherwise continuous built frontage along this part of Stringer House Lane. The development is for infilling in the Green Belt that would not cause substantial harm to openness. As such, the proposal is a type of development that is not inappropriate within the Green Belt and accords with both the NPPF and relevant Local Plan policy.

Furthermore, the new dwelling has been sensitively designed in order to respect and reflect the rural landscape setting of the site and the character of the existing built environment.

This statement should be read in conjunction with the supporting plans supplied by Hill Rise Architecture which demonstrate the credentials of the scheme in more detail. It is anticipated that the Local Planning Authority (LPA) will adopt a progressive approach to this sustainable scheme.

This statement now proceeds to give details of the site. The details of the proposal are then set out. The planning merits of the scheme are then discussed in relation to relevant planning policies contained in the statutory development plan, together with Government guidance principally set out in the NPPF. In particular, it will be demonstrated that the proposal would result in a sustainable form of development, would not harm highway safety or efficiency, would not harm the character of the area and would sufficiently protect neighbouring living conditions. Furthermore, the proposal would not result in an unacceptable impact on ecological assets. Significantly, the proposed development is of a type that is suitable in the Green Belt. Finally, the conclusion is reached that planning permission should be granted for the proposed development.

## 2.0 THE SITE

The application site comprises of a paddock that is rectangular in shape and laid to grass. The site contains an existing storage building. The site lies immediately in between the existing dwellings at 28 Stringer House Lane and Broomfield Farm. These existing buildings, along with the other neighbouring properties to the north and south form a continuous built frontage to the eastern side of Stringer House Lane. The application site forms a small gap in the built frontage. Open agricultural land lies to the west of the site beyond the opposite side of Stringer House Lane.

The site lies within the Green Belt.

### 3.0 THE PROPOSAL

Full planning permission is sought for the demolition of the existing building and the construction of a single dwelling house. The key elements of the proposal are as follows:

- The scheme comprises infill development that would not cause substantial harm to Green Belt openness.
- The position, form, massing and detailing of the proposed dwelling has been carefully designed in order to reflect and respect the existing neighbouring buildings and the rural landscape in which the site lies.
- The new dwelling would provide a high standard of housing environment for future occupiers, having well-proportioned rooms with excellent levels of outlook and natural light.
- The size and position of the new dwelling would cause no harm to the amenity of occupiers of any existing dwellings.

#### 4.0 PLANNING HISTORY

The relevant planning history for the site comprises of:

2012/62/92010/E Erection of detached dwelling. Application refused November 2012 for the following reason:

*The proposed new residential dwelling adjacent to 28 Stringer House Lane constitutes inappropriate development in the Green Belt which would be harmful to the openness and character of the Green Belt. The dwelling would not form infill development within an existing settlement or village and the proposal would therefore fail to accord with Policy D13 of the Kirklees Unitary Development Plan or Paragraph 89 of the National Planning Policy Framework. No very special circumstances have been put forward which would outweigh the harm to the Green Belt by reason of inappropriateness or the detrimental impact on its openness and visual amenity.*

As discussed in more detail further below, this application pre-dated the recent changes to the NPPF which do not mean that infilling is no longer limited to sites within village locations.

A number of very recent and relevant appeal decisions relating to Green Belt considerations are set out in the Paragraph 154 g) statement that is submitted separately.

## 5.0 ALLOCATION AND POLICIES

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this instance the Development Plan consists of the Kirklees Local Plan

Material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) as updated in July 2021 and the suite of documents comprising National Planning Practice Guidance (NPPG).

### Allocations

The site lies within the Green Belt as identified under the development plan. It is also within a Minerals Safeguarding Area for Sandstone and/or Clay and Shale.

### National

The NPPF is reflective of the guidance contained within the NPPG. The following sections of the revised NPPF are considered of direct relevance to the current proposal:

- Section 2 - Achieving sustainable development
- Section 4 - Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 9 – Promoting sustainable transport
- Section 12 - Achieving well-designed places
- Section 13 – Protecting Green Belt land
- Section 15 – Conserving and enhancing the natural environment

The overarching message of the NPPF is that LPAs should adopt a positive and pro-active approach to planning proposals, particularly those that result in sustainable development. LPAs should not place unnecessary burdens on developers and should look to support appropriate schemes such as this.

### **Kirklees Local Plan**

The following policies are considered of relevance:

LP1 – Presumption in favour of sustainable development

LP9 – Location of new development

LP20 – Sustainable travel

LP21 – Highways and access

LP24 – Design

LP30 – Biodiversity & Geodiversity

LP32 – Landscape

## 6.0 ASSESSMENT

### Principle of Development / Green Belt

The revised NPPF is a crucial part of the Government's overarching agenda of delivering 1.5m new homes during this parliament. This is a central pillar of the 2024 election pledge and is a response to the well-publicised UK housing crisis. The NPPF places great importance on housing delivery across the UK and is accompanied by recent press releases ("back the builder's, not the blocker's") and written ministerial statements. All of these place heavy emphasis on the need to reform the planning system so that developments, most notably housing developments, can be delivered as quickly as possible.

The proposed level of housing that is expected to be delivered is extremely ambitious. To put it into context, the UK has not got close to delivering the amount of housing now proposed for over 45 years.

Applications for housing developments need to be viewed in this context and supported wherever possible.

One of the most significant changes in the revised NPPF in respect of Green Belt policy is the clear and deliberate loosening of restrictions on infill and the redevelopment of previously developed land.

Under the last iteration of the NPPF, infill development was limited to sites within villages (other than for the provision of affordable housing). This was reflected in paragraph 19.31 of the Local Plan, which states:

*"National planning guidance states that new dwellings may not be inappropriate in the Green Belt where they constitute limited infilling within villages. There are a number of smaller settlements in Kirklees which are either overwashed by the Green Belt or inset within it and the level of services contained within these settlements varies considerably. Any application for infill development within the Green Belt will therefore be judged in the first instance on whether the settlement is a village for the purposes of Green Belt policy. If it is established*

*that the site is within a village the plot should be small, normally sufficient for not more than two dwellings and within an otherwise continuously built up frontage.”*

The restriction on infilling to sites within villages is no longer applicable as Paragraph 154 part (g) now allows for limited infilling outside of villages provided it would not cause substantial harm to the openness of the Green Belt.

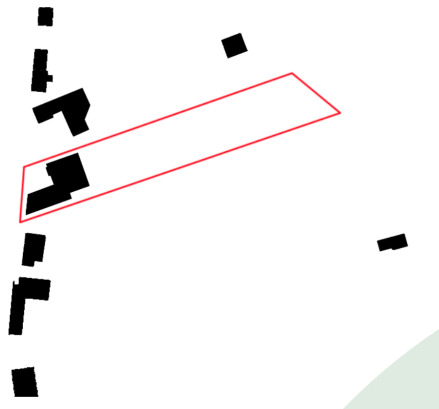
As a result of the revision to the NPPF, the Local Plan stance that proposals for infill development “*will therefore be judged in the first instance on whether the settlement is a village*” is out of date. Instead, the principle of the proposal as appropriate or inappropriate development within the Green Belt rests on whether there would be substantial harm to the openness of the Green Belt.

The site very clearly comprises an infill, being a small gap within the otherwise continuously built up frontage along Stringer House Lane.

With regard to substantial harm to openness, the accompanying note on Paragraph 154 g) provides commentary, with reference to recent and relevant appeal decisions. In summary, it is clear that substantial harm is a deliberately high threshold. There can be no doubt that the change in this respect has been made in order to allow for more housing development on infill sites in the Green Belt. Furthermore, the establishment of the substantial harm threshold means that some degree of harm to openness is acceptable, up to the point that the harm becomes ‘substantial’.

In this instance, it is inevitable that the creation of a two storey dwelling house would have more of an impact on spatial and visual openness than the site in its current form. However, the location of the site directly between the existing buildings, coupled with its relatively narrow width, means the site is visually very well contained.

The proposed dwelling has been very carefully designed to reflect the existing grain and pattern of built form, as set out in detail in the accompanying Design and Access Statement. The model below taken from the D&A clearly illustrates this:



The proposed dwelling would be largely visually contained and would not unacceptably impact the function and purpose of the Green Belt.

As such, and fully consistent with the appeal decisions in the accompanying statement, the impact of the development on openness would be moderate, rather than substantial. This is, therefore, an acceptable form of redevelopment as it would not cause substantial harm to openness.

The proposal is an appropriate form of development in the Green Belt as defined by paragraph 154 (g) of the NPPF. The principle of development is wholly acceptable and policy compliant.

### **Sustainability**

The proposed dwelling would not be an isolated new home as it would be sited immediately adjacent to the existing dwellings on Stringer House Lane. The site is a short distance from Emley village centre, with its good range of local amenities within easy walking / cycling distance of the application site. Broomfield Lane, just to the north of the application site, is a byway that provides a very appealing pedestrian and cycling route directly into the village centre. Whilst the byway status of Broomfield Lane means it can legally be used by motor vehicles, the narrow and unmade nature of the lane means vehicular traffic use is very

infrequent (and at low speed when it does occur). As such, the lane provides a safe and convenient pedestrian and cycle route.

As such, future residents will have good accessibility to community facilities and amenities, without over-reliance on private car use. The site is a suitable and sustainable location for one additional dwelling, and the proposal fully accords with the LPA's adopted spatial strategy in this respect.

### **Design and Landscape**

The proposed dwelling has been carefully designed to reflect and respect both the rural landscape setting of the site, and the existing built environment that lines Stringer House Lane.

As set out in the accompanying Design & Access Statement, the footprint of the dwelling site logically within the existing built form and respects the spatial rhythm of development along Stringer House Lane.

Two storey buildings are in the predominance along Stringer House Lane, but with regular breaks in ridge lines and lower subsidiary elements adding variety to the street scene. This is entirely reflected within the scale and massing of the proposed dwelling, with the main dwelling arranged over two storeys but with a single storey garage and entrance wing projecting towards the road. The pitched roof and linear form, as well as materials and fenestration detailing are entirely reflective of and appropriate to both the landscape and built environment.

The application site is within the Emley Moor Landscape Character Area. As the proposal involves small-scale infill development, and the proposed dwelling is entirely in keeping with the character of the established built form in the locality, the development would have no adverse impact on the identified key characteristics of the character area.

The proposed building would add seamlessly to the street scene and would relate well to its surroundings and would not appear in any way discordant. The proposal would respect and preserve the landscape character of the surrounding area, and is fully compliant with policies LP24 and LP32 of the Local Plan, and section 12 of the NPPF.

### **Transport**

The proposed dwelling would utilise the existing access point directly from Stringer House Lane. Appropriate turning and parking space is proposed within the site.

The site is currently used for a mix of recreation and keeping animals. This already generates traffic movements to and from the site, and the traffic generated by one dwelling house in place of the existing use would have no material impacts on the local highways infrastructure.

Given this, the proposal would not be detrimental to highways safety and efficiency. The proposal fully accords with national and local policy in this regard.

### **Residential Amenity**

The position of the proposed dwelling to the side of the existing neighbouring dwellings would ensure no harmful impacts by way of overshadowing or oppressiveness. Furthermore, the layout of the proposed dwelling ensures the main outlook is onto the external areas of the host property and the open land beyond, and not towards the neighbouring dwellings.

The proposed dwelling would deliver a very high standard of housing amenity for future occupiers, with no harmful impacts to residents of any existing dwellings. The proposal is fully policy compliant in this regard.

### **Ecology**

A biodiversity baseline assessment has been carried out by Estrada Ecology and is submitted separately. This confirms that the development would cause no harm to protected species or irreplaceable habitats, and the statutory net gain requirement can easily be delivered on land within the application site boundary that can remain separate to the garden of the proposed dwelling.

The proposal is fully policy compliant in this respect.

### **Land Stability**

The site lies within a Mining Remediation Authority Development High Risk Area. A Coal Mining Risk Assessment has been undertaken and is submitted separately. This sufficiently considers the coal mining legacy risks and proposed appropriate further investigation that can then inform any necessary mitigation.

## 7.0 CONCLUSION

The proposed scheme represents a sustainable form of development that would not have any unacceptable impact for the reasons set out above.

The proposal would deliver a much needed and good quality new home, in a manner that is fully compliant with Green Belt policy. The proposal would have no adverse impact in respect of visual, amenity, highways and environmental considerations.

The proposal is fully policy compliant.

The Applicant is willing to discuss any issues that may arise during the consideration of the proposal with the LPA.